

SCOTUS**blog** StatPack – OT07, Edition 7

Included in this StatPack:

1. Justice Agreement (First time this Term)
2. Decisions by Final Vote (First time this Term)
3. Frequency in the Majority (New Addition)
4. Grant Rates by Conference
5. Circuit Scorecard
6. Opinion Authors by Sitting
7. The Court's Workload

Key Upcoming Dates:

Feb. 25

Orders

1. 06-1456: [Cuellar v. US](#)
2. 06-1498: [Warner-Lambert v. Kent](#)

Feb. 26

Opinions (Possible)

1. 07-214: [Allison Engine v. US](#)

Feb. 27

Opinions (Possible)

1. 07-219: [Exxon v. Baker](#)

Feb. 29

Conference

Mar. 3

Orders; Opinions (Possible)

SCOTUSblog Agreement Stats for OT07 - PRELIMINARY (2/22/08)

	Stevens	Scalia	Ken	Sout	Thom	Gins	Breyer	Alito	Total Cases
CJ Rob	59%	82%	88%	76%	71%	59%	81%	76%	17
	71%	94%	94%	82%	76%	71%	88%	82%	
	71%	94%	94%	82%	76%	71%	88%	82%	
	29%	6%	6%	18%	24%	29%	13%	18%	
Stevens	59%	59%	82%	47%	82%	81%	59%	17	
	71%	76%	88%	53%	94%	88%	65%		
	76%	76%	88%	59%	94%	88%	65%		
	24%	24%	12%	41%	6%	13%	35%		
Scalia	71%	76%	76%	59%	81%	76%	17		
	88%	82%	82%	71%	88%	82%			
	88%	88%	82%	76%	94%	88%			
	12%	12%	18%	24%	6%	12%			
Ken	76%	59%	47%	81%	65%	17			
	88%	71%	65%	94%	76%				
	88%	71%	65%	94%	76%				
	12%	29%	35%	6%	24%				
Sout	65%	71%	100%	76%	17				
	65%	76%	100%	76%					
	71%	76%	100%	76%					
	29%	24%	0%	24%					
Thom	47%	69%	76%	17					
	53%	69%	76%						
	59%	75%	94%						
	41%	25%	6%						
Gins	69%	59%	17						
	75%	65%							
	75%	65%							
	25%	35%							
Breyer	81%	16							
	81%								
	81%								
	19%								
Alito								17	

Key

Full
Part + All
Judg + Part + All
Disagree

SCOTUSblog Agreement Stats for OT07 - PRELIMINARY (2/22/08)

	Stevens	Scalia	Ken	Sout	Thom	Gins	Breyer	Alito	Total Cases
CJ Rob	10	14	15	13	12	10	13	13	17
	12	16	16	14	13	12	14	14	
	12	16	16	14	13	12	14	14	
	5	1	1	3	4	5	2	3	
Stevens	10	10	14	8	14	13	10	17	
	12	13	15	9	16	14	11		
	13	13	15	10	16	14	11		
	4	4	2	7	1	2	6		
Scalia	12	13	13	10	13	13	17		
	15	14	14	12	14	14			
	15	15	14	13	15	15			
	2	2	3	4	1	2			
Ken	13	10	8	13	11	17			
	15	12	11	15	13				
	15	12	11	15	13				
	2	5	6	1	4				
Sout	11	12	16	13	17				
	11	13	16	13					
	12	13	16	13					
	5	4	0	4					
Thom	8	11	13	17					
	9	11	13						
	10	12	16						
	7	4	1						
Gins	11	10	17						
	12	11							
	12	11							
	4	6							
Breyer	13	16							
	13								
	13								
	3								
Alito							17		

Key

Full
Part + All
Judg + Part + All
Disagree

Frequency in the Majority

(Through February 19, 2008)

The charts below measure how frequently each Justice has voted with the majority in cases decided on the merits thus far. It does not include opinions where the vote was not disclosed (*Board of Ed. of City School Dist. of New York v. Tom F.*) or where the case was dismissed as moot (*Arave v. Hoffman*).

The first chart examines the results for all cases, the second only for divided cases. In each, we list the number of times each Justice has voted with the majority, the number of times each Justice has voted overall, the frequency with which each Justice has voted with the majority in OT07, and the corresponding figure for OT06.

