

Supreme Court Stat Review

October Term 2023-2024



EmpiricalSCOTUS

Viewing the Supreme Court in an Entirely New Light

Compiled by Adam Feldman (J.D., Ph.D.) and Jake S. Truscott (Ph.D.)

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For additional data and accompanying analysis, please visit
[EmpiricalSCOTUS](#) or [Contact Us](#).

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Preface

The enclosed report represents the culmination of a ten-month effort to provide summary statistics and corresponding analysis for the Supreme Court's 2023 Term (October 2023 to July 2024), which we hope to replicate for future terms.

Our goal was to provide a comprehensive overview of the term while recognizing that much of what we offer remains surface-level data. In recent years, some have taken exception to how data such as these are used, particularly as it relates to drawing generalizable claims of the Court and its Justices. We would like to take the time to state our position on these concerns:

First, we fully recognize that our data provides only surface-level inferences. As many have pointed out, the Court retains considerable discretion with respect to the size and scope of its docket. Indeed, a considerable majority of the Court's decision-making is determining which appeals will *not* receive review, rather than what will. It is not lost on us that the population of orally argued and decided cases in the 2023 term are not fully emblematic of the Court's broader decision-making. While we do provide statistics on the docket more generally, we advise pursuing additional scholarship focusing on this area.

Second, our summary analyses do not make distinctions between cases of varying importance to the national discourse. Not because we fail to recognize that these distinctions obviously exist, but because our goal is to provide an overview of the Justices' most observable decision-making behaviors – irrespective of the broader importance some of these decisions may have compared to others. In short, they are numbers – nothing more, nothing less. There is no underlying agenda in our decision to present topline statistics.

Finally, we recognize that these data do not belong to us in perpetuity. Once we have published our report, any person, outlet, or entity are free to use them – just as we have been facilitating open access to our data throughout the term. Nonetheless, we ask those who read our report to be conscientious of the fact that we cannot control – nor do we particularly wish to control – how they are used. The Supreme Court retains special significance in our national discourse, and its decisions can surely draw considerable divisions among observers. Some readers may take exception to how others choose to interpret these data. We ask that you not hold it against us.

We would like to thank all of those who aided in the development of this report – particularly Jonathan H. Adler, Benjamin Johnson, Kimberly Robinson, Hannah Saraf, and Vikram Narasimhan – who offered guidance, research assistance, and constructive criticism.

- Adam Feldman (J.D., Ph.D.)¹
- Jake S. Truscott (Ph.D.)²

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Data Disclosure

We are particularly grateful to the organized efforts of those maintaining the [Supreme Court Database](#), which is principally hosted by Washington University in St.Louis, Missouri.³ Their data was pivotal for constructing longitudinal analyses that place the Justices' decision-making during the 2023 term into the broader scope of history.

Apart from data used to develop longitudinal analyses, this report was compiled independently and drew on a multitude of resources to sufficiently track developments and behaviors expressed in the Court's oral arguments, decisions, and docket, among other things. These include, but are not limited to, the Supreme Court's [Official Website](#), [Oyez](#), and [Justia](#), among others.

All data used to compile this report will be available [HERE](#). There you will find a collection of CSV (.csv) files containing data relevant to the accompanying analyses on *Decisions* and *Oral Arguments* provided in this report.

We are, of course, happy to provide any additional insights and guidance on replication of data and other analysis in this report. For help, please [Contact Us](#).

We ask that any publication incorporating these data or other material from our report provide a corresponding citation acknowledging the authors, EmpiricalSCOTUS, and any relevant data sources indicated with the enclosed tabular information.

Example Citation: Feldman, A. & Truscott, J. S. (2024, July 1). Supreme Court 2023-2024 Term Stat Review (Version 1.1). *EmpiricalSCOTUS*. Available at: <https://empiricalsotus.com/>

³Harold J. Spaeth, Lee Epstein, et al. 2022 Supreme Court Database, Version 2022 Release 1. URL: <http://Supremecourtdatabase.org>

Introduction

It feels like much longer than a year ago when the Court decided major cases dealing with Affirmative Action and the First Amendment, but here we are, at the end of another term. This time at the beginning of July – which, even as it concluded on the first day of the month, is a particularly rare occurrence. Aside from the COVID terms (OT 2019 and 2020) the last time the Court ended in July was OT 1995 – a decade before John Roberts assumed the role of Chief Justice.

Many were focused this term on the two election-related cases, both of which included former President Donald Trump as a named party (*Trump v. Anderson* and *Trump v. United States*). While the Justices ultimately maintained a reasonable level of consensus in the former (*Anderson*), clear ideological differences culminated in the latter (*Trump v. US*). A similar outcome emerged with perhaps the term's most notable shift to existing precedent with the overturning of *Chevron* (1984) in *Loper Bright*.

In many areas, the Justices appeared to meet the expectations drawn from behaviors in previous terms. These included the backlogged docket with the majority of cases decided in May and June, several ideologically split decisions, and most decisions with split opinions being released in the final weeks of the term. Yet, that's not to say there weren't a collection of surprises. For example, the accidental early release of *Moyle* in late-June also provided a momentary shock to observers as the Court acknowledged the rare clerical error. More substantively, a pattern of early unanimity continued into the end of April at the highest rate in well over a century. However, it is important to recognize that while the concluding rate of unanimity (approximately 46% of all decisions in the 2023 term) is among the highest in recent memory, the rate (or consistency) of unanimity began to taper as the term neared its conclusion.

Since the creation of the Court's current conservative supermajority in 2020, this term saw the most ideological splits of any term aside from OT 2021 (when the Court decided landmark cases like *Dobbs* and *Bruen*). Interestingly, while the notion of a (6-3) decision might preclude an inevitable split along ideological lines, this term again proved that to not always be the case. Unlike OT 2020 and 2021 – where ideologically split (6-3) decisions were nearly double and triple the rate of non-ideologically split (6-3) decisions, respectively – this term saw more (6-3) decisions with blurred ideological coalitions. Of the twenty-two (6-3) decisions released this term, half (eleven) maintained the established six conservative versus three liberal split – a pattern similar to last term's five decisions with ideological splits of the total eleven reached by a (6-3) coalition.

Ideologically split decisions tend to be released towards the end of each Supreme Court term because of the number, extent, and length of separate (concurring and dissenting) opinions. This term was no different, with the longest individual opinions of the term released in the final weeks – including Justice Kavanaugh's dissent in *Purdue Pharma*, Justice Roberts' majority in *Trump v. U.S.*, Justice Sotomayor's dissent in *SEC v. Jarkesy*, and several of the opinions in *Loper Bright*. Along similar lines, the decision with the most separate opinions (*Rahimi* with seven) was released in the term's last full week and included five concurrences along with a dissent from Justice Thomas and Chief Justice Roberts' majority opinion.

In terms of overall opinion authorship, Justices Thomas and Jackson both wrote the most with

twenty-one. While each wrote eleven concurrences, the separation emerges with Thomas authoring seven majority opinions to Jackson's five, as well as Thomas authoring five dissents to Jackson's seven. Chief Justice Roberts authored the fewest with nine total. Justices Sotomayor and Jackson wrote the most dissents with seven.

Some of the most important statistics have not shifted much since Justice Barrett joined the Court in 2020. While Justice Kavanaugh was most frequently in the majority last term, this term he was second at (approx.) 95%, while Chief Justice Roberts – who was the second most frequent in the majority last term – was the most frequent this term at 96%. Justice Barrett was again the third most frequent in the majority at 92% of the time. The liberal bloc of justices (Kagan, Sotomayor, and Jackson) – who were not the least frequent in the majority last term – dipped in their majority frequencies this term and were the three least frequent in the majority with Justices Kagan and Sotomayor tied at the bottom with 71%.

Compared to prior terms, the Justices' alignments were mostly similar at the high and low end this term with Justices Sotomayor and Kagan agreeing most often at 97% of the time, followed by Chief Justice Roberts and Justice Kavanaugh at 95%. At the low end, both Justices Kagan and Sotomayor agreed with Justice Thomas least frequently in only 50% of all decisions.

Even with Justices Barrett and Sotomayor beginning the term with combined speaking engagements discussing the Justices' shared values notwithstanding differing modes of legal interpretation, the perceivable differences in visions between the Justices were once again put on display by the conclusion of the term. The tenor of Justice Kagan's dissent in *Loper Bright* and Justice Jackson's concurrence and dissent *in part* in *Moyle* present two examples of the divergent approaches existing between the Justices on major issues. These do not appear to be reparable rifts in core beliefs. As long as this remains the case – and as long as the Justices take on contentious cases affecting broad swaths of the public – we will likely continue to focus on the differences of opinion between the Justices, rather than on their points of consensus.

Toplines

Table 1: Topline Statistics (OT2023)

Area	Topic	Subset	Value
Decisions	Most Authored Opinions	Majority	JGR, CT, SS, & EK (7)
		Concurrences	CT & KBJ (11)
		Dissents	CT & SS (7)
	Decisions (Coalition)	(9-0)	27
		(8-1)	2
		(7-2)	3
		(6-3) Any Combination	22
		(6-3) Ideologically Split [†]	11
		(5-4)	5
Arguments	Longest Argument (Min.)	Trump v. US
	Most Frequent Arguing Counsel	E. Prelogar (USSG)
	Most Time Speaking	(Term, Justice)	Jackson
		(Argument, Justice)	Jackson
		(Argument, Attorney)	Michael R. Dreeben
Docket	Petitions Filed (Approx.)	4,100

[†] Representing instances where the six Republican appointees (Roberts, Thomas, Alito, Gorsuch, Kavanaugh, and Barrett) coalesce to the majority while the three Democratic appointees (Sotomayor, Kagan, and Jackson) coalesce to the minority.

