

SCOTUSblog

INDEPENDENT NEWS & ANALYSIS
ON THE U.S. SUPREME COURT

Stat Pack for the Supreme Court's 2020-21 term

July 2, 2021



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INTRODUCTION

Each year, SCOTUSblog publishes an end-of-term Stat Pack intended to provide data-driven analysis of the Supreme Court's term and identify trends over time. An archive of every Stat Pack dating to October Term 1995 is available [here](#).

Key findings in the October Term 2020 Stat Pack:

- 43% of cases were decided unanimously, slightly below the average of 47% over the past decade.
- 15% of cases were polarized along ideological lines (defined as every Republican-appointed justice in the majority and every Democratic-appointed justice in dissent).
- Justice Brett Kavanaugh was in the majority in 97% of the court's decisions (and 95% of its non-unanimous decisions), the highest of any justice.
- Justice Sonia Sotomayor was in the majority in 69% of the court's decisions (and 45% of its non-unanimous decisions), the lowest of any justice.
- Justice Clarence Thomas and Sotomayor wrote the most total opinions, driven largely by their high numbers of concurring opinions and dissents.
- Among close cases (generally, those decided 6-3 or 5-4), 13 cases had an outcome we coded as "conservative," three cases had an outcome we coded as "liberal," and seven cases had an outcome we coded as "mixed."
- Of the 106 lawyers who argued before the court this term, 79% are men and 21% are women. The lawyers who argued most frequently this term are Paul Clement, Eric Feigin, Jeffrey Fisher, Kannon Shanmugam and Malcolm Stewart, each of whom argued four times.
- The court decided 16 cases from the U.S. Court of Appeals for the 9th Circuit (far more than any other circuit). It reversed the 9th Circuit in 15 of them and affirmed only once.

A few notes on our methodology:

- The Stat Pack is based on the 67 decisions handed down in October 2020 that constitute formal [opinions of the court](#). They fall into three categories: 57 decisions in argued cases, eight "summary reversals" (unsigned decisions reversing a lower court without oral argument), and two unsigned decisions granting emergency relief on the [shadow docket](#). Our dataset excludes shadow-docket orders that grant or deny relief without an opinion of the court.
- Except as noted on the Circuit Scorecard, we treat consolidated cases as a single case, denoted by the case with the lowest docket number.
- In most graphics comparing the nine justices, we usually depict them by ideology, with the most liberal justice (Sotomayor) on the left and the most conservative justice (Thomas) on the right. We occasionally use the colors blue and red to denote liberal and conservative justices or decisions.
- We make infrequent small adjustments to obtain generalized data. Whenever possible, we do this by objective formula. For instance, plurality opinions are treated as majority opinions by the justice who announced the court's judgment and wrote for the most other justices; per curiam opinions are assumed to have garnered a vote from every justice who did not publicly note a dissent; and cases decided by eight justices are sometimes treated as if decided by nine.
- Other methodological notes specific to individual sections are noted in those sections.

TERM INDEX

October (10)						November (8)						December (9)					
Author	Vote	Days*	Result**	Court below	Author	Vote	Days*	Result**	Court below	Author	Vote	Days*	Result**	Court below			
Carney	SGB	8-0	66d	R	3rd Cir.	Salinas	SMS	5-4	93d	R	5th Cir.	Van Buren	ACB	6-3	185d	R	11th Cir.
Texas v. N.M.	BMK	7-1	70d	A	Original	Fish & Wildlife	ACB	7-2	122d	R	9th Cir.	Trump	PC	6-3	18d	R	Dist. Ct.
Tanzin	CT	8-0	65d	A	2nd Cir.	Borden	EK	5-4	219d	R	6th Cir.	CIC Services	EK	9-0	167d	R	6th Cir.
Rutledge	SMS	8-0	65d	R	8th Cir.	Jones	BMK	6-3	170d	A	State	Nestlé	CT	8-1	198d	R	9th Cir.
Google	SGB	6-2	180d	R	Fed. Cir.	Fulton	JGR	9-0	225d	R	3rd Cir.	Edwards	BMK	6-3	166d	A	5th Cir.
Ford	EK	8-0	169d	A	State	Brownback	CT	9-0	108d	R	6th Cir.	Hungary	PC	9-0	58d	R	D.C. Cir.
Briggs	SAA	8-0	58d	R	Arm'd. Fcs.	Niz-Chavez	NMG	6-3	171d	R	6th Cir.	Germany	JGR	9-0	58d	R	D.C. Cir.
Chicago	SAA	8-0	93d	R	7th Cir.	Calif. v. Texas	SGB	7-2	219d	R	5th Cir.	Facebook	SMS	9-0	114d	R	9th Cir.
Torres	JGR	5-3	162d	R	10th Cir.							Collins	SAA	7-2	196d	R	5th Cir.
Pereida	NMG	5-3	141d	A	8th Cir.							Henry Schein					Dismissed

January (5)						February (6)						March (6)					
Chavez	SAA	6-3	169d	R	4th Cir.	Fla. v. Ga.	ACB	9-0	38d	A	Original	Cedar Point	JGR	6-3	93d	R	9th Cir.
Uzuegbunam	CT	8-1	55d	R	11th Cir.	Dai	NMG	9-0	98d	R	9th Cir.	Cooley	SGB	9-0	70d	R	9th Cir.
AMG Capital	SGB	9-0	99d	R	9th Cir.	Lange	EK	9-0	119d	R	State	Caniglia	CT	9-0	54d	R	1st Cir.
BP	NMG	7-1	118d	R	4th Cir.	Arthrex	JGR	5-4	112d	R	Fed. Cir.	Goldman Sachs	ACB	8-1	84d	R	2nd Cir.
Prometheus	BMK	9-0	72d	R	3rd Cir.	Brnovich	SAA	6-3	121d	R	9th Cir.	TransUnion	BMK	5-4	87d	R	9th Cir.
						Carr	SMS	9-0	50d	R	10th Cir.	Alston	NMG	9-0	82d	A	9th Cir.

April / May (13)						No argument (10)						Totals					
Sanchez	EK	9-0	49d	A	3rd Cir.	Mays	PC	8-1	N/A	R	6th Cir.	Cases granted for argument				62	
Chehalis	SMS	6-3	67d	R	D.C. Cir.	Mckesson	PC	7-1	N/A	R	5th Cir.	Cases decided without argument				10	
Greer	BMK	9-0	55d	A	11th Cir.	Taylor	PC	7-1	N/A	R	5th Cir.	Cases postponed before argument***				(4)	
Gary	BMK	8-1	55d	R	4th Cir.	Diocese	PC	5-4	N/A	R	2nd Cir.	Cases dismissed after argument				(1)	
San Antonio	SAA	9-0	36d	A	5th Cir.	Shinn	PC	6-3	N/A	R	9th Cir.	67	Total opinions expected				
Minerva	EK	5-4	69d	R	Fed. Cir.	Tandon	PC	5-4	N/A	R	9th Cir.	Opinions on the merits docket – signed				55	
AFP Foundation	JGR	6-3	66d	R	9th Cir.	Wright	PC	9-0	N/A	R	9th Cir.	Opinions on the merits docket – per curiam				2	
Guam	CT	9-0	28d	R	D.C. Cir.	Lombardo	PC	6-3	N/A	R	8th Cir.	Opinions on the shadow docket				10	
Palomar-Santiago	SMS	9-0	27d	R	9th Cir.	Pakdel	PC	9-0	N/A	R	9th Cir.	67	Total opinions released				
HollyFrontier	NMG	6-3	59d	R	10th Cir.	Dunn	PC	6-3	N/A	R	11th Cir.						
Mahanoy	SGB	8-1	56d	A	3rd Cir.												
PennEast	JGR	5-4	62d	R	3rd Cir.												
Terry	CT	9-0	41d	A	11th Cir.												

*Days between oral argument and opinion announcement.

**Affirmed or reversed (we count as reversals decisions that vacate and remand the decision below).

***The court postponed four arguments after the Biden administration notified the court of policy changes that might render the cases moot.