All cases

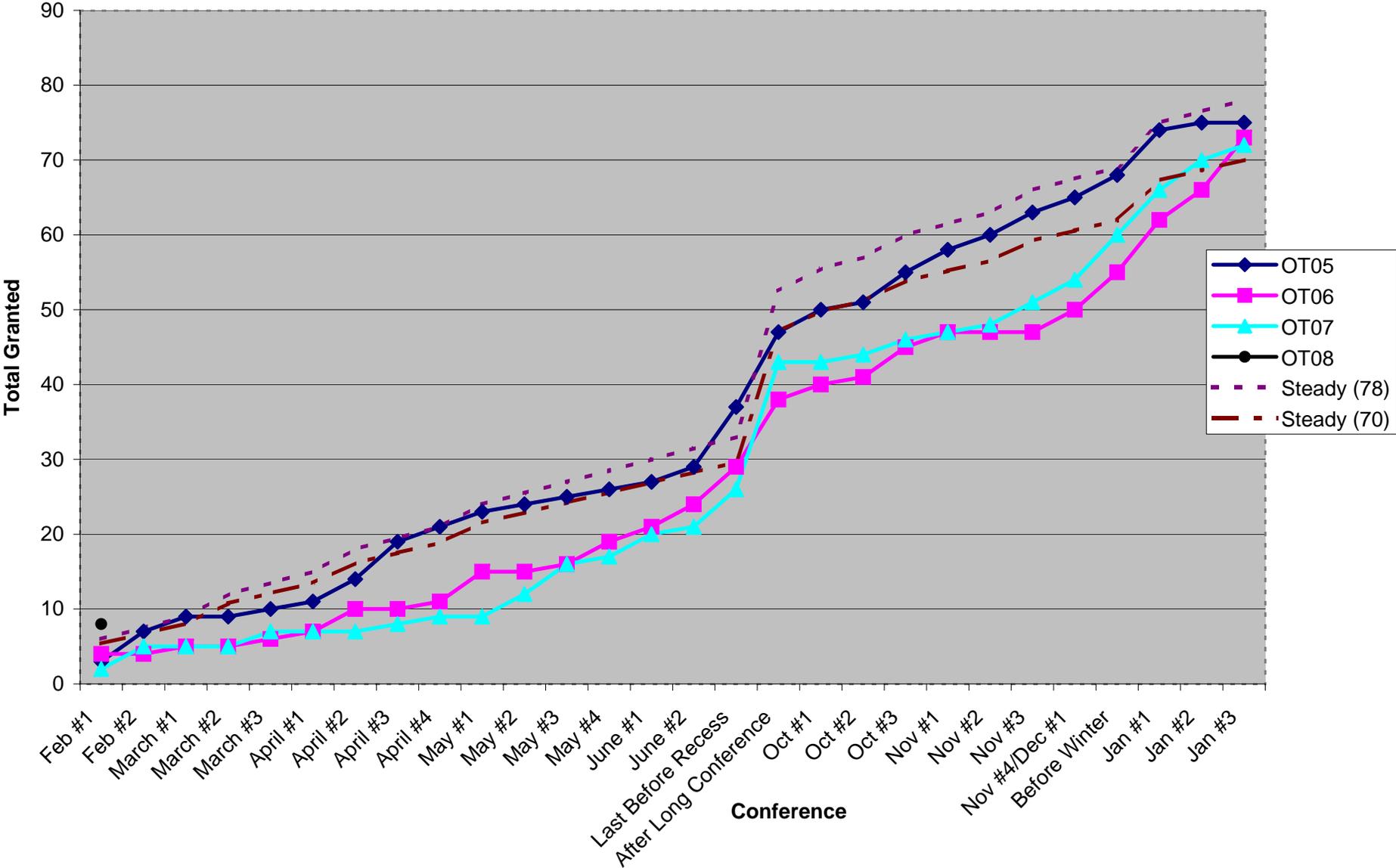
Justice	Majority votes	Total votes	% in majority	% in OT06
Scalia	17	17	100.0%	79.2%
Roberts	16	17	94.1%	88.4%
Breyer	15	16	93.8%	75.7%
Alito	15	17	88.2%	86.1%
Kennedy	15	17	88.2%	97.2%
Souter	15	17	88.2%	76.4%
Thomas	14	17	82.4%	77.5%
Ginsburg	13	17	76.5%	72.2%
Stevens	13	17	76.5%	63.9%

Divided cases only*

Justice	Majority votes	Total votes	% in majority	% in OT06
Scalia	9	9	100.0%	65.9%
Roberts	8	9	88.9%	82.2%
Breyer	7	8	87.5%	61.4%
Alito	7	9	77.8%	77.3%
Kennedy	7	9	77.8%	95.3%
Souter	7	9	77.8%	61.4%
Thomas	6	9	66.7%	62.8%
Ginsburg	5	9	55.6%	54.5%
Stevens	5	9	55.6%	36.6%

* This category consists of cases that attract at least one dissenting vote.

Granted Cases by Conference



Notes: In OT04, the Court added an additional Conference at the end of June, on the last Monday of the Term, to consider relists. Thus, the jump of 8 cases reflects the grant of 5 cases in Conference on June 23, 2005 and an additional 3 on June 27, 2005.