Oral Arguments



Photo Credit: Courtroom sketch by Bill Hennessy (PBS NewsHour)

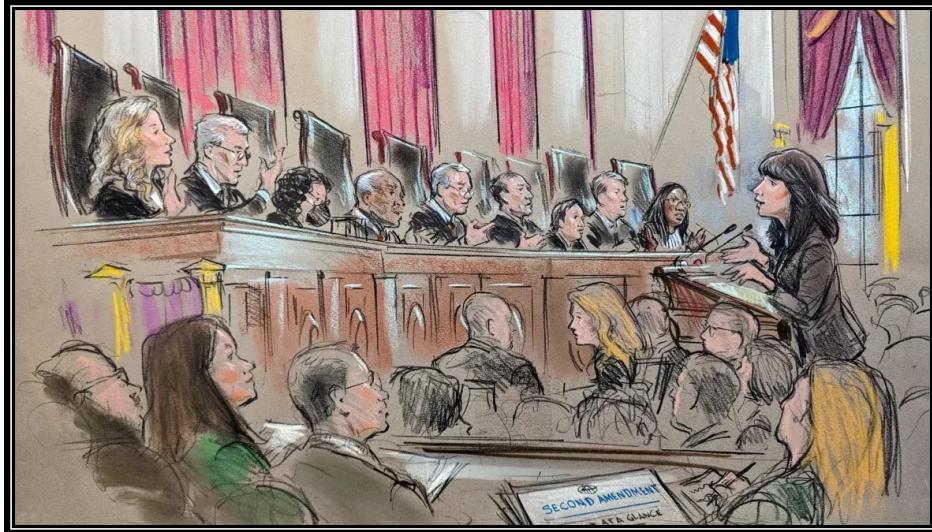


Photo Credit: Courtroom sketch by Bill Hennessy (CNN)

Table 2: What's Included (Oral Arguments)

Topic	Description
Attorney Information	Summary information on attorneys who argued during the 2023 Term. This includes statistics re: Supreme Court clerkships, demographics, experience in (or with) the Office of the Solicitor General (USG), and law school attendance.
Word Counts by Justice (Total)	Bar chart indicating the total number of words spoken by each Justice (aggregated for the entire term).
Word Counts by Justice (Argument)	Arguments organized by sitting (month) with corresponding number of words spoken by each Justice.
Word Counts by Attorney (Argument)	Arguments organized by sitting (month) with corresponding number of words spoken by arguing counsel.
Speaking Time by Justice (Total)	Bar chart indicating total speaking time (minutes) by each Justice (aggregated for the entire term).
Speaking Time by Justice (Argument)	Arguments organized by sitting (month) with corresponding speaking time (minutes) by each Justice.

Attorney Information

Table 3: Attorney Summary (1-25)

Attorney	Firm/Office	Law School	SCOTUS Clerkship	Prior Appearances	Previous Cases
Aaron L. Nielson	TX AG Office	Harvard	Alito	Yes	1
Adam G. Unikowsky	Jenner and Block	Harvard	Scalia	Yes	8
Aileen M. McGrath	Akin Gump	Harvard	Breyer	No	0
Aimee W. Brown	SG Office	Chicago	Alito	Yes	1
Alexander W. Samuels	AZ AG Office	Harvard	NA	No	0
Allon Kedem	Arnold and Porter	Yale	Kagan	Yes	12
Allyson N. Ho	Gibson Dunn	Chicago	O'Connor	Yes	4
Andrew Adler	FL State Public Defender	Miami	NA	Yes	2
Andrew M. Grossman	Baker Law	George Mason	NA	No	0
Anthony A. Yang	SG Office	Yale	NA	Yes	36
Anya A. Bidwell	Institute for Justice	Texas	NA	No	0
Austin Raynor	SG Office	Virginia	Thomas	Yes	6
Benjamin Aguinaga	LA SG Office	LSU	Alito	No	0
Benjamin W. Snyder	SG Office	Harvard	Roberts	Yes	7
Brian H. Fletcher	SG Office	Harvard	Ginsburg	Yes	20
Brian Wolfman	Georgetown University	Harvard	NA	Yes	6
Bryan K. Weir	Conservoy	George Mason	NA	No	0
C. Kevin Marshall	Jones Day	Chicago	Thomas	No	0
Caroline A. Flynn	SG Office	Michigan	Roberts	Yes	1
Catherine E. Stetson	Hogan Lovells	Virginia	NA	Yes	2
Charles L. McCloud	SG Office	Harvard	NA	Yes	1
Colleen R. Sinzdak	SG Office	Harvard	Roberts	Yes	7
Curtis E. Gannon	SG Office	Chicago	Scalia	Yes	29
D. John Sauer	SG Office	Harvard	Scalia	Yes	1
D. Nick Harper	Gibson Dunn	Chicago	Kavanaugh	No	0

Table 4: Attorney Summary (26-50)

Attorney	Firm/Office	Law School	SCOTUS Clerkship	Prior Appearances	Previous Cases
Daniel L. Geyser	Haynes and Boone	Harvard	NA	Yes	15
David C. Frederick	Kellogg Hansen	Texas	White	Yes	59
David D. Cole	ACLU	Yale	NA	Yes	7
David J. Harris Jr	Harris LLP	Boston	NA	No	0
E. Joshua Rosenkranz	Orrick Herrington and Sutcliffe	Georgetown	Brennan	Yes	20
Easha Anand	Stanford Law School	Berkeley	Sotomayor	No	0
Edmund G. Lacour Jr.	AL SG Office	Yale	NA	Yes	1
Edwin S. Kneedler	SG Office	Virginia	NA	Yes	149
Elizabeth B. Prelogar	SG Office	Harvard	Kagan and Ginsburg	Yes	23
Ephraim McDowell	SG Office	Harvard	Kagan	Yes	1
Eric J. Feigin	SG Office	Stanford	Breyer	Yes	34
Eric T. Lee	Diamante Law	Minnesota	NA	No	NA
Erica L. Ross	SG Office	Stanford	Kagan	Yes	13
Erin M. Hawley	Alliance Defending Freedom	Yale	Roberts	No	0
Eugene Scalia	Gibson Dunn	Chicago	NA	No	1
Frederick Liu	SG Office	Yale	Roberts	Yes	12
Gadeir Abbas	Council on American Islamic Relations	Case Western Reserve	NA	No	0
Gregory G. Garre	Latham Watkins	George Washington	NA	Yes	48
Hari Santhanam	Perkins Cole	Northwestern	NA	No	0
Hashim M. Mooppan	Jones Day	Harvard Law School	Scalia	Yes	4
Henry C. Whitaker	FL SG Office	Harvard	Thomas	Yes	1
Howard J. Bashman	Law Offices of Howard J. Bashman	Emory	NA	No	0
J. Matthew Wright	DOJ	Arkansas	NA	No	0
Jaime A. Santos	Goodwin	Harvard	NA	No	0
Jason C. Murray	Olson Grimsley	Harvard	Kagan	No	0

Table 5: Attorney Summary (51-75)

Attorney	Firm/Office	Law School	SCOTUS Clerkship	Prior Appearances	Previous Cases
Jason D. Lewis	AZ AG Office	Arizona State	NA	No	0
Jean-Claude Andre	Bryan Cave Leighton Paisner	Virginia	NA	Yes	3
Jeffrey B. Wall	Sullivan and Cromwell	Chicago	Thomas	Yes	30
Jeffrey J. Wechsler	Montgomery and Andrews	Utah	NA	Yes	1
Jeffrey L. Fisher	O'Melveny	Michigan	Stevens	Yes	45
Jeffrey T. Green	Sidley Austin	UC Davis	NA	Yes	3
Jennifer D. Bennett	Jones Day	Santa Clara	NA	Yes	2
Jessica L. Ellsworth	Hogan Lovells	Harvard	NA	No	0
Joe Wesley Earnhardt	Cravath Swaine Moore	UNC	NA	No	0
John M. Gore	Jones Day	Texas	NA	No	0
Jonathan E. Taylor	Gupta and Wessler	Harvard	NA	No	0
Jonathan F. Mitchell	Mitchell Law PLLC	Chicago	Scalia	Yes	5
Joshua N. Turner	ID AG	Liberty	NA	No	0
Joshua P. Davis	Berger Montague	NYU	NA	No	0
Judith N. Vale	NY AG Office	Georgetown	NA	Yes	1
Kannon K. Shanmugam	Paul Weiss	Harvard	Scalia	Yes	36
Kelsi B. Corkran	Georgetown Law School	Chicago	Ginsburg	Yes	2
Lanora C. Pettit	TX AG Office	Virginia	NA	Yes	1
Leah C. Aden	Legal Defense Fund	Howard	NA	No	0
Linda T. Coberly	Winston and Strawn	Michigan	Breyer	No	0
Lisa S. Blatt	Williams and Connolly	Texas	Ginsburg	Yes	46
Lloyd B. Miller	Sonosky	Virginia	NA	Yes	1
Malcolm L. Stewart	SG Office	Yale	NA	Yes	98
Masha G. Hansford	SG Office	Stanford	NA	Yes	5
Mathura J. Sridharan	Ohio SG Office	NYU	NA	No	0

Table 6: Attorney Summary (76-102)

Attorney	Firm/Office	Law School	SCOTUS Clerkship	Prior Appearances	Previous Cases
Matthew Guarneri	SG Office	Columbia	NA	Yes	9
Megan M. Wold	Cooper and Kirk	Notre Dame	Alito	No	0
Michael R. Dreeben	Special Counsel	Duke	NA	Yes	105
Misha Tseytlin	Troutman Pepper	Georgetown	NA	Yes	2
Nandan M. Joshi	Public Citizen	Georgetown	NA	No	0
Neal Katyal	Hogan Lovells	Yale	Breyer	Yes	50
Nicole F. Reaves	SG Office	Virginia	Alito	Yes	5
Noel J. Francisco	Jones Day	Chicago	Scalia	Yes	20
Pamela S. Karlan	Stanford University	Yale	Blackmum	Yes	9
Paul Clement	Clement and Murphy	Harvard	Scalia	Yes	110
Paul J. Beard II	Pierson Ferdinand	Cornell	NA	Yes	1
Pratik A. Shah	Akin Gump	California Berkeley	Breyer	Yes	16
Richard A. Simpson	Wiley	UNC	NA	No	0
Robert J. McNamara	Institute for Justice	NYU	NA	No	0
Robert M. Loeb	Orick Herrington	Chicago	NA	Yes	3
Roman Martinez	Latham Watkins	Yale	Roberts	Yes	13
S. Michael McColloch	McColloch Law	St. Mary's	NA	No	0
Shannon W. Stevenson	CO SG Office	Duke	NA	No	0
Shay Dvoretzky	Skadden Arps Slate Meagher and Flom LLP and Affiliates	Yale	Scalia	Yes	17
Sopan Joshi	SG Office	Northwestern	Scalia and Alito	Yes	8
Stephen J. Petraney	GA AG Office	Yale	Alito	Yes	1
Steven Y. Yurowitz	Newman and Greenberg	Yeshiva	NA	No	0
Theane D. Evangelis	Gibson Dunn	NYU	O'Connor	No	0
Traci L. Lovitt	Jones Day	Duke	O'Connor	Yes	1
Victoria R. Ferres	Port Huron	Michigan State	NA	No	0
Vivek Suri	SG Office	Brooklyn Law School	NA	Yes	7
Yaira Dubin	SG Office	Harvard	Kagan	Yes	2