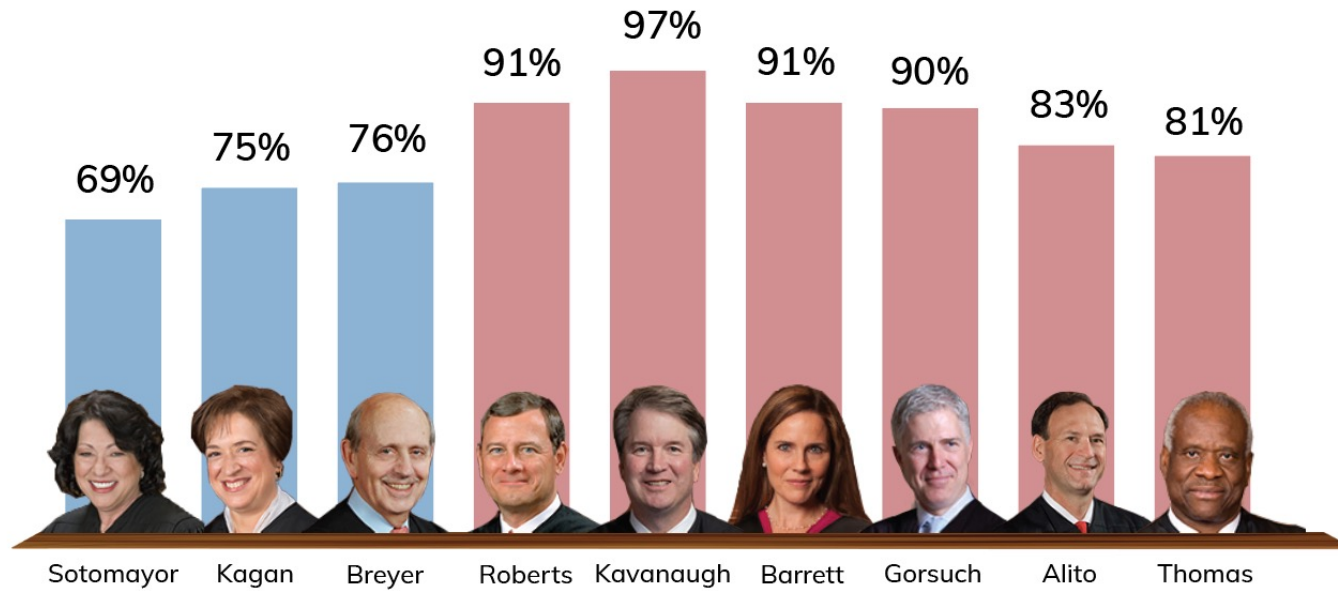
MAKEUP OF THE MERITS DOCKET

Case name	Constitutional law									Criminal law	Environmental law	Immigration law	Administrative law	Civil procedure	Consumer protection	International law	Native law	Patents	Securities law	Antitrust	Bankruptcy	Copyright	ERISA	Freedom of Info. Act	Religious Fdm. Rest. Act	Voting Rights Act
	Article III standing	Search & seizure	Free speech/assoc.	Separ. of powers	Free exercise	Property takings	Cruel & unusual pun.	Right to a jury	Right to vote																	
Greer									X																	
Guam										X																
HollyFrontier										X																
Hungary															X											
Jones						X			X																	
Lange	X								X																	
Mahanoy		X																								
Minerva																										
Nestlé															X		X									
Niz-Chavez											X															
Palomar-Santiago											X															
PennEast					X					X																
Pereida											X															
Prometheus												X														
Rutledge																					X					
Salinas												X														
San Antonio													X													
Sanchez											X															
Tanzin																							X			
Terry									X																	
Texas v. N.M.										X																
Torres		X																								
TransUnion	X														X											
Trump	X																									
Uzuegbunam	X				X																					
Van Buren									X																	
Total	5	4	3	3	2	2	1	1	1	9	7	6	4	4	3	3	2	2	2	1	1	1	1	1	1	

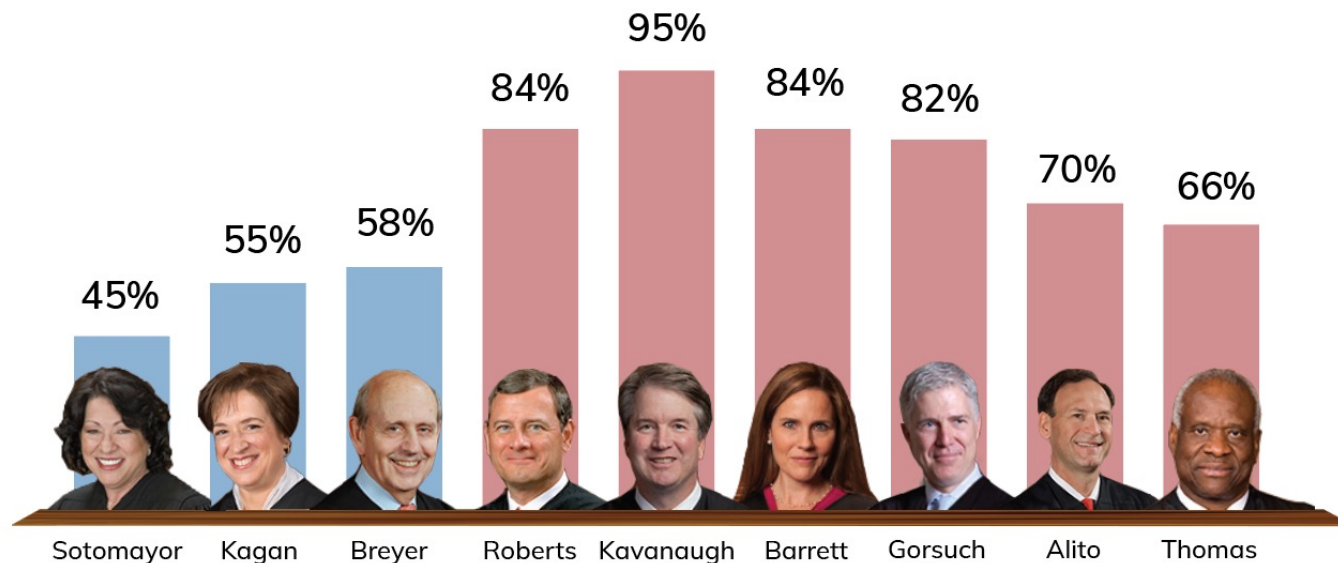
This table shows the major area(s) of law about which the court heard oral arguments and issued opinions during OT20. Some cases fall into multiple categories.