Circuit Scorecard - OT07

Court	Decided	Outstanding	# Aff'd	% Aff'd	# Rev'd	% Rev'd	# Aff'd in Part	% Aff'd in Part	% of SCOTUS Caseload
CA1	1	1	1	100.0%	0	0.0%	0	0.0%	2.7%
CA2*	4	3	3	75.0%	1	25.0%	0	0.0%	9.3%
CA3	0	0	0	0.0%	0	0.0%	0	0.0%	0.0%
CA4	2	1	0	0.0%	2	100.0%	0	0.0%	4.0%
CA5	1	4	0	0.0%	1	100.0%	0	0.0%	6.7%
CA6	0	3	0	0.0%	0	0.0%	0	0.0%	4.0%
CA7	2	4	1	50.0%	1	50.0%	0	0.0%	8.0%
CA8	2	2	1	50.0%	1	50.0%	0	0.0%	5.3%
CA9	0	12	0	0.0%	0	0.0%	0	0.0%	16.0%
CA10	0	2	0	0.0%	0	0.0%	0	0.0%	2.7%
CA11	3	3	1	33.3%	2	66.7%	0	0.0%	8.0%
CADC	0	5	0	0.0%	0	0.0%	0	0.0%	6.7%
CAFC	1	5	1	0.0%	0	0.0%	0	0.0%	8.0%
Dist. Courts	0	2	0	0.0%	0	0.0%	0	0.0%	2.7%
State Courts	2	9	0	0.0%	2	100.0%	0	0.0%	14.7%
Original	0	1	N/A	N/A	N/A	N/A	N/A	N/A	1.3%
Total†	18	57	8	44.4%	10	55.6%	0	0.0%	

Consolidated cases are here counted individually (70 total arguments in OT07).

* The Court affirmed the Second Circuit in *NY Bd. Of Education v. Tom F.* by a vote of 4-4, and wrote no opinion.

† This list does not include *Arave*, *Wal-Mart*, *Achim*, or *Klein & Co.*, which were dismissed.

Opinion Authors by Sitting

OCT	<i>Author</i>	<u>Count</u>	
Wash Grange		JGR	0
Tom F.	PC	JPS	1
Gall	JPS	AS	1
Kimbrough	RBG	AMK	1
Lopez-Torres	AS	DHS	1
Santos		CT	0
Watson	DHS	RBG	1
Stonerige	AMK	SGB	0
Medellin		SAA	0

NOV	<i>Author</i>	<u>Count</u>	
Klein & Co.	dismiss	JGR	1
Ali v. BoP	CT	JPS	1
US v. Williams		AS	0
Logan	RBG	AMK	0
Danforth	JPS	DHS	0
CSX v. Ga. Bd.	JGR	CT	1
Ky. v. Davis		RBG	1
John R. Sand	SB	SB	1
Holowiecki		SAA	0
Hall Street			

DEC	<i>Author</i>	<u>Count</u>	
LaRue	JPS	JGR	1
NJ v. Del.		JPS	1
Knight v. CIR	JGR	AS	1
Rowe	SB	AMK	0
Sprint/United		DHS	0
Riegel	AS	CT	0
Snyder		RBG	0
Boumediene		SB	1
		SAA	0

JAN	<i>Author</i>	<u>Count</u>	
Baze		JGR	0
Dada		JPS	0
Gonzalez		AS	0
Boulware		AMK	0
Crawford		DHS	0
Ky. Retire		CT	0
Moore		RBG	1
Preston	RBG	SB	0
Rodriquez		SAA	0
Begay			
Quanta			
Meadwestvaco			

FEB	<i>Author</i>	<u>Count</u>	
Gomez-Perez		JGR	0
Morgan-Stanley		JPS	0
CBOCS		AS	0
Cuellar		AMK	0
Warner-Lambert		DHS	0
Allison Engine		CT	0
Exxon		RBG	0
		SB	0
		SAA	0

MAR	<i>Author</i>	<u>Count</u>	
Phillippines		JGR	0
Rothgery		JPS	0
Heller (Guns)		AS	0
Richlin		AMK	0
Cham. Of Comm.		DHS	0
Burgess		CT	0
Clintwood		RBG	0
Riley		SB	0
Munaf		SAA	0
Ressam			
Edwards			
Piccadilly			

APR	<i>Author</i>	<u>Count</u>	
Plains Commerce		JGR	0
Phoenix Bond		JPS	0
Greenlaw		AS	0
Irizarry		AMK	0
Kennedy v. La		DHS	0
Sturgell		CT	0
APCC Svcs.		RBG	0
Enquist		SB	0
Davis v. FEC		SAA	0
Giles			
MetLife			
Meacham			

Cases in **red** are highest profile
outstanding cases

The Court's Workload in OT07

Cases Granted or Probable Jurisdiction Noted:		72*
Dismissed Before Argument:	-	3
Original Cases Argued:	+	1
Number of Arguments:		70

Argued Merits Cases Disposed of:		17
Signed Opinions:		15
Dismissals After Argument:		1
Affirmed by Equally Divided Vote:		1
Projected Remaining Merits Opinions:		53

Expected Merits Opinions in OT07 After Argument:		68
Summary Opinions from Non-Argued Cases:	+	2
Total Merits Decisions:		70

* Does not include the four (out of six) cases granted on 1/22/08 that will be argued in OT08.