Figure 1: SCOTUS Clerkship

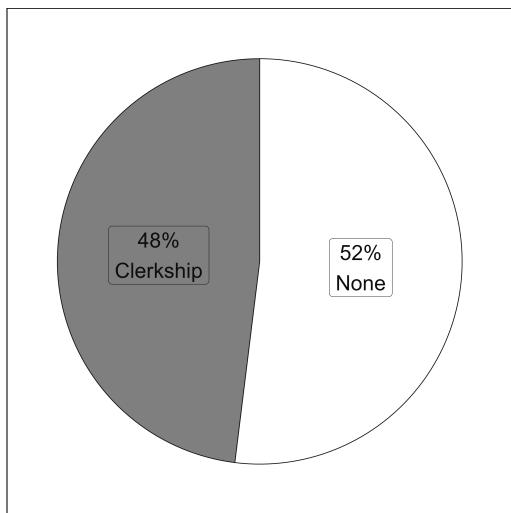


Figure 2: Attorney Gender

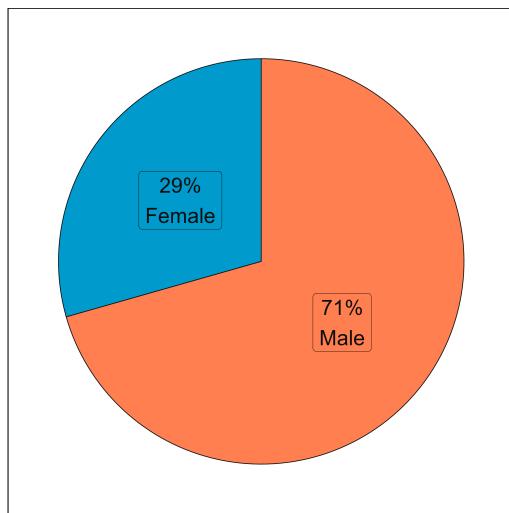
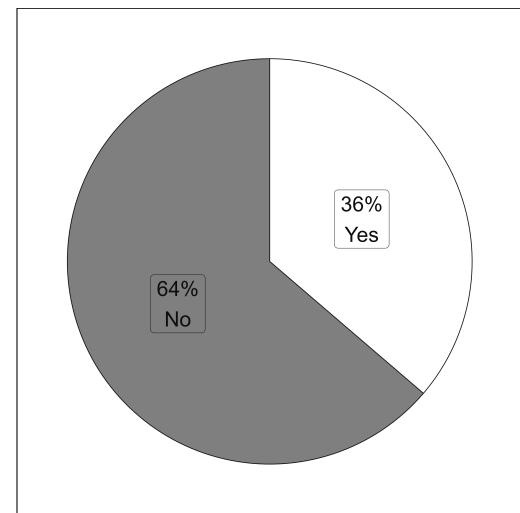


Figure 3: Experience With the SG's Office



Note: Summary information measured using individual attorneys, irrespective of how many times they appeared in oral arguments – i.e., although (Solicitor) General Elizabeth Prelogar appeared in several arguments during the 2023 Term, they are only referenced as a single observation in the listed attorney statistics.

Figure 4: Attorney Information (Law School Attendance)

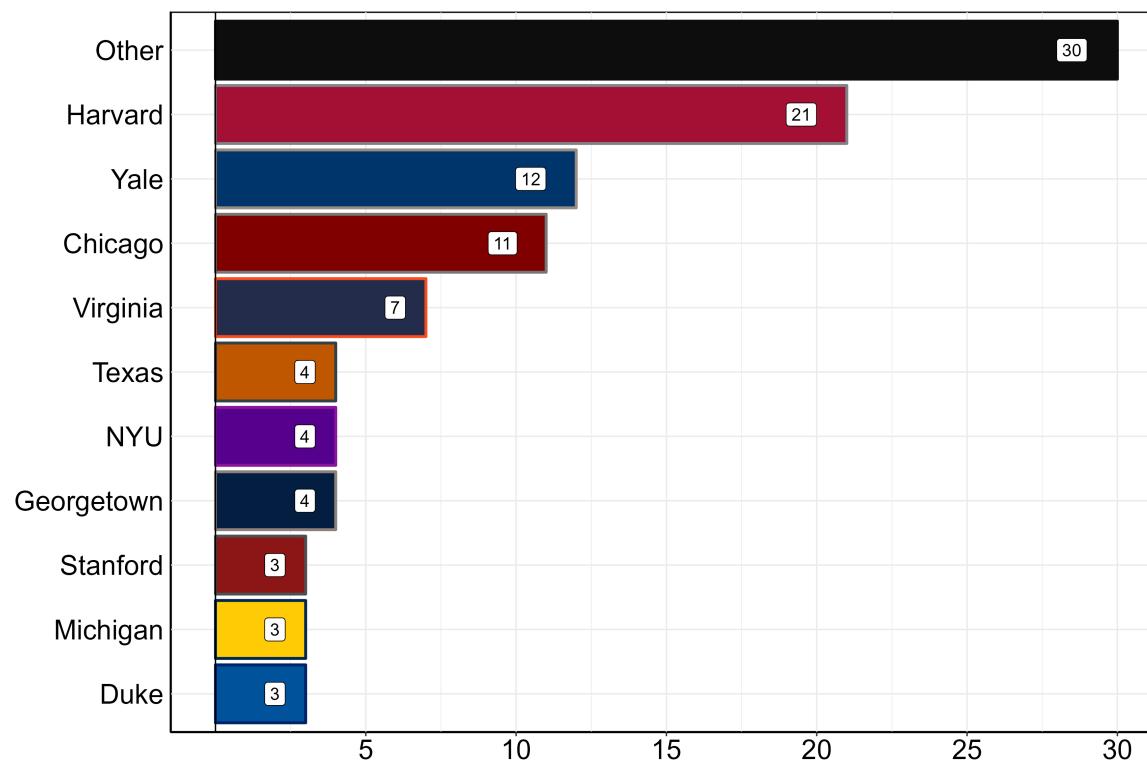
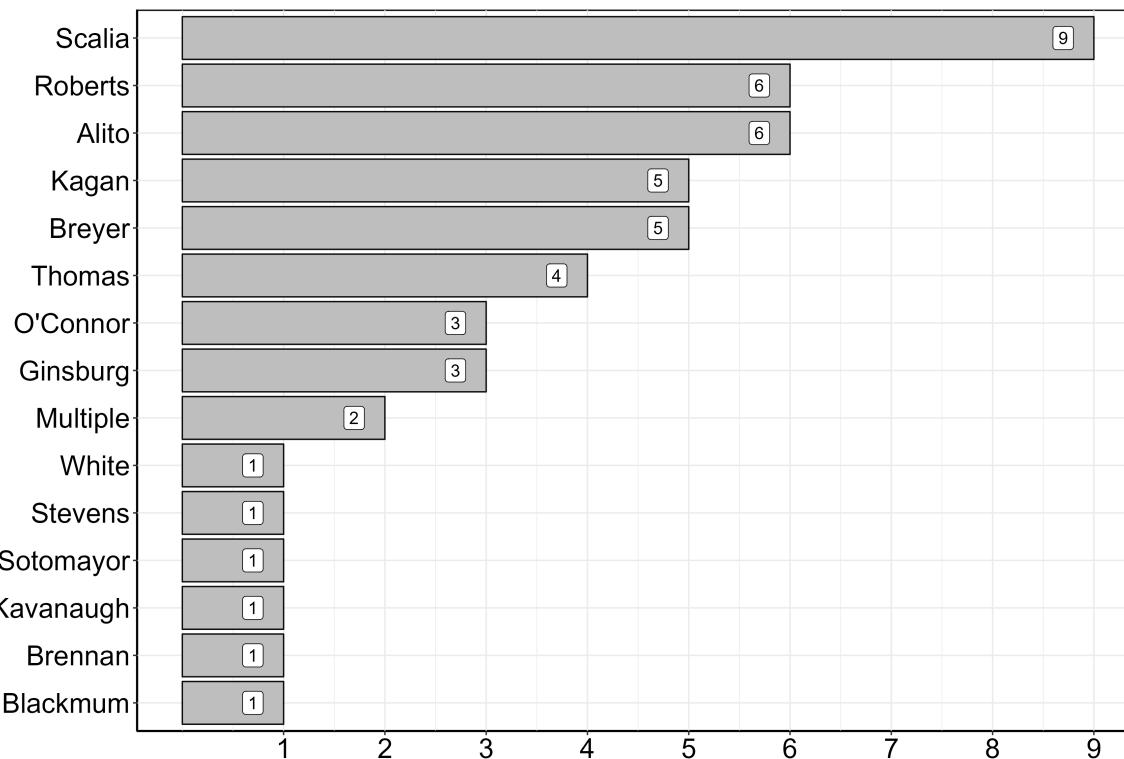