FREQUENCY IN THE MAJORITY

All cases



Divided cases



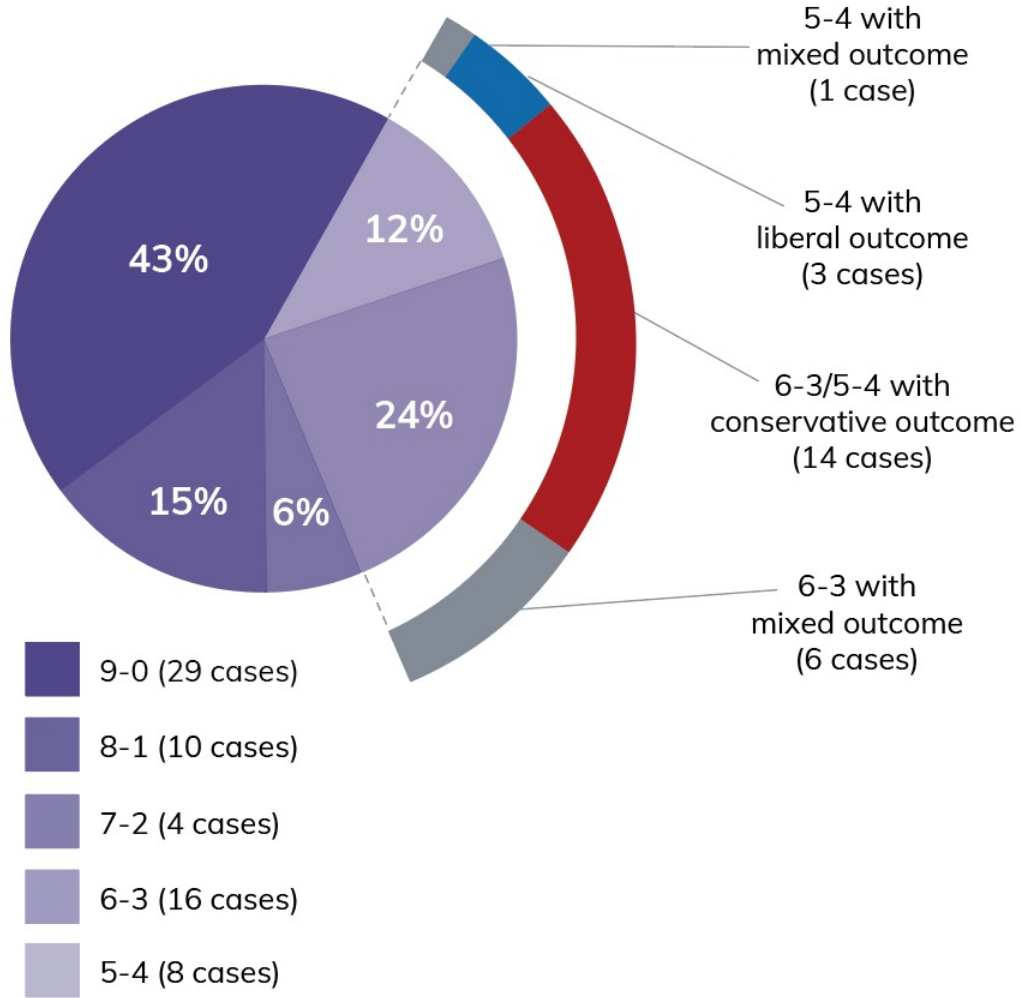
FREQUENCY IN THE MAJORITY OVER TIME

		OT20	OT19	OT18	OT17	OT16	OT15	OT14	OT13	OT12
All cases	Roberts	91%	97%	85%	93%	93%	92%	80%	92%	86%
	Thomas	81%	72%	75%	81%	82%	72%	61%	88%	79%
	Breyer	76%	77%	76%	73%	90%	94%	92%	88%	83%
	Alito	83%	73%	82%	79%	86%	84%	72%	88%	79%
	Sotomayor	69%	72%	75%	68%	90%	83%	89%	82%	79%
	Kagan	75%	78%	82%	74%	93%	95%	85%	92%	81%
	Gorsuch	90%	89%	75%	85%	82%	-	-	-	-
	Kavanaugh	97%	93%	91%	-	-	-	-	-	-
	Barrett	91%	-	-	-	-	-	-	-	-

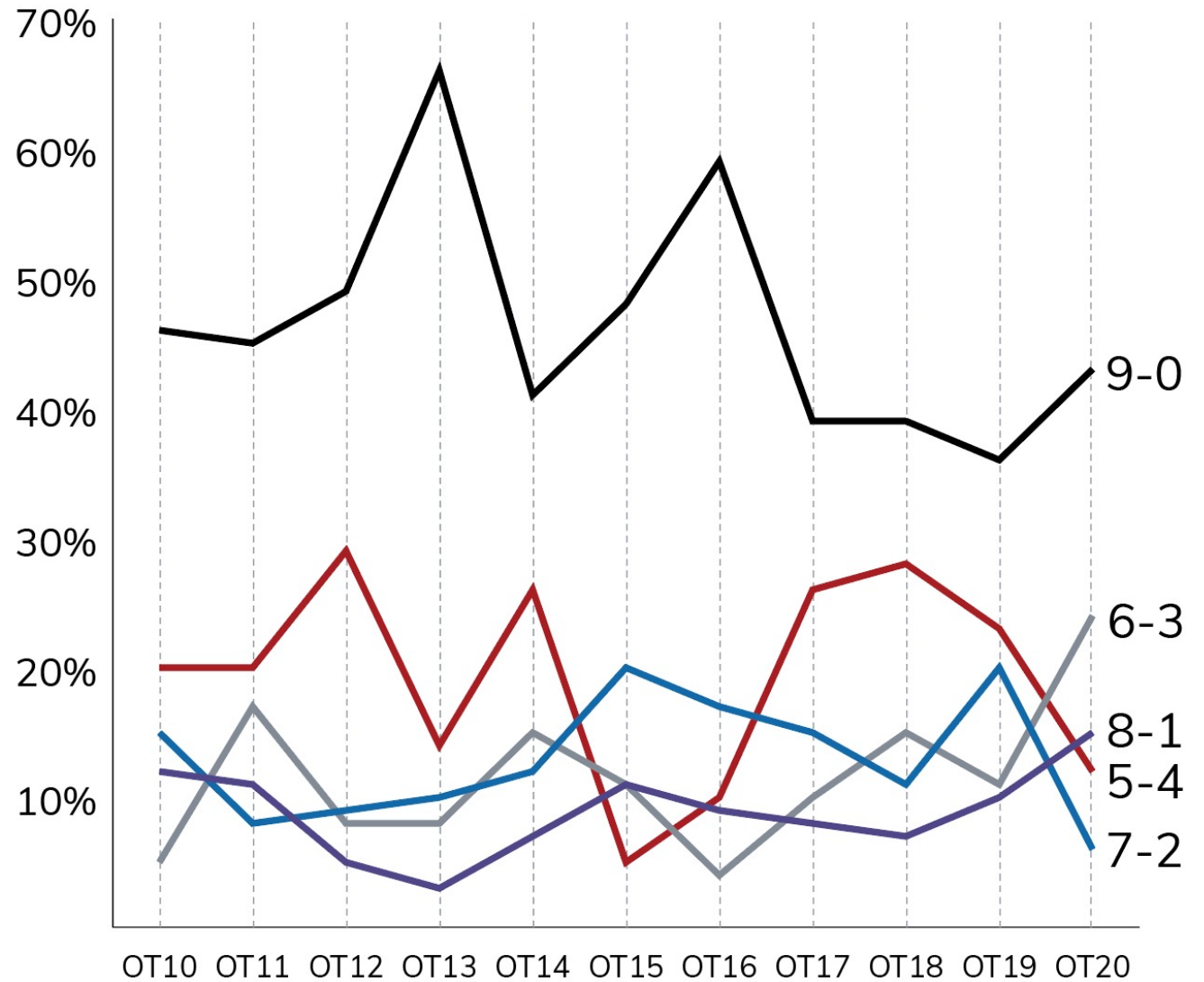
Divided cases	Roberts	84%	95%	75%	89%	83%	84%	66%	76%	73%
	Thomas	70%	56%	59%	69%	57%	49%	34%	64%	60%
	Breyer	58%	64%	61%	56%	77%	89%	86%	64%	67%
	Alito	66%	58%	70%	67%	67%	70%	52%	63%	59%
	Sotomayor	45%	56%	59%	49%	76%	68%	82%	46%	59%
	Kagan	55%	66%	70%	59%	83%	91%	75%	75%	63%
	Gorsuch	82%	82%	59%	75%	63%	-	-	-	-
	Kavanaugh	95%	90%	79%	-	-	-	-	-	-
	Barrett	84%	-	-	-	-	-	-	-	-

STRENGTH OF THE MAJORITY

OT20



Past decade



In closely divided (6-3 or 5-4) cases, we code a decision as “conservative” if the majority consists of five or more Republican-appointed justices, “liberal” if the majority consists predominantly of Democratic-appointed justices, and “mixed” otherwise. (We assume, solely for the Strength of the Majority slides, that a recused justice would have joined the majority.)

STRENGTH OF THE MAJORITY

	Total opinions	9-0 opinions	8-1 opinions	7-2 opinions	6-3 opinions	5-4 opinions	Average majority
Roberts	7	2	-	-	3	2	6.6
Thomas	7	5	2	-	-	-	8.7
Breyer	6	3	1	2	-	-	8.2
Alito	6	3	-	1	2	-	7.7
Sotomayor	6	4	-	-	1	1	7.8
Kagan	6	4	-	-	-	2	7.7
Gorsuch	6	2	1	-	3	-	7.3
Kavanaugh	7*	2	2	-	2	1	7.3
Barrett	4	1	1	1	1	-	7.5
Total	55	26	7	4	12	6	7.6

% of Each Justice's Opinions Decided Unanimously

Roberts	29%
Thomas	71%
Breyer	50%
Alito	50%
Sotomayor	67%
Kagan	67%
Gorsuch	33%
Kavanaugh	29%
Barrett	25%

Solo Dissents

	OT20	Case(s)	OT05-OT19
Roberts	1	Uzuegbunam	0
Thomas	3	McKesson, Taylor, Mahanoy	31
Breyer	0		8
Alito	2	Texas v. N.M., Nestlé	9
Sotomayor	4	Mays, BP, Goldman Sachs, Gary	12
Kagan	0		0
Gorsuch	0		2
Kavanaugh	0		0
Barrett	0		-

*For purposes of this slide, we treat Kavanaugh's single majority opinion in Greer (decided 9-0) and Gary (decided 8-1) separately.

CLOSELY DIVIDED CASES



5-4 cases	Issue	Justice 1	Justice 2	Justice 3	Justice 4	Justice 5	Justice 6	Justice 7	Justice 8	Justice 9
PennEast	Eminent domain and gas pipeline construction	Blue	White	Blue	Blue	Blue	White	White	Blue	White
Borden	Sentencing of "reckless" crimes and violent felonies	Blue	Blue	Blue	White	White	Blue	White	Blue	Blue
Minerva	Inventor challenging a patent after selling it	Blue	Blue	Blue	Blue	Blue	White	White	White	White
Salinas	Statutory retirement benefits for railroad workers	Blue	Blue	Blue	Blue	Blue	White	White	White	White
Arthrex	Appointment of administrative patent judges	White	White	White	Blue	Blue	Blue	Blue	Blue	White
TransUnion	Class-action suits against corporations	White	White	White	Blue	Blue	Blue	Blue	Blue	White
Diocese	COVID-19 restrictions on religion in New York	White	White	White	Blue	Blue	Blue	Blue	Blue	Blue
Tandon	COVID-19 restrictions on religion in California	White	White	White	Blue	Blue	Blue	Blue	Blue	Blue

Polarized cases	Issue	Justice 1	Justice 2	Justice 3	Justice 4	Justice 5	Justice 6	Justice 7	Justice 8	Justice 9
Dunn	Post-conviction relief for death row inmate	White	White	White	Blue	Blue	Blue	Blue	Blue	Blue
Brnovich	Voting rights restrictions in Arizona	White	White	White	Blue	Blue	Blue	Blue	Blue	Blue
AFP Foundation	Donor disclosure rules for charities in California	White	White	White	Blue	Blue	Blue	Blue	Blue	Blue
Guzman Chavez	Bond hearings for noncitizens facing deportation	White	White	White	Blue	Blue	Blue	Blue	Blue	Blue
Jones	Sentencing juveniles to life without parole	White	White	White	Blue	Blue	Blue	Blue	Blue	Blue
Edwards	Retroactivity of state unanimous jury requirement	White	White	White	Blue	Blue	Blue	Blue	Blue	Blue
Trump	Challenge to exclusion of noncitizens from census	White	White	White	Blue	Blue	Blue	Blue	Blue	Blue
Shinn	Post-conviction relief for death row inmate	White	White	White	Blue	Blue	Blue	Blue	Blue	Blue
Cedar Point	Union access to workers on private farm property	White	White	White	Blue	Blue	Blue	Blue	Blue	Blue
Pereida	Mandatory deportation for minor crimes	White	White	White	Blue	Blue	(recused)	Blue	Blue	Blue

In closely divided cases, we code a decision as red or "conservative" if the majority consists of five or more Republican-appointed justices, blue or "liberal" if the majority consists predominantly of Democratic-appointed justices, and gray or "mixed" otherwise.

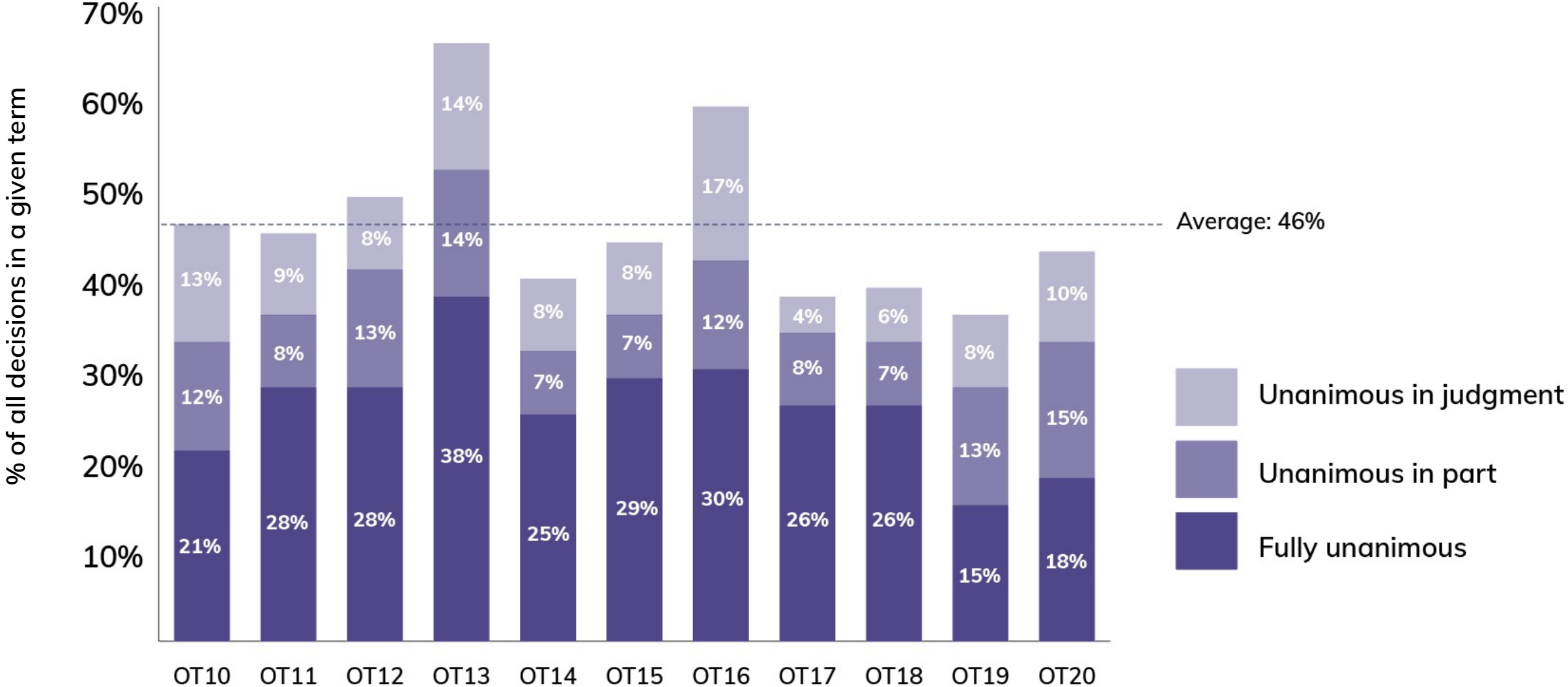
CLOSELY DIVIDED CASES OVER TIME

Term	Number of cases decided 5-4	Percent of cases decided 5-4	Percent of 5-4 cases with conservative outcome	Percent of 5-4 cases with liberal outcome	Percent of 5-4 cases with mixed outcome	Number of different 5-4 alignments
OT05	11	12%	45%	28%	27%	7
OT06	24	33%	54%	25%	21%	6
OT07	12	17%	33%	33%	33%	6
OT08	23	29%	48%	22%	30%	7
OT09	16	19%	50%	19%	31%	7
OT10	16	20%	63%	25%	12%	4
OT11	15	20%	33%	33%	33%	7
OT12	23	29%	43%	27%	30%	7
OT13	10	14%	40%	20%	40%	7
OT14	19	26%	26%	42%	32%	7
OT15	4	5%	25%	75%	0%	2
OT16	7	10%	29%	57%	14%	3
OT17	19	26%	74%	0%	26%	5
OT18	20	28%	40%	40%	20%	10
OT19	14	21%	71%	21%	8%	4
OT20	8	12%	50%*	37%	13%	5
Average	15	20%	45%	31%	23%	6

We code a decision as “conservative” if the majority consists of five or more Republican-appointed justices, “liberal” if the majority consists predominantly of Democratic-appointed justices, and “mixed” otherwise.

*From OT05 until Barrett’s appointment in OT20, the court never exceeded five Republican-appointed justices and four Democratic-appointed justices. Given that there are six Republican-appointed justices in OT20, 5-4 decisions no longer paint a full picture of polarization. For a list of polarized cases in OT20, see the previous slide.

UNANIMOUS CASES



Unanimous in judgment means that all justices voted for the same judgment – whether to affirm or reverse the decision below – but at least one justice did not join the opinion of the court and wrote separately. Unanimous in part means that all justices joined at least part of the court’s opinion, but at least one justice wrote separately as well. Fully unanimous means that all justices joined the court’s opinion in full, and none wrote separately.

JUSTICE AGREEMENT

Percent of cases in which the justices agreed in full:

Full agreement is defined as two justices joining the same opinion(s) in all parts, without writing separately.