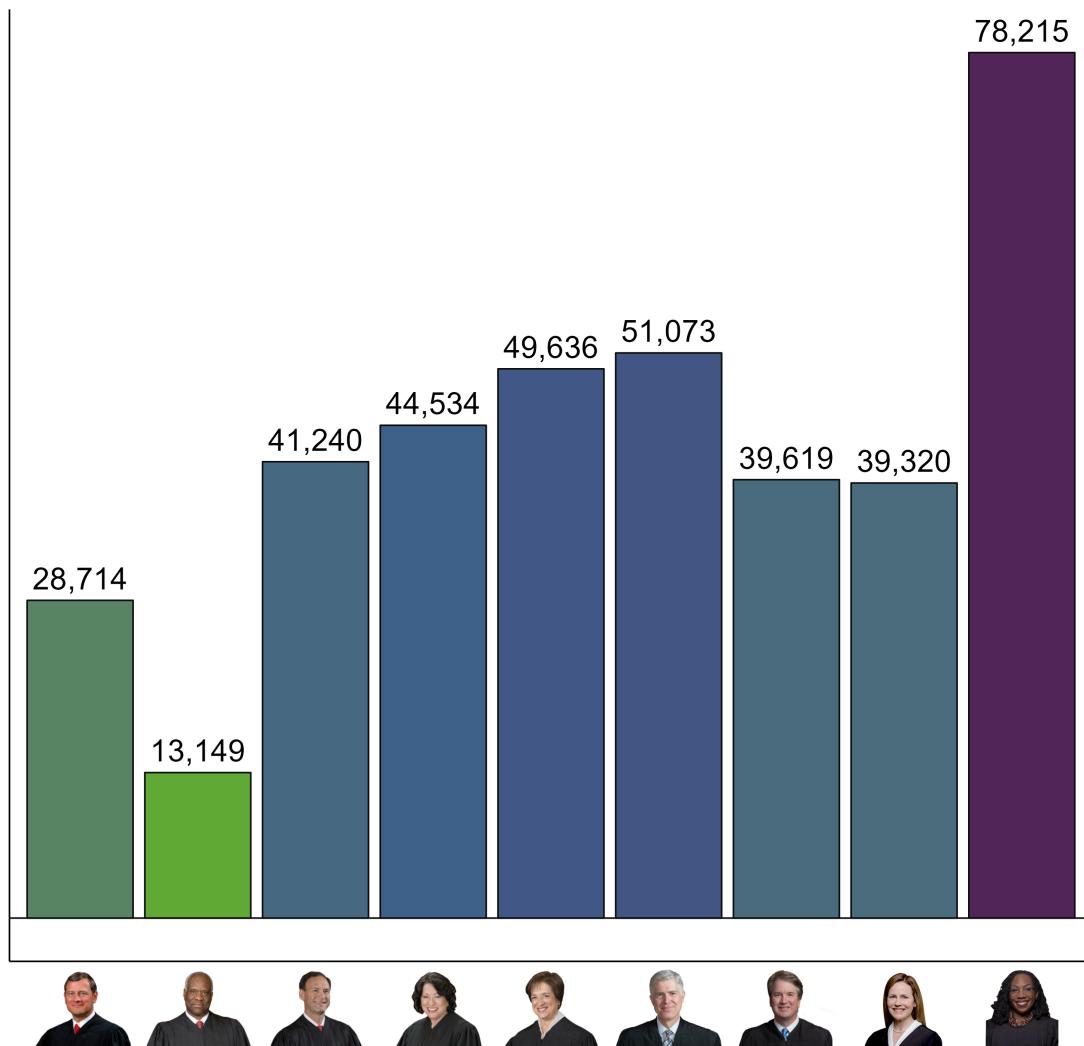
Figure 5: Attorney Information (SCOTUS Clerkships by Justice)



Note: Elizabeth Prelogar (USSG) and Sopan Joshi both served clerkships with two (**Multiple**) Justices – Kagan & Ginsburg (Prelogar) and Scalia & Alito (Joshi).

Oral Argument Participation – Justices

Figure 6: Total Word Counts (By Justice - OT2023)



Data Source: Compiled from Oyez

Oral Argument – Word Counts (By Justice & Argument)

Table 7: October Sitting (Word Counts)

									
	Roberts	Thomas	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Barrett	Jackson
Pulsifer v. U.S.	245	135	704	790	1188	1485	1061	832	1929
CFPB v. Community Financial Services Assn.	358	287	1063	802	1067	309	380	310	1895
Acheson Hotels v. Laufer	857	234	414	1121	1125	398	615	756	1543
Murray v. UBS Securities	288	126	821	561	801	884	923	799	1070
Greater Lakes Ins. v. Raiders Retreat Realty Co.	252	145	440	310	483	284	1154	648	746
Alexander v. SC Conf. of NAACP	477	226	1537	1130	1593	706	633	556	2356

Data Source: Compiled from Oyez

Table 8: November Sitting (Word Counts)

										Roberts	Thomas	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Barrett	Jackson
Culley v. Marshall	304	354	454	1658	852	1012	628	429	2027									
O'Connor-Ratcliff v. Garner	403	232	946	1110	1139	349	887	1193	1255									
Lindke v. Freed	635	244	375	850	557	459	785	247	1138									
Vidal Under Sec. of Comm. v. Elster	532	144	597	529	662	706	379	466	756									
Dept. of Agric. Rural Dev. v. Kirtz	466	129	335	735	925	808	1516	136	1344									
U.S. v. Rahimi	529	448	592	169	582	849	235	718	1263									
Rudisill v. McDonough	858	245	204	321	305	581	789	138	2035									

Data Source: Compiled from Oyez

Table 9: December Sitting (Word Counts)

									
	Roberts	Thomas	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Barrett	Jackson
Brown v. U.S. (Cons. w. 22-6640)	234	269	411	508	543	1166	746	523	1875
McElrath v. Georgia	744	309	473	499	517	800	266	246	664
Wilkinson v. Garland	335	129	650	659	1217	762	1059	1419	1665
SEC v. Jarkesy	1015	139	795	1265	1608	1330	1232	1366	2605
Harrington v. Purdue Pharma	602	374	169	785	692	522	1123	946	1394
Moore v. U.S.	403	261	1265	1073	818	2102	676	805	1006
Muldrow v. St. Louis	929	349	1051	556	708	667	756	908	1961

Data Source: Compiled from Oyez

Table 10: January Sitting (Word Counts)

										Roberts	Thomas	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Barrett	Jackson
Campos-Chavez v. Garland (Cons. w. 22-884)	846	57	690	1042	1225	1452	322	1758	1989									
FBI v. Fikre	392	176	1260	462	859	472	743	90	1420									
Sheetz v. County of El Dorado	619	139	570	812	1356	1290	1036	482	1610									
U.S. Trustee v. John Q. Hammons	89	149	NA	784	534	497	228	344	1213									
Smith v. Arizona	321	131	981	872	853	896	276	658	1520									
Macquarie Infrastructure Corp. v. Moab Partners	496	646	361	169	500	546	168	141	708									
Devillier v. Texas	813	87	545	614	505	1059	74	754	414									
Relentless Inc. v. Dept. of Commerce	458	264	443	934	1548	2055	1687	949	2294									
Loper Bright v. Raimondo Sec. of Commerce	419	69	102	579	822	969	479	595	NA									

Data Source: Compiled from Oyez

Table 11: February Sitting (Word Counts)

									
	Roberts	Thomas	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Barrett	Jackson
Corner Post Inc. v. BD. Of Governors FRS	699	207	400	363	956	859	798	427	1198
Bissonnette v. LePage Bakeries	265	150	117	377	39	121	996	372	535
Ohio v. EPA (Cons. w. 23A350; 23A351; 23A384)	590	143	408	782	973	620	1008	346	1159
Warner Chappell Music Inc. v. Nealy	81	127	330	387	84	695	27	384	355
Moody v. Netchoice LLC	395	843	971	1206	1703	1087	1378	1443	1542
Netchoice LLC v. Paxton	736	134	773	366	284	693	263	630	657
McIntosh v. U.S.	405	72	244	474	167	474	56	NA	936
Cantero v. Bank of America	124	137	1251	625	1081	893	1004	595	1356
Garland v. Cargill	200	335	471	766	1403	664	702	500	2440
Coinbase Inc. v. Suski	326	119	110	265	75	767	366	222	862
Trump v. Anderson	1125	482	1623	1146	1295	1296	1278	1292	1667

Data Source: Compiled from Oyez

Table 12: March Sitting (Word Counts)

										Roberts	Thomas	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Barrett	Jackson
Murthy v. Missouri	530	323	1124	548	1050	800	649	1082	1336									
NRA v. Vullo	264	99	815	488	202	304	234	190	982									
Diaz v. U.S.	378	178	802	770	1200	1478	177	442	1301									
Truck Insurance Exchange v. Kaiser Gypsum	692	254	NA	1261	738	416	388	663	606									
Gonzalez v. Trevino	527	250	619	722	1165	994	953	728	680									
Becerra v. San Carlos Apache Tribe (Cons. w. 23-253)	379	72	539	543	355	1101	940	1063	466									
Texas v. New Mexico and Colorado	401	490	91	782	515	931	NA	1	836									
Harrow v. Dept. of Defense	139	30	369	235	259	461	89	107	441									
FDA v. Alliance for Hippocratic Medicine (Cons. w. 23-236)	327	271	1186	531	1253	420	28	929	1118									
Erlinger v. United States	163	73	1274	301	286	971	937	487	801									
Connelly v. United States	194	258	NA	145	280	356	570	251	150									

Table 13: April Sitting (Word Counts)

										Roberts	Thomas	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Barrett	Jackson
Snyder v. U.S.	457	NA	905	1030	712	1363	1225	694	1290									
Chiaverini v. City of Napoleon	167	NA	996	357	252	669	NA	750	1382									
Fischer v. U.S.	563	329	1379	817	881	307	369	956	1203									
Thornell v. Jones	165	45	820	1089	792	553	409	382	1316									
City of Grants Pass v. Johnson	1101	461	1101	1716	1454	1834	791	1492	2072									
Smith v. Spizzirri	284	86	80	249	185	82	38	NA	588									
Dept. of State v. Munoz	806	267	833	1033	1121	1080	730	949	990									
Starbucks Corp. v. McKinney	197	102	143	516	642	864	74	212	1313									
Moyle v. U.S. (Cons. w. 23-727)	409	160	1362	1495	1551	794	766	999	1854									
Trump v. U.S.	706	155	1856	1450	1099	1711	1520	1520	3088									

Data Source: Compiled from Oyez

Attorney Participation – Oral Arguments

Table 14: October Sitting

Case	Attorney (Word Count)
Pulsifer v. U.S.	Liu (4232) Dvoretzky (5213)
CFPB v. Community Financial Services Assn.	Prelogar (5821) Francisco (4959)
Acheson Hotels v. Laufer	Unikowsky (3771) Ross (2854) Corkran (2784)
Murray v. UBS Securities	Yang (2707) Anand (2834) Scalia (3392)
Greater Lakes Ins. v. Raiders Retreat Realty Co.	Bashman (3043) Wall (4505)
Alexander v. SC Conf. of NAACP	Flynn (2570) Gore (5254) Aden (2542)