	Thomas	Breyer	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Barrett
Roberts	51%	64%	68%	49%	63%	58%	84%	76%
Thomas	-	43%	59%	30%	46%	73%	46%	62%
Breyer	-	-	42%	76%	85%	54%	63%	56%
Alito	-	-	-	30%	42%	65%	62%	67%
Sotomayor	-	-	-	-	81%	42%	51%	45%
Kagan	-	-	-	-	-	57%	61%	62%
Gorsuch	-	-	-	-	-	-	57%	69%
Kavanaugh	-	-	-	-	-	-	-	75%

Percent of cases in which the justices agreed in part:

Partial agreement is defined as two justices joining at least part of the same opinion, even if one writes separately (it encompasses full agreement).

	Thomas	Breyer	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Barrett
Roberts	70%	69%	80%	58%	66%	76%	93%	82%
Thomas	-	58%	77%	48%	61%	87%	75%	84%
Breyer	-	-	55%	88%	91%	63%	73%	64%
Alito	-	-	-	45%	52%	83%	82%	81%
Sotomayor	-	-	-	-	85%	52%	63%	55%
Kagan	-	-	-	-	-	66%	70%	67%
Gorsuch	-	-	-	-	-	-	84%	89%
Kavanaugh	-	-	-	-	-	-	-	91%

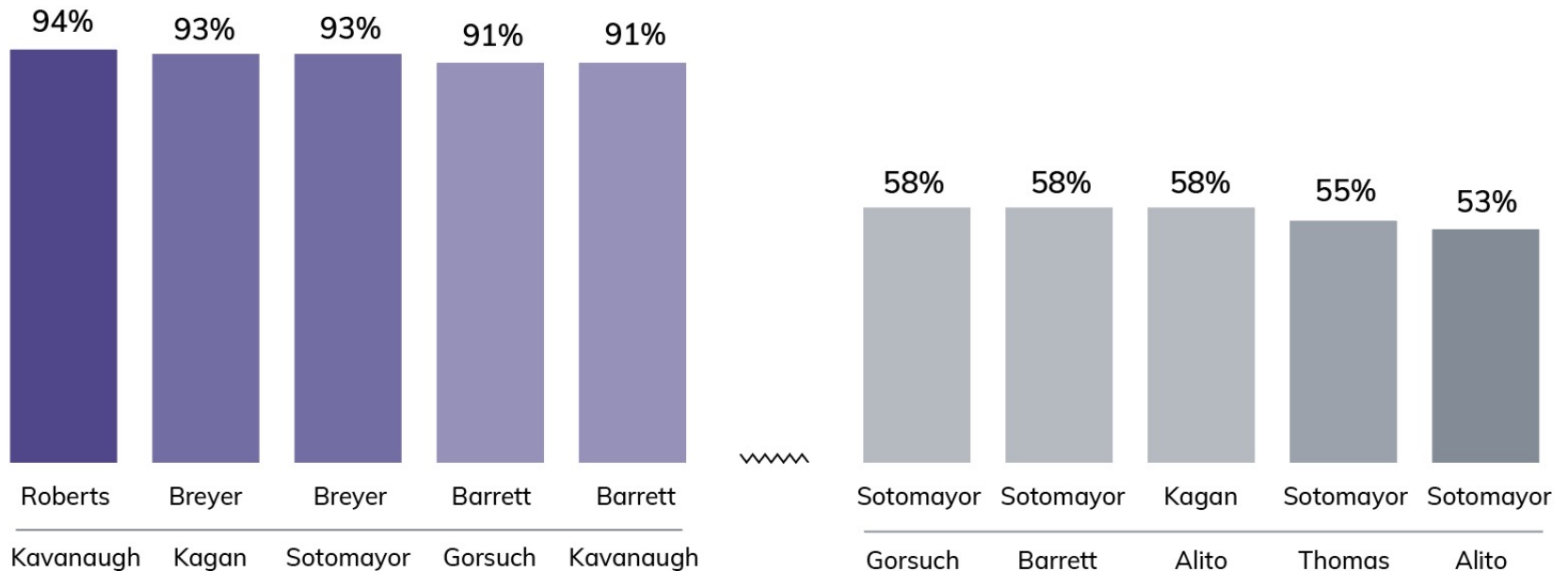
JUSTICE AGREEMENT

Percent of cases in which the justices agreed in judgment:

Agreement in judgment is defined as two justices voting for the same outcome – affirm or reverse – even if they do not join any part of the same opinion (it encompasses partial and full agreement).

	Thomas	Breyer	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Barrett
Roberts	75%	73%	83%	66%	72%	81%	94%	84%
Thomas	-	63%	82%	55%	67%	88%	78%	85%
Breyer	-	-	59%	93%	93%	66%	73%	64%
Alito	-	-	-	53%	58%	88%	86%	87%
Sotomayor	-	-	-	-	88%	58%	66%	58%
Kagan	-	-	-	-	-	70%	72%	69%
Gorsuch	-	-	-	-	-	-	87%	91%
Kavanaugh	-	-	-	-	-	-	-	91%

Justices who agreed most and least often in judgment:

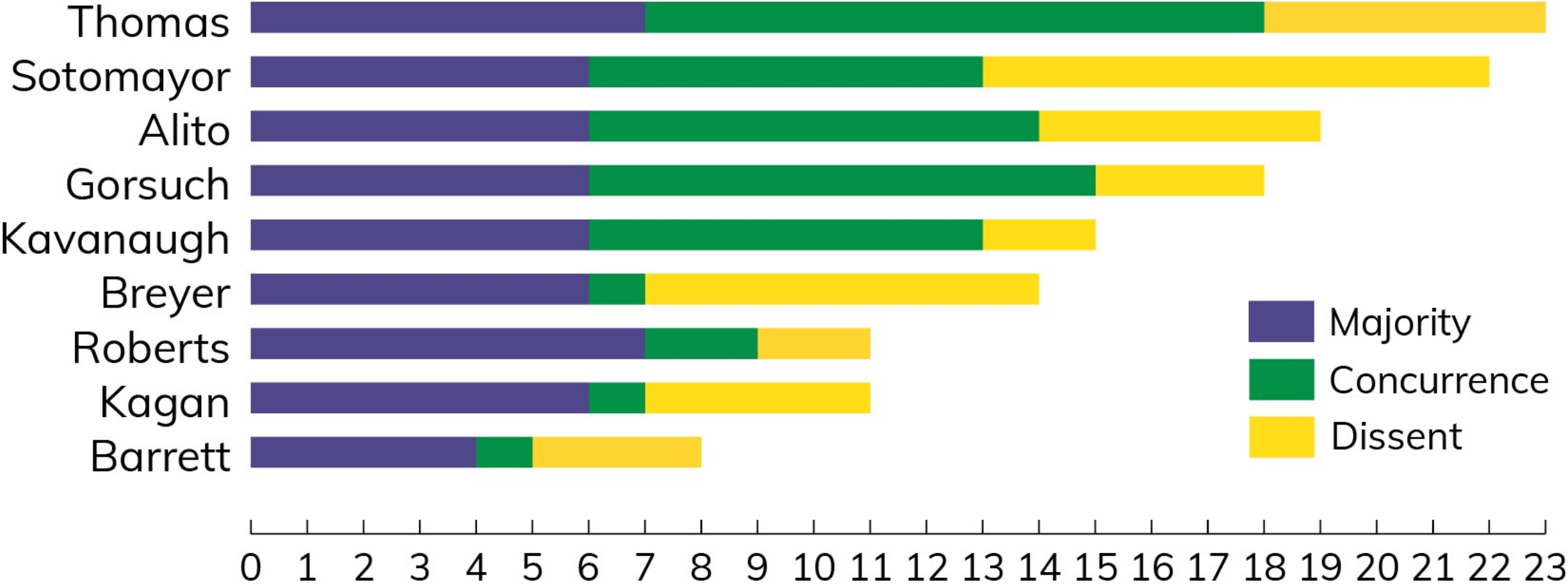


OPINIONS AUTHORED BY EACH JUSTICE

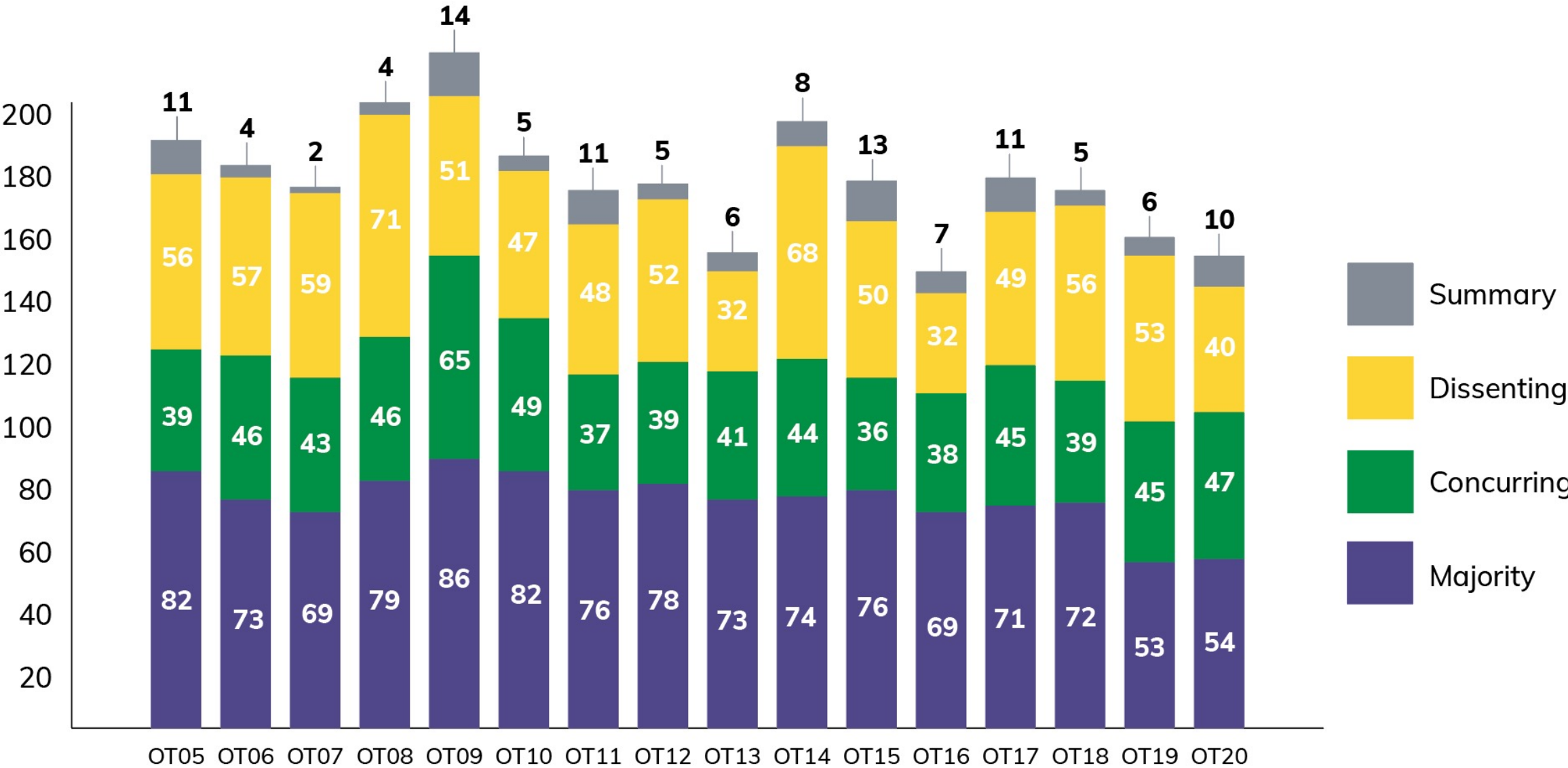
	Roberts	Thomas	Breyer	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Barrett	Total	
Majority	1	Torres	Tanzin	Carney	Briggs	Rutledge	Ford	Pereida	Texas v. N.M.	Fish & Wildlife	54
	2	Fulton	Brownback	Google	Chicago	Salinas	Borden	Niz-Chavez	Jones	Van Buren	
	3	Germany	Nestlé	Calif. v. Texas	Collins	Facebook	CIC Services	BP	Edwards	Fla. v. Ga.	
	4	Arthrex	Uzuegbunam	AMG Capital	San Antonio	Carr	Lange	Dai	Prometheus	Goldman Sachs	
	5	Cedar Point	Caniglia	Cooley	Chavez	Palomar-Santiago	Sanchez	Alston	Greer*		
	6	PennEast	Guam	Mahanoy	Brnovich	Chehalis	Minerva	HollyFrontier	TransUnion		
	7	AFP Foundation	Terry								
Concurring	1	Caniglia	Rutledge	Carr	Facebook	Carney	Collins	Briggs	Uzuegbunam	Fulton	47
	2	Lange	Jones		Cooley	Chicago		Nestlé	Lange		
	3		Calif. v. Texas		Mahanoy	Brownback		Artrex	Cedar Point		
	4		Van Buren		Taylor	CIC Services		Goldman Sachs	Alston		
	5		Collins		Fulton	Greer*		Diocese	CIC Services		
	6		Prometheus		Caniglia	Terry		Ford	Diocese		
	7		Carr		Ford	Nestlé		Collins	Caniglia		
	8		Lange		AFP Foundation			Fulton			
	9		Borden					Brnovich			
	10		Chavez								
	11		AFP Foundation								
Dissenting	1	Uzuegbunam	Google	Arthrex	Texas v. N.M.	Diocese	Edwards	Torres	Borden	HollyFrontier	40
	2	Diocese	Salinas	Diocese	Calif. v. Texas	Jones	Tandon	Chehalis	Niz-Chavez	PennEast	
	3		Arthrex	Pereida	Nestlé	Collins	TransUnion	PennEast		Minerva	
	4		Mahanoy	Fish & Wildlife	Lombardo	BP	Brnovich				
	5		TransUnion	Trump	Minerva	Goldman Sachs					
	6			Chavez		Gary*					
	7			Cedar point		Mays					
	8					AFP Foundation					
	9					Dunn					
Total	11	23	14	19	22	11	18	15	8	141	

*Greer and Gary were argued separately but decided with one majority opinion by Kavanaugh; Sotomayor wrote an opinion concurring in Greer and dissenting in Gary. Plurality opinions are treated as majority opinions throughout the Stat Pack.

OPINIONS AUTHORED BY EACH JUSTICE



TOTAL OPINIONS OVER TIME

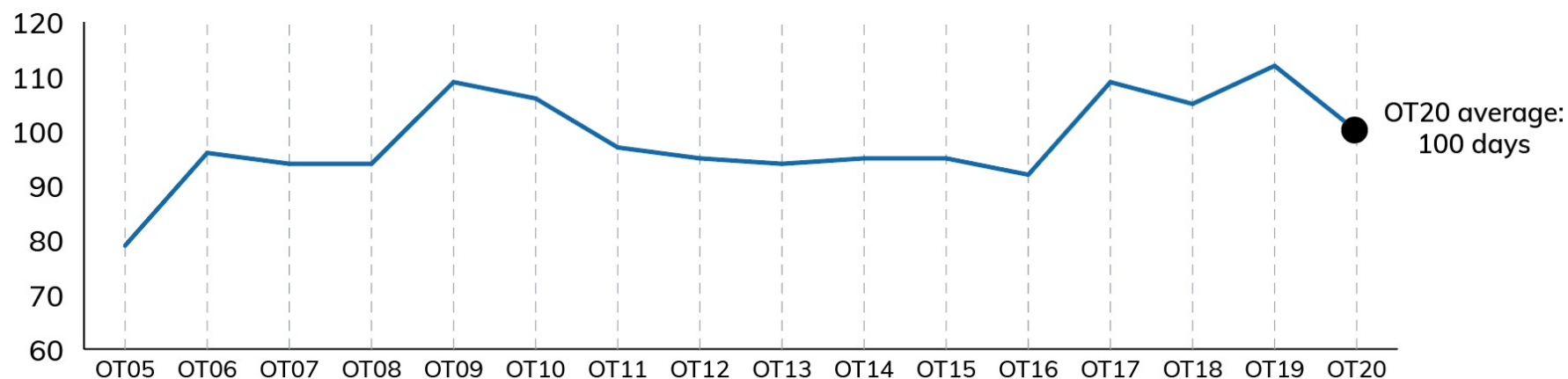


DAYS BETWEEN ARGUMENT & OPINION

Average Days by Justice (OT20)

Roberts	111 days
Thomas	78 days
Breyer	115 days
Alito	112 days
Sotomayor	79 days
Kagan	132 days
Gorsuch	112 days
Kavanaugh	103 days
Barrett	107 days

Average Days by Term



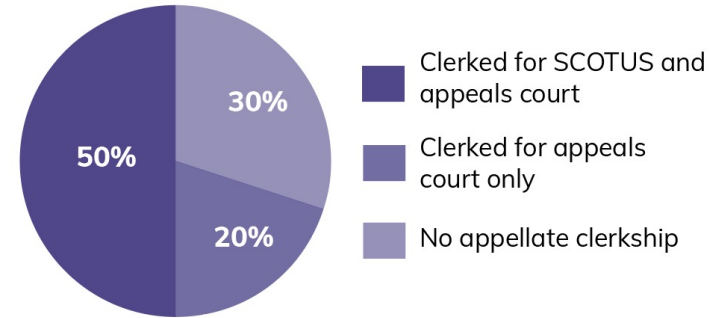
	Rank	Case	Days	Author	Vote	Argued	Decided
Shortest	1	Trump	18	Per curiam	6-3	Nov. 30, 2020	Dec. 18, 2020
	2	Palomar-Santiago	27	Sotomayor	9-0	April 27, 2021	May 24, 2021
	3	Guam	28	Thomas	9-0	April 26, 2021	May 24, 2021
	4	San Antonio	36	Alito	9-0	April 21, 2021	May 27, 2021
	5	Fla. v. Ga.	38	Barrett	9-0	Feb. 22, 2021	April 1, 2021
Longest	1	Fulton	225	Roberts	9-0	Nov. 4, 2020	June 17, 2021
	2	Borden	219	Kagan	5-4	Nov. 3, 2020	June 10, 2021
	2	Calif. v. Texas	219	Breyer	7-2	Nov. 10, 2020	June 17, 2021
	4	Nestlé	198	Thomas	8-1	Dec. 1, 2020	June 17, 2021
	5	Collins	196	Alito	7-2	Dec. 9, 2020	June 23, 2021

ORAL ARGUMENT

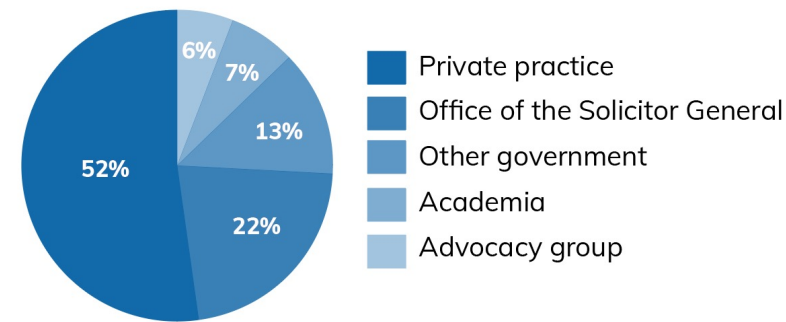
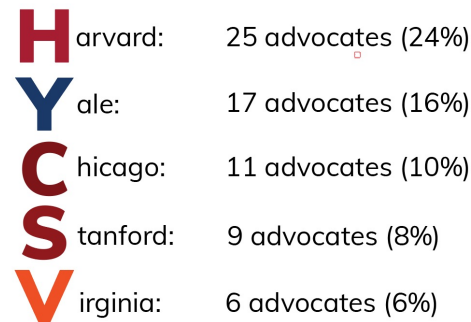
Appearances by advocates who...

	OT13	OT14	OT15	OT16	OT17	OT18	OT19	OT20
Are from the Office of the U.S. Solicitor General	61 (33%)	56 (31%)	59 (32%)	48 (30%)	48 (29%)	50 (28%)	42 (27%)	48 (32%)
Have experience in the Office of the U.S. Solicitor General	85 (47%)	78 (46%)	84 (71%)	73 (48%)	71 (65%)	86 (48%)	80 (52%)	71 (48%)
Have argued at least twice during the term	96 (52%)	104 (58%)	109 (59%)	94 (59%)	77 (47%)	87 (49%)	82 (53%)	70 (47%)
Are “expert” Supreme Court litigators*	131 (71%)	116 (66%)	136 (74%)	115 (74%)	89 (56%)	123 (69%)	114 (74%)	106 (72%)
Are based in Washington, D.C.	119 (64%)	101 (57%)	122 (66%)	97 (61%)	97 (60%)	109 (61%)	103 (66%)	92 (62%)
Are women	28 (15%)	34 (19%)	32 (18%)	33 (21%)	19 (12%)	30 (17%)	20 (13%)	27 (18%)
Total appearances	185	178	186	158	163	178	155	148
Total advocates	121	112	117	100	113	122	103	106

OT20 advocate breakdowns:



Top law schools:



*As defined by Richard Lazarus, an “expert” Supreme Court litigator has either argued five or more times before the Supreme Court or works in an office where lawyers have collectively argued more than 10 times: <http://epstein.wustl.edu/research/courses.RobertsCourtLazarus.pdf>

ADVOCATES WITH MULTIPLE APPEARANCES

Name	OT20 arguments	All-time arguments	Position	Law school	SCOTUS clerkship(s)	Office of the Solicitor General experience	Gender
Paul D. Clement	4	106	Kirkland & Ellis LLP	Harvard	Scalia	Yes	Male
Eric J. Feigin	4	28	Deputy Solicitor General	Stanford	Breyer	Yes	Male
Jeffrey L. Fisher	4	44	Stanford Supreme Court Clinic	Michigan	Stevens		Male
Kannon K. Shanmugam	4	32	Paul Weiss	Harvard	Scalia	Yes	Male
Malcolm L. Stewart	4	91	Deputy Solicitor General	Yale	Blackmun	Yes	Male
Neal K. Katyal	3	44	Hogan Lovells LLP	Yale	Breyer	Yes	Male
Edwin S. Kneeder	3	148	Deputy Solicitor General	Virginia		Yes	Male
Hashim Mooppan	3	4	Counsel to the Solicitor General	Harvard	Scalia	Yes	Male
Jeffrey B. Wall	3	29	Principal Deputy Solicitor General	Chicago	Thomas	Yes	Male
Jonathan C. Bond	2	8	Assistant to the Solicitor General	George Washington	Scalia	Yes	Male
Jonathan Ellis	2	8	Assistant to the Solicitor General	Pennsylvania	Roberts	Yes	Male
Gregory G. Garre	2	47	Latham & Watkins LLP	George Washington	Rehnquist	Yes	Male
Daniel L. Geyster	2	11	Geyster PC	Harvard			Male
Thomas C. Goldstein	2	45	Goldstein & Russell PC	American			Male
Matthew Guarneri	2	5	Assistant to the Solicitor General	Columbia		Yes	Male
Sarah Harris	2	2	Williams & Connolly	Harvard	Thomas		Female
Kyle D. Hawkins	2	4	Texas Solicitor General	Minnesota	Alito		Male
Michael R. Huston	2	7	Assistant to the Solicitor General	Michigan	Roberts	Yes	Male
Christopher G. Michel	2	8	Assistant to the Solicitor General	Yale	Roberts	Yes	Male
Michael Mongan	2	3	California Solicitor General	Stanford	Souter		Male
Elizabeth Prelogar	2	9	Acting Solicitor General	Harvard	Kagan, Ginsburg	Yes	Female
Morgan Ratner	2	8	Assistant to the Solicitor General	Harvard	Roberts	Yes	Female
Austin Raynor	2	2	Assistant to the Solicitor General	Virginia	Thomas	Yes	Male
Erica L. Ross	2	8	Assistant to the Solicitor General	Stanford	Kagan	Yes	Female
Colleen E. Roh Sinzduk	2	3	Assistant to the Solicitor General	Harvard	Roberts	Yes	Female
Benjamin Snyder	2	3	Assistant to the Solicitor General	Harvard	Roberts	Yes	Male
Vivek Suri	2	3	Assistant to the Solicitor General	Harvard	Scalia	Yes	Male
David Zimmer	2	3	Goodwin Procter LLP	Harvard	Kagan		Male