Data Source: Compiled from Oyez

Table 15: November Sitting

Case	Attorney (Word Count)
Culley v. Marshall	LaCour (2912) Reaves (1489) Dvoretzky (5506)
O'Connor-Ratcliff v. Garner	Mooppan (5474) Karlan (3756) Joshi (2167)
Lindke v. Freed	Kedem (4257) Hansford (2894) Ferres (2037)
Vidal Under Sec. of Comm. v. Elster	Taylor (3969) Stewart (4827)
Dept. of Agric. Rural Dev. v. Kirtz	Snyder (4717) Joshi (3479)
U.S. v. Rahimi	Prelogar (6845) Wright (5050)
Rudisill v. McDonough	Tseytlin (3554) Suri (3281)

Data Source: Compiled from Oyez

Table 16: December Sitting

Case	Attorney (Word Count)
Brown v. U.S. (Cons. w. 22-6640)	Adler (3532) Raynor (3565) Green (1991)
McElrath v. Georgia	Simpson (2523) Petrany (3792)
Wilkinson v. Garland	Sinzdak (4161) Santos (4732)
SEC v. Jarkesy	Fletcher (8863) McColloch (4735)
Harrington v. Purdue Pharma	Gannon (6509) Garre (3291) Shah (2364)
Moore v. U.S.	Grossman (6086) Prelogar (8663)
Muldrow v. St. Louis	Brown (2589) Wolfman (3176) Loeb (3178)

Data Source: Compiled from Oyez

Table 17: January Sitting

Case	Attorney (Word Count)
Campos-Chavez v. Garland (Cons. w. 22-884)	McCloud (4912) Anand (5175)
FBI v. Fikre	Abbas (2916) Joshi (6174)
Sheetz v. County of El Dorado	McGrath (2590) Ross (1895) Beard (3701)
U.S. Trustee v. John Q. Hammons	Geyser (4112) Hansford (3989)
Smith v. Arizona	Samuels (3402) Feigin (2810) Santhanam (3263)
Macquarie Infrastructure Corp. v. Moab Partners	Frederick (1954) McDowell (2029) Coberly (3455)
Devillier v. Texas	Nielson (2372) Kneedler (1841) McNamara (4529)
Relentless Inc. v. Dept. of Commerce	Prelogar (7665) Martinez (7263)
Loper Bright v. Raimondo Sec. of Commerce	Prelogar (4960) Clement (5861)

Data Source: Compiled from Oyez

Table 18: February Sitting

Case	Attorney (Word Count)
Corner Post Inc. v. BD. Of Governors FRS	Snyder (4033) Weir (3484)
Bissonnette v. LePage Bakeries	Bennett (4420) Lovitt (3904)
Ohio v. EPA (Cons. w. 23A350; 23A351; 23A384)	Stetson (2199) Vale (1384) Stewart (3738) Sridharan (2237)
Warner Chappell Music Inc. v. Nealy	Earnhardt (2546) Shanmugam (4068) Dubin (994)
Moody v. Netchoice LLC	Prelogar (4028) Whitaker (5688) Clement (5690)
Netchoice LLC v. Paxton	Nielson (4889) Prelogar (1538) Clement (4215)
McIntosh v. U.S.	Guarnieri (3061) Yurowitz (2704)
Cantero v. Bank of America	Taylor (5347) Blatt (4721) Stewart (3350)
Garland v. Cargill	Fletcher (6150) Mitchell (5141)
Coinbase Inc. v. Suski	Harris (1575) Ellsworth (2843)
Trump v. Anderson	Murray (4928) Mitchell (5988) Stevenson (1502)

Data Source: Compiled from Oyez

Table 19: March Sitting

Case	Attorney (Word Count)
Murthy v. Missouri	Fletcher (7482) Aguinaga (5783)
NRA v. Vullo	Cole (4004) McDowell (1638) Katal (3237)
Diaz v. U.S.	Fisher (6158) Guarnieri (3928)
Truck Insurance Exchange v. Kaiser Gypsum	Ho (2112) Yang (1942) Marshall (1872) Frederick (2179)
Gonzalez v. Trevino	Bidwell (3363) Blatt (2895) Reaves (2524)
Becerra v. San Carlos Apache Tribe (Cons. w. 23-253)	Unikowsky (4157) Flynn (4465) Miller (2406)
Texas v. New Mexico and Colorado	Liu (4225) Wechsler (1190) Pettit (2538)
Harrow v. Dept. of Defense	Brown (4665) Davis (1991)
FDA v. Alliance for Hippocratic Medicine (Cons. w. 23-236)	Prelogar (4754) Hawley (3898) Ellsworth (1424)
Erlinger v. United States	Harper (3902) Feigin (3106) Fisher (4317)
Connelly v. United States	Shanmugam (4585) Dubin (3663)

Data Source: Compiled from Oyez

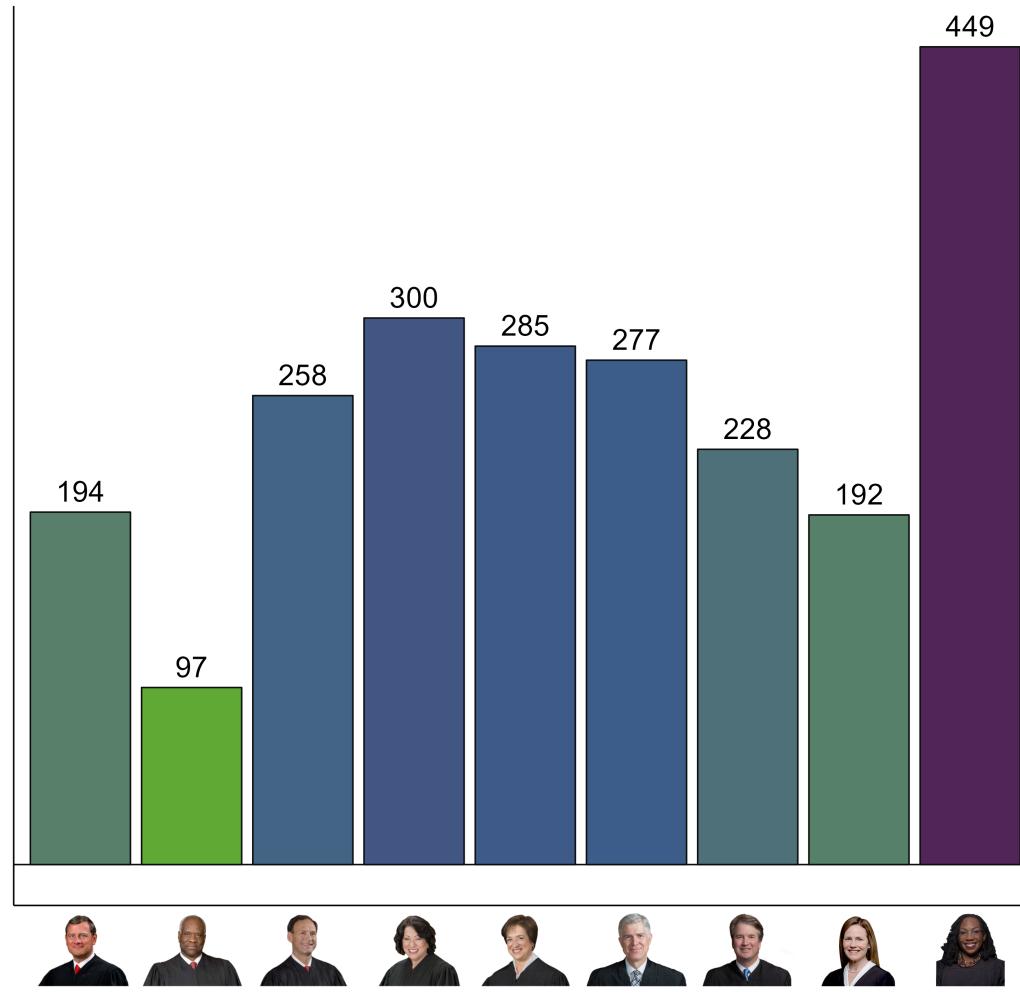
Table 20: April Sitting

Case	Attorney (Word Count)
Snyder v. U.S.	Sinzdak (6821) Blatt (4650)
Chiaverini v. City of Napoleon	Anand (3488) Wold (2119) Suri (976)
Fischer v. U.S.	Prelogar (8064) Green (3372)
Thornell v. Jones	Lewis (2777) Andre (3201)
City of Grants Pass v. Johnson	Kneedler (5428) Corkran (3462) Evangelis (5198)
Smith v. Spizzirri	Geyser (2805) Rosenkranz (2888)
Dept. of State v. Munoz	Gannon (4801) Lee (4381)
Starbucks Corp. v. McKinney	Raynor (3072) Blatt (3167)
Moyle v. U.S. (Cons. w. 23-727)	Prelogar (6397) Turner (4700)
Trump v. U.S.	Sauer (5149) Dreeben (9357)

Data Source: Compiled from Oyez

Oral Argument – Time for Arguments

Figure 7: Total Time Speaking (Minutes) by Justice (OT2023)



Data Source: Compiled from Oyez

Table 21: October Sitting (Time Spoken – Minutes)

	Total									
Pulsifer v. U.S.	49.5	1.71	1.01	4.27	6.09	7.29	7.76	6.02	4.28	11.07
CFPB v. Community Financial Services Assn.	40.2	2.89	2.25	7.3	5.18	6.52	1.56	2.22	1.4	10.88
Acheson Hotels v. Laufer	40.65	5.31	1.71	2.38	7.4	6.51	2	3.59	3.65	8.1
Murray v. UBS Securities	38.01	2.48	1.14	5.46	3.43	4.78	4.82	5.26	3.99	6.65
Greater Lakes Ins. v. Raiders Retreat Realty Co.	25.92	1.84	1.08	2.69	2.18	3.06	1.57	6.4	2.77	4.33
Alexander v. SC Conf. of NAACP	70.46	17.2	1.63	9.85	7.67	9.67	3.83	3.93	2.95	13.73

Note: Total represents elapsed speaking time for entire argument (not including arguing attorneys) – Does *not* include empty (silent) space.

Data Source: Compiled from Oyez

Table 22: November Sitting (Time Spoken – Minutes)

	Total									
Culley v. Marshall	48.9	2.4	2.68	2.88	12.52	5.22	5.52	3.75	2.15	11.78
O'Connor-Ratcliff v. Garner	43.57	2.69	1.62	6.21	7.76	6.09	1.77	4.74	5.68	7.01
Lindke v. Freed	31.46	3.74	1.92	2.57	6.15	3.01	2.27	4.2	1.19	6.41
Vidal Under Sec. of Comm. v. Elster	28.83	3.05	1.03	4	3.56	4.28	4.06	2.09	2.28	4.48
Dept. of Agric. Rural Dev. v. Kirtz	36.78	2.65	0.95	1.88	4.87	5.35	4.18	8.27	0.68	7.95
U.S. v. Rahimi	33.06	3.56	3.53	4.4	1.21	3.46	4.34	1.37	3.39	7.8
Rudisill v. McDonough	32.19	5.09	1.87	1.45	2.09	1.88	3.16	4.28	0.59	11.78

Note: Total represents elapsed speaking time for entire argument (not including arguing attorneys) – Does *not* include empty (silent) space.

Data Source: Compiled from Oyez

Table 23: December Sitting (Time Spoken – Minutes)

	Total									
Brown v. U.S. (Cons. w. 22-6640)	37.5	1.78	2.23	2.59	3.39	3.12	6.4	4.23	2.62	11.14
McElrath v. Georgia	26.41	4.65	2.08	3.01	3.54	2.75	4.25	1.51	1.1	3.52
Wilkinson v. Garland	45.84	2.53	0.89	4.18	4.54	6.62	4.17	6.17	7.13	9.61
SEC v. Jarkey	65.97	6.04	1.01	5.18	8.6	9.3	7.19	7.35	6.22	15.08
Harrington v. Purdue Pharma	38.03	3.77	2.79	1.14	5.25	3.8	2.68	6.72	4.38	7.5
Moore v. U.S.	50.93	2.87	1.75	7.91	7.72	5.13	11.55	3.93	3.98	6.09
Muldrow v. St. Louis	47.7	5.63	2.49	6.64	3.62	4.2	4.4	4.43	4.52	11.77

29

Note: Total represents elapsed speaking time for entire argument (not including arguing attorneys) – Does *not* include empty (silent) space.

Data Source: Compiled from Oyez

Table 24: January Sitting (Time Spoken – Minutes)

	Total									
Campos-Chavez v. Garland (Cons. w. 22-884)	51.96	4.27	0.42	4.31	6.59	6.72	8.56	1.88	8.61	10.6
FBI v. Fikre	33.07	2.12	1.23	7.26	2.86	4.61	2.85	3.7	0.37	8.07
Sheetz v. County of El Dorado	46.32	3.9	1.12	3.73	5.3	7.96	6.54	5.79	2.5	9.48
U.S. Trustee v. John Q. Hammons	21.9	0.76	1.11	0	4.86	3.04	2.34	1.19	1.56	7.04
Smith v. Arizona	37.91	2.36	1.03	5.71	5.55	4.74	4.78	1.85	3.13	8.76
Macquarie Infrastructure Corp. v. Moab Partners	22.02	3.35	3.99	2.28	0.83	2.92	2.69	1	0.73	4.23
Devillier v. Texas	26.2	4.45	0.62	3.23	3.3	2.69	5.43	0.41	3.71	2.36
Relentless Inc. v. Dept. of Commerce	62.88	3.08	2.23	2.57	6.65	9.16	11.72	9.77	4.64	13.06
Loper Bright v. Raimondo Sec. of Commerce	23.81	2.59	0.56	0.69	3.72	5.03	5.39	2.86	2.97	0

30

Note: Total represents elapsed speaking time for entire argument (not including arguing attorneys) – Does *not* include empty (silent) space.

Data Source: Compiled from Oyez

Table 25: February Sitting (Time Spoken – Minutes)

	Total									
Corner Post Inc. v. BD. Of Governors FRS	34.55	4.12	1.55	2.47	2.55	5.91	4.66	4.22	2.09	6.98
Bissonnette v. LePage Bakeries	17.74	1.73	1.23	0.66	2.3	0.2	0.62	5.96	1.84	3.2
Ohio v. EPA (Cons. w. 23A350; 23A351; 23A384)	35.12	3.92	1.04	2.76	5.28	5.42	3.03	5.75	1.52	6.4
Warner Chappell Music Inc. v. Nealy	13.05	0.59	0.9	1.95	2.35	0.46	3.11	0.1	1.6	1.99
Moody v. Netchoice LLC	65.14	2.91	6.26	6.39	8.55	10.08	6.39	8.71	7.08	8.77
Netchoice LLC v. Paxton	26.45	4.18	1.19	5.07	2.23	1.73	4.07	1.11	3.24	3.63
McIntosh v. U.S.	17.26	2.35	0.51	1.68	3.32	0.93	2.75	0.35	0	5.37
Cantero v. Bank of America	40.64	1.02	1.14	7.87	4.08	5.75	4.4	5.68	2.83	7.87
Garland v. Cargill	42.29	1.32	2.44	3.05	4.87	7.94	3.78	3.49	2.21	13.19
Coinbase Inc. v. Suski	17.6	1.96	0.92	0.63	1.77	0.46	3.83	2.13	1.1	4.8
Trump v. Anderson	67.35	6.78	3.48	10.05	7.83	7.18	7.4	7.83	6.69	10.11

Note: Total represents elapsed speaking time for entire argument (not including arguing attorneys) – Does *not* include empty (silent) space.

Data Source: Compiled from Oyez

Table 26: March Sitting (Time Spoken – Minutes)

	Total									
Murthy v. Missouri	43.6	3.12	2.44	6.5	3.53	6.42	4.45	3.98	5.16	8
NRA v. Vullo	22.02	2.03	0.87	5.22	3.15	1.2	1.62	1.38	0.83	5.72
Diaz v. U.S.	37.77	2.21	1.26	4.74	4.87	6.88	7.57	1.09	1.85	7.3
Truck Insurance Exchange v. Kaiser Gypsum	27.9	3.65	1.9	0	8.32	3.78	2.1	1.92	3.03	3.2
Gonzalez v. Trevino	38.69	3.15	1.72	4.07	4.89	6.54	5.07	5.94	3.39	3.92
Becerra v. San Carlos Apache Tribe (Cons. w. 23-253)	31.33	2.66	0.48	3.08	3.65	1.79	5.99	5.2	5.6	2.88
Texas v. New Mexico and Colorado	24.57	2.57	3.51	0.59	4.97	2.94	5.2	0	0.01	4.78
Harrow v. Dept. of Defense	12.69	1.02	0.2	2.72	1.53	1.39	2.29	0.43	0.48	2.63
FDA v. Alliance for Hippocratic Medicine (Cons. w. 23-236)	35.23	2.23	1.73	6.44	3.5	7.11	2.78	0.19	5.01	6.24
Erlinger v. United States	31.18	1.26	0.59	8.07	1.94	1.63	5.36	5.73	2.19	4.41
Connelly v. United States	12.45	1.22	1.87	0	0.92	1.58	1.95	2.81	1.19	0.91

Note: Total represents elapsed speaking time for entire argument (not including arguing attorneys) – Does *not* include empty (silent) space.

Data Source: Compiled from Oyez

Table 27: April Sitting (Time Spoken – Minutes)

	Total									
Snyder v. U.S.	43.76	2.71	0	5.22	7.19	3.71	7.46	6.61	3.34	7.52
Chiaverini v. City of Napoleon	25.64	1.32	0	5.54	2.24	1.36	3.67	0	3.64	7.87
Fischer v. U.S.	41.76	3.49	2.42	8.82	5.59	5.09	1.82	2.34	4.96	7.23
Thornell v. Jones	33.8	1.15	0.33	5.09	7.48	4.14	3.15	2.82	2.1	7.54
City of Grants Pass v. Johnson	68.96	6.2	3.29	6.82	11.16	8.06	9.59	4.53	7.55	11.76
Smith v. Spizzirri	9.1	1.53	0.66	0.52	1.64	0.86	0.45	0.32	0	3.12
Dept. of State v. Munoz	45.18	4.47	1.89	4.56	7.36	6.58	6.06	4.33	4.39	5.54
Starbucks Corp. v. McKinney	22.84	1.26	0.73	0.83	3.45	3.34	4.44	0.36	0.99	7.44
Moyle v. U.S. (Cons. w. 23-727)	57.61	2.51	1.3	8.52	10.78	9.04	4.65	4.6	5.21	11
Trump v. U.S.	77.9	4.14	1.4	11.82	10.41	6.28	9.48	9.21	7.71	17.45

3

Note: Total represents elapsed speaking time for entire argument (not including arguing attorneys) – Does *not* include empty (silent) space.

Data Source: Compiled from Oyez

Decisions

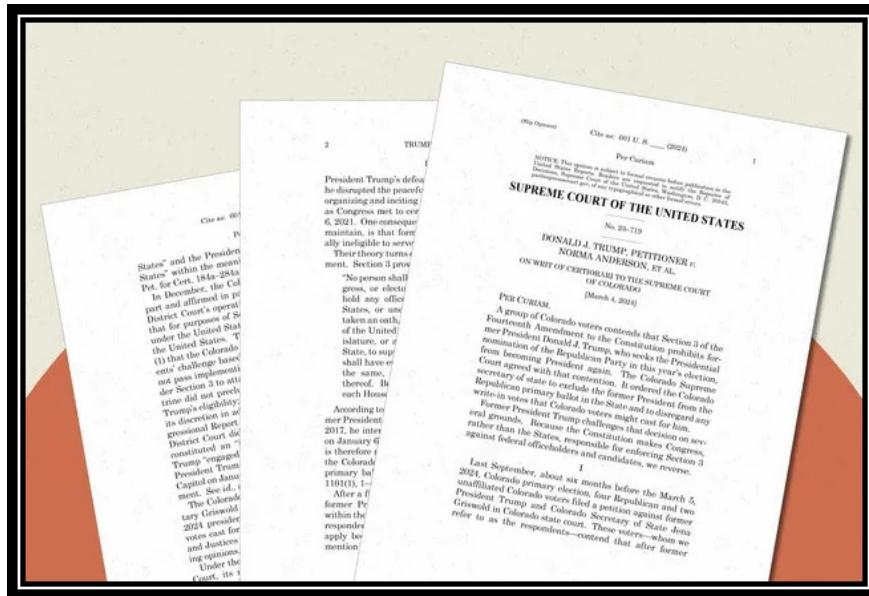


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Table 28: What's Included (Decisions)

Topic	Description
Justice Agreement Matrix	Percentage of decisions where Justices coalesced similarity – i.e., were <i>both</i> in Majority or Dissent (ex: Justices Alito and Sotomayor)
Decision Overviews	2023 Term Decisions organized by sitting (month) with corresponding summary of case-level issue, docket number, holding, opinion author, and coalition size.
Circuit Scorecard	Percentage of <i>Affirmed</i> and <i>Reversed</i> (and/or <i>Vacated/Remanded</i>) decisions by U.S. Circuit Courts of Appeals.
Decisions by Coalition and Term	Summary of decisions by coalition size between 2018 and 2023 Terms.
Share of Cases Decided (9-0) by Term	Percentage of cases decided (9-0) between 2018 and 2023 Terms.
Opinion Lengths	Top-10 Longest and Shortest Opinions of 2023 Term.
Decision Turnover	Average number of days elapsed between oral arguments & decision by the Court (organized by argument sitting and term).
Frequency in Majority by Term	Percentage of cases where each Justice was in the majority between 2005 and 2023 Terms (Roberts Court).
Ideological Splits	Share of (6-3) and (5-3) cases between OT2020 and OT2023 where the Court was ideologically split.
Opinion Authorship	Share of opinions – Majority, Concurrences (Regular, In Judgment, or In Part), and Dissents – authored by each Justice.