ORAL ARGUMENTS BY LENGTH

	Rank	Case	Issue	Length (minutes)	Number of advocates arguing
Shortest arguments	1	Gary	New trials for felons convicted of possessing a firearm	48	2
	2	Palomar-Santiago	Challenging unlawful re-entry into the United States	50	2
	3	Guam	Clean-up of toxic waste site on Guam used by U.S. Navy	53	2
	4	Sanchez	Green cards for noncitizens with humanitarian protections	60	2
	5	Tanzin	Suing federal officers for damages for religious persecution	61	2
Longest arguments	1	Calif v. Texas	Constitutional challenge to Affordable Care Act	121	4
	2	Brnovich	Voting Rights Act and Arizona voting regulations	115	4
	3	Lange	Warrantless entry when an officer is in “hot pursuit”	114	4
	4	Fulton	Religious foster care services and LGBTQ foster parents	113	4
	4	Mahanoy	Regulating student speech off campus and after hours	113	3

RECUSALS

Case	Vote	Justice recused	(Likely) reason*
BP	7-1	Alito	Owns up to \$50,000 in shares of two participating oil companies
Carney	8-0	Barrett	Not yet confirmed when case was argued
Texas v. N.M.	8-0	Barrett	Not yet confirmed when case was argued
Rutledge	8-0	Barrett	Not yet confirmed when case was argued
Tanzin	8-0	Barrett	Not yet confirmed when case was argued
Google	6-2	Barrett	Not yet confirmed when case was argued
Ford	8-0	Barrett	Not yet confirmed when case was argued
Briggs	8-0	Barrett	Not yet confirmed when case was argued
Chicago	8-0	Barrett	Not yet confirmed when case was argued
Torres	5-3	Barrett	Not yet confirmed when case was argued
Pereida	5-3	Barrett	Not yet confirmed when case was argued
McKesson	7-1	Barrett	Sworn in six days before case was decided (without argument)
Taylor	7-1	Barrett	Sworn in six days before case was decided (without argument)










*The justices generally do not publish their reasons for recusal (or lack of recusal). We make an effort to determine reasons for recusal ourselves, with some reference to Fix The Court's recusal guide: <https://fixthecourt.com/2020/12/explain-reasons-justices-89-recusals-far-term/>

CIRCUIT SCORECARD

Court below	# of cases	% of cases	# affirmed	# reversed	% affirmed	% reversed
1st Cir.	1	1%	0	1	0%	100%
2nd Cir.	3	4%	1	2	33%	67%
3rd Cir.	6	9%	2	4	33%	67%
4th Cir.	3	4%	0	3	0%	100%
5th Cir.	7	10%	2	5	29%	71%
6th Cir.	5	7%	0	5	0%	100%
7th Cir.	1	1%	0	1	0%	100%
8th Cir.	4	6%	1	3	25%	75%
9th Cir.	16	23%	1	15	6%	94%
10th Cir.	3	4%	0	3	0%	100%
11th Cir.	5	7%	2	3	40%	60%
D.C. Cir.	4	6%	0	4	0%	100%
Fed. Cir.	3	4%	0	3	0%	100%
Armed Forces	1	1%	0	1	0%	100%
State Court	4	6%	3	1	75%	25%
District Court	1	1%	0	1	0%	100%
Original	2	3%	2	0	100%	0%
Total	69	100%	14	55	20%	80%








For the circuit scorecard only, we treat consolidated cases that stemmed from different lower courts separately, in order to most accurately reflect the Supreme Court’s treatment of the precedents below; we treat consolidated cases that stemmed from the same lower court as one case. We include as “affirmances” merits opinions that let stand the lower-court opinion, and as “reversals” any opinion that remands the case for further consideration by the lower court.

ALL MERITS CASES

Case name	Date decided	Vote	Author									
McKesson	Nov. 2, 2020	7-1	Per Curiam							(recused)		
Taylor	Nov. 2, 2020	7-1	Per Curiam							(recused)		
Diocese	Nov. 25, 2020	5-4	Per Curiam									
Tanzin	Dec. 10, 2020	8-0	Thomas							(recused)		
Carney	Dec. 10, 2020	8-0	Breyer							(recused)		
Briggs	Dec. 10, 2020	8-0	Alito							(recused)		
Rutledge	Dec. 10, 2020	8-0	Sotomayor							(recused)		
Texas v. N.M.	Dec. 14, 2020	7-1	Kavanaugh							(recused)		
Shinn	Dec. 14, 2020	6-3	Per Curiam									
Trump	Dec. 18, 2020	6-3	Per Curiam									
Chicago	Jan. 14, 2021	8-0	Alito							(recused)		
Germany	Feb. 3, 2021	9-0	Roberts									
Hungary	Feb. 3, 2021	9-0	Per Curiam									
Salinas	Feb. 3, 2021	5-4	Sotomayor									
Brownback	Feb. 25, 2021	9-0	Thomas									
Pereida	March 4, 2021	5-3	Gorsuch							(recused)		
Fish & Wildlife	March 4, 2021	7-2	Barrett									
Uzuegbunam	March 8, 2021	8-1	Thomas									










In closely divided cases, we code a decision as red or “conservative” if the majority consists of five or more Republican-appointed justices, blue or “liberal” if the majority consists predominantly of Democratic-appointed justices, and gray or “mixed” otherwise.

ALL MERITS CASES

Case Name	Decided	Vote	Author									
Torres	March 25, 2021	5-3	Roberts						(recused)			
Ford	March 25, 2021	8-0	Kagan						(recused)			
Mays	March 29, 2021	8-1	Per Curiam									
Facebook	April 1, 2021	9-0	Sotomayor									
Prometheus	April 1, 2021	9-0	Kavanaugh									
Fla. v. Ga.	April 1, 2021	9-0	Barrett									
Google	April 5, 2021	6-2	Breyer						(recused)			
Tandon	April 9, 2021	5-4	Per Curiam									
AMG Capital	April 22, 2021	9-0	Breyer									
Carr	April 22, 2021	9-0	Sotomayor									
Jones	April 22, 2021	6-3	Kavanaugh									
Wright	April 26, 2021	9-0	Per Curiam									
Niz-Chavez	April 29, 2021	6-3	Gorsuch									
Caniglia	May 17, 2021	9-0	Thomas									
CIC Services	May 17, 2021	9-0	Kagan									
BP	May 17, 2021	7-1	Gorsuch								(recused)	
Edwards	May 17, 2021	6-3	Kavanaugh									
Guam	May 24, 2021	9-0	Thomas									

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ALL MERITS CASES

Case Name	Decided	Vote	Author	        
Palomar-Santiago	May 24, 2021	9-0	Sotomayor	Blue
San Antonio	May 27, 2021	9-0	Alito	Blue
Cooley	June 1, 2021	9-0	Breyer	Blue
Dai	June 1, 2021	9-0	Gorsuch	Blue
Van Buren	June 3, 2021	6-3	Barrett	Gray
Sanchez	June 7, 2021	9-0	Kagan	Blue
Borden	June 10, 2021	5-4	Kagan	Red
Terry	June 14, 2021	9-0	Thomas	Blue
Greer	June 14, 2021	9-0	Kavanaugh	Blue
Gary	June 14, 2021	8-1	Kavanaugh	Blue
Fulton	June 17, 2021	9-0	Roberts	Blue
Nestlé	June 17, 2021	8-1	Thomas	Blue
Calif. v. Texas	June 17, 2021	7-2	Breyer	Blue
Arthrex	June 21, 2021	5-4	Roberts	Red
Alston	June 21, 2021	9-0	Gorsuch	Blue
Goldman Sachs	June 21, 2021	8-1	Barrett	Blue
Cedar Point	June 23, 2021	6-3	Roberts	Red
Mahanoy	June 23, 2021	8-1	Breyer	Blue

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ALL MERITS CASES



Case Name	Decided	Vote	Author							
Collins	June 23, 2021	7-2	Alito							
Lange	June 23, 2021	9-0	Kagan							
HollyFrontier	June 25, 2021	6-3	Gorsuch							
TransUnion	June 25, 2021	5-4	Kavanaugh							
Chehalis	June 25, 2021	6-3	Sotomayor							
Minerva	June 29, 2021	5-4	Kagan							
Chavez	June 29, 2021	6-3	Alito							
PennEast	June 29, 2021	5-4	Roberts							
Brnovich	July 1, 2021	6-3	Alito							
AFP Foundation	July 1, 2021	6-3	Roberts							
Dunn	July 2, 2021	6-3	Per Curiam							

In closely divided cases, we code a decision as red or “conservative” if the majority consists of five or more Republican-appointed justices, blue or “liberal” if the majority consists predominantly of Democratic-appointed justices, and gray or “mixed” otherwise.