Note on Decision Coding

We recognize that the array of potential case-level votes do not always neatly align with a definitive indicator that a Justice should be considered a member of the Majority or Minority (*Dissenting*) coalition. In particular, votes by Justices *Concurring and Dissenting In Part*, *Concurring in Judgment*, joining (and/or authoring) several concurrences, etc., are not as clear of an indicator as authoring or simply joining the majority. These special votes could lead to varying records of majority and minority coalitions sizes depending on the source. For example, a decision rendered with a single Justice authoring an opinion *Concurring In Part, and Dissenting in Part* could reasonably be coded as either (9-0) or (8-1), given that the Justice neither fully joined – nor fully dissented – from the Court’s majority opinion.

To maintain methodological consistency, we code choices to join the **Minority** (*Dissent*) as instances where a Justice (1) Authored a Dissenting Opinion or (2) **Only** Joined a Dissenting Opinion. Below we list the cases impacted by this coding scheme.

- *Acheson Hotels LLC v. Laufer* (22-429) – Decided 12/05/2023
- *Trump v. Anderson* (23-719) – Decided 03/04/2024
- *Muldrow v. City of St. Louis* (22-193) – Decided 04/17/2024
- *Vidal v. Ester* (23-704) – Decided 06/13/2024
- *Starbucks Corp. v. McKinney* (23-367) – Decided 06/13/2023
- *Moore v. United States* (22-800) – Decided 06/20/2024
- *Department of State v. Munoz* (23-334) – Decided 06/21/2024
- *Smith v. Arizona* (22-899) – Decided 06/21/2024
- *Moyle v. United States* (23-726) – Decided 06/27/2024
- *Moody v. NetChoice* (22-277) – Decided 07/01/2024
- *Trump v. United States* (23-939) – Decided 07/01/2024

Additional Notes: Opinion Consolidations

- Given the post-argument consolidation of *Loper Bright Enterprises v. Raimondo* (22-451) with *Relentless, Inc., et al. v. Department of Commerce* (22-1219), we report the outcome collectively under *Loper Bright* as (6-3) with Justice Jackson joining Justice Sotomayor's dissent (though Justice Jackson did not participate in the proceedings of 22-451).
- Given the post-argument consolidation of *Moody v. NetChoice, LLC* (22-277) with *Netchoice, LLC v. Paxton* (22-555), we report the outcome collectively under *Moody v. Net Choice* as (9-0) with Justice Kagan authoring.

Justice-Level Agreement (2023 Term)

Table 29: Justice-Level Agreement (2023 Term)

	Roberts	Thomas	Alito	Sotomayor	Kagan	Gorsuch	Kavanaugh	Barrett
								
	79.66							
		82.76	89.66					
		71.19	50.85	53.45				
38		71.19	50.85	53.45	96.61			
		76.27	83.05	82.76	61.02	61.02		
		94.92	77.97	84.48	69.49	69.49	74.58	
		88.14	81.36	81.03	69.49	69.49	77.97	89.83
		69.49	52.54	58.62	91.53	91.53	62.71	71.19
								67.8

Note: Cell values represent percentage of cases where Justices coalesced similarly (Majority vs. Dissent) – Includes *Per Curiams*

Decisions Overview (OT2023 by Sitting)

Table 30: October Sitting

Case	Issue	Docket	Lower Court	Decision	Author	Coalition
Acheson Hotels v. Laufer	Hotel accessibility information without plan to stay there	(22-429)	CA1	Vacate & Remand	Barrett	(9-0)
Murray v. UBS Securities	Whistleblowers prove their employer intended to retaliate	(22-660)	CA2	Reverse & Remand	Sotomayor	(9-0)*
Greater Lakes Ins. v. Raiders Retreat Realty Co.	Maritime contract validity when conflicts with a state's strong public policy	(22-500)	CA3	Reverse	Kavanaugh	(9-0)*
Pulsifer v. U.S.	Criteria to show for sentence lower than the mandatory minimum	(22-340)	CA8	Affirm	Kagan	(6-3)
CFPB v. Community Financial Services Assn.	Members of Congress sue government agency for not sharing information	(22-448)	CA5	Reverse & Remand	Thomas	(7-2)*
Alexander v. SC Conf. of NAACP	Voting districts focus on Black voters	(22-807)	DCSC	Reverse In Part Remand In Part	Alito	(6-3)*

*Concurrence(s) Filed (Regular, Special, or *In Judgement*)

Table 31: November Sitting

Case	Issue	Docket	Lower Court	Decision	Author	Coalition
Dept. of Agric. Rural Dev. v. Kirtz	Sue U.S. government for money damages under Fair Credit Reporting Act	(22-846)	CA3	Affirm	Gorsuch	(9-0)
O'Connor-Ratcliff v. Garner	Public official blocking someone on personal social media used for job-related info	(22-324)	CA9	Vacate & Remand	Per Curiam	(9-0)
Lindke v. Freed	Public official's social media part of their official duties under the First Amendment	(22-611)	CA6	Vacate & Remand	Barrett	(9-0)
Rudisill v. McDonough	Veteran get all their educational benefits at once	(22-888)	CAFC	Reverse & Remand	Jackson	(7-2)*
Culley v. Marshall	Court standards if and when hearing required after property is taken by the government	(22-585)	CA11	Affirm	Kavanaugh	(6-3)*
Vidal; Under Sec. of Comm. v. Elster	Register trademark with the name of living individuals without consent	(22-704)	CAFED	Reverse	Thomas	(9-0)*
U.S. v. Rahimi	Gun ownership with domestic violence restraining order	(22-915)	CA5	Reverse & Remand	Roberts	(8-1)*

*Concurrence(s) Filed (Regular, Special, or *In Judgement*)

Table 32: December Sitting

Case	Issue	Docket	Lower Court	Decision	Author	Coalition
McElrath v. Georgia	Double Jeopardy Clause after a not-guilty verdict	(22-721)	SCGA	Reverse & Remand	Jackson	(9-0)*
Wilkinson v. Garland	Court review agency's decision on whether a person's hardship	(22-666)	CA3	Reverse In Part Vacate In Part Remand	Sotomayor	(6-3)
Muldrow v. St. Louis	Title VII of the Civil Rights Act covers job transfer discrimination	(22-193)	CA8	Vacate & Remand	Kagan	(9-0)
Brown v. U.S. (Cons. w. 22-6640)	"Serious drug crime" uses of drug lists at the time of a firearm offense	(22-6389)	CA3	Affirm	Alito	(6-3)
Moore v. U.S.	Congress tax income that hasn't been received yet under 16th Amendment	(22-800)	CA9	Affirm	Kavanaugh	(7-2)
Harrington v. Purdue Pharma	Bankruptcy approval tol release claims against non-debtors without consent	(23-124)	CA2	Reverse & Remand	Gorsuch	(5-4)
SEC v. Jarkesy	Statutory scheme for Securities and Exchange Commission	(22-859)	CA5	Affirm & Remand	Roberts	(6-3)*

*Concurrence(s) Filed (Regular, Special, or *In Judgement*)

Table 33: January Sitting

Case	Issue	Docket	Lower Court	Decision	Author	Coalition
FBI v. Fikre	No Fly List relevance if the person is removed from list	(22-1178)	CA9	Affirm	Gorsuch	(9-0)*
Macquarie Infrastructure Corp. v. Moab Partners	Fail to disclose information under SEC lawsuit without misleading statements	(22-1165)	CA2	Vacate & Remand	Sotomayor	(9-0)
Sheetz v. County of El Dorado	Takings Clause differentiates legislative and administrative land-use permit	(22-1074)	Cal. Ct. App.	Vacate & Remand	Barrett	(9-0)*
Devillier v. Texas	Sue a state directly under the Takings Clause for property compensation issues	(22-913)	CA5	Vacate & Remand	Thomas	(9-0)
U.S. Trustee v. John Q. Hammons	U.S. Trustee refund extra fees that debtors paid	(22-1238)	CA10	Reverse & Remand	Jackson	(6-3)
Campos-Chavez v. Garland (Cons. w. 22-884)	Government notice with hearing details later	(22-674)	CA5	Affirm	Alito	(5-4)
Smith v. Arizona	Confrontation Clause testimony from a substitute expert	(22-899)	Ariz. Ct. App.	Vacate & Remand	Kagan	(9-0)*
Loper Bright v. Raimondo; Sec. of Commerce (Together w. 22-1219)	Chevron validity related to agency requirement on fishing companies	(22-451)	CADC	Vacate & Remand	Roberts	(6-3)*

*Concurrence(s) Filed (Regular, Special, or *In Judgement*)

Table 34: February Sitting

Case	Issue	Docket	Lower Court	Decision	Author	Coalition
Trump v. Anderson	14th Amendment rules for when state removes candidate from ballot	(23-719)	SCCO	Reverse	Per Curiam	(9-0)*
Bissonnette v. LePage Bakeries	Workers in interstate transportation mandatory arbitration of disputes	(23-51)	CA2	Vacate & Remand	Roberts	(9-0)
McIntosh v. U.S.	Forfeiture of property order after deadline for criminal proceedings passed	(22-7386)	CA2	Affirm	Sotomayor	(9-0)
Warner Chappell Music Inc. v. Nealy	Damages for copyright violations more than three years before filed suit	(22-1078)	CA11	Affirm	Kagan	(6-3)
Coinbase Inc. v. Suski	Contract arbitration agreement	(23-3)	CA9	Affirm	Jackson	(9-0)*
Cantero v. Bank of America	State and federal laws about national banks	(22-529)	CA2	Vacate & Remand	Kavanaugh	(9-0)
Garland v. Cargill	If bump stock is a "machinegun?"	(22-976)	CA5	Affirm	Thomas	(6-3)*
Ohio v. EPA (Cons. w. 23A350; 23A351; 23A384)	EPA's plan to control air pollution from states	(23A349)	CADC	Stay Granted	Gorsch	(5-4)
Corner Post Inc. v. BD. Of Governors FRS	When a lawsuit under the Administrative Procedure Act starts	(22-1008)	CA8	Reverse & Remand	Barrett	(6-3)*
Moody v. Netchoice LLC	Florida's laws on social media content moderation under the First Amendment	(22-277)	CA11	Vacate & Remand	Kagan	(9-0)*

*Concurrence(s) Filed (Regular, Special, or *In Judgement*)

Table 35: March Sitting

Case	Issue	Docket	Lower Court	Decision	Author	Coalition
Harrow v. Dept. of Defense	60-day deadline to file appeals in employment cases flexibility	(23-21)	CAFC	Vacate & Remand	Kagan	(9-0)
NRA v. Vullo	Official urging businesses to avoid the NRA after a mass shooting	(22-842)	CA2	Vacate & Remand	Sotomayor	(9-0)*
Truck Insurance Exchange v. Kaiser Gypsum	Settlements between debtors and their insurers without the creditors' consent	(22-1079)	CA4	Reverse & Remand	Sotomayor	(8-0)
Connelly v. United States	Insurance money buy back a deceased shareholder's stock	(23-146)	CA8	Affirm	Thomas	(9-0)
Becerra v. San Carlos Apache Tribe (Cons. w. 23-253)	Indian Health Service costs related to tribal health services	(23-250)	CA9	Affirm	Roberts	(5-4)
FDA v. Alliance for Hippocratic Medicine (Cons. w. 23-236)	FDA's rules for the drug mifepristone and if challengers have a right to contest them	(23-235)	CA5	Reverse & Remand	Kavanaugh	(9-0)*
Diaz v. U.S.	Expert testify about drug couriers carrying drugs to prove the defendant's awareness	(23-14)	CA9	Affirm	Thomas	(6-3)*
Gonzalez v. Trevino	Evidence for probable cause exceptions in arrests	(22-1025)	CA5	Vacate & Remand	Per Curiam	(8-1)*
Texas v. New Mexico and Colorado	Agreement between states without U.S. government consent	(22O141)	ORIG	Exception Sustained	Jackson	(5-4)
Erlinger v. United States	Jury sentence enhancement related to previous crimes under ACCA	(23-370)	CA7	Vacate & Remand	Gorsuch	(6-3)*
Murthy v. Missouri	Government requests for social media companies to limit misinformation	(23-411)	CA5	Reverse & Remand	Barrett	(6-3)

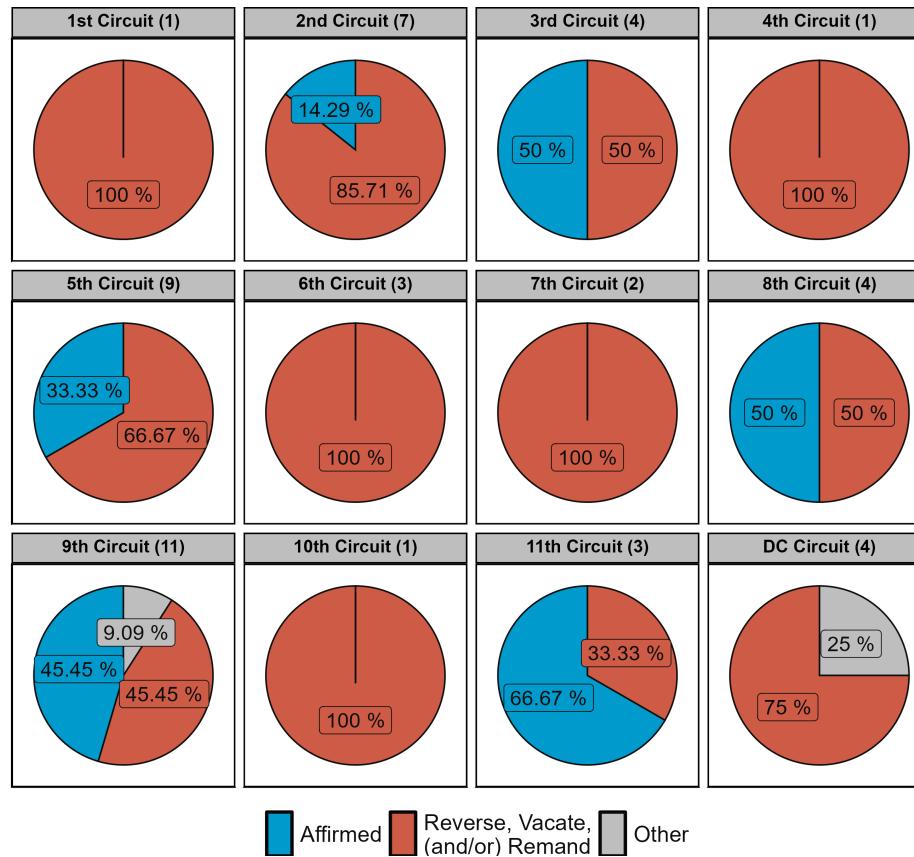
*Concurrence(s) Filed (Regular, Special, or *In Judgement*)

Table 36: April Sitting

Case	Issue	Docket	Lower Court	Decision	Author	Coalition
Smith v. Spizzirri	Dismiss lawsuit when all claims are subject to arbitration	(22-1218)	CA9	Reverse & Remand	Sotomayor	(9-0)
Thornell v. Jones	Assessing ineffective counsel for capital defendants	(22-982)	CA9	Reverse & Remand	Alito	(6-3)
Starbucks Corp. v. McKinney	Test for evaluating requests for injunctions	(23-367)	CA6	Vacate & Remand	Thomas	(9-0)*
Chiaverini v. City of Napoleon	Malicious prosecution under the Fourth Amendment if some charge unfounded	(23-50)	CA6	Vacate & Remand	Kagan	(6-3)
Dept. of State v. Munoz	Constitutional rights when a visa for their foreign spouse is denied	(23-334)	CA9	Reverse & Remand	Barrett	(6-3)
Snyder v. U.S.	Payments in recognition of past actions without any quid pro quo	(23-108)	CA7	Reverse & Remand	Kavanaugh	(6-3)*
Moyle v. U.S. (Cons. w. 23-727)	Federal law requiring emergency care with Idaho's abortion restrictions	(23-726)	CA9	DIG	Per Curiam	(6-3)*
City of Grants Pass v. Johnson	Ban on camping in public places under the Eighth Amendment	(23-175)	CA9	Reverse & Remand	Gorsuch	(6-3)*
Fischer v. U.S.	Jan. 6 case about obstructing investigations related to evidence and investigations	(23-5572)	CADC	Vacate & Remand	Roberts	(6-3)*
Trump v. U.S.	Former president immunity from criminal charges for actions while in office	(23-939)	CADC	Vacate & Remand	Roberts	(6-3)*

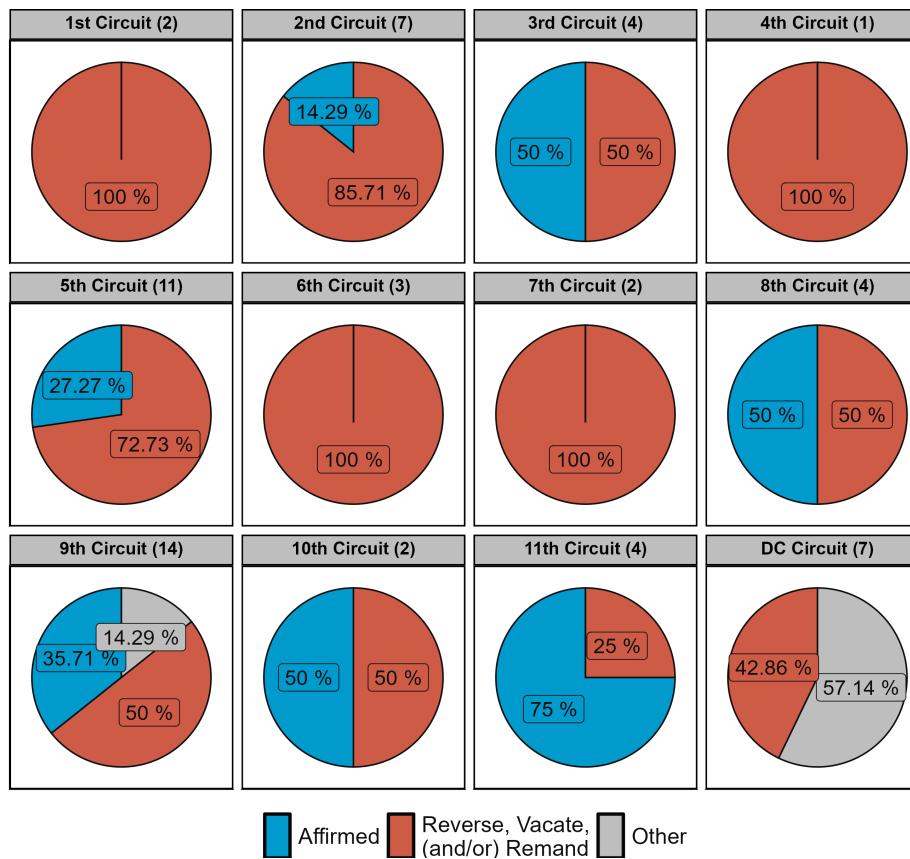
*Concurrence(s) Filed (Regular, Special, or *In Judgement*)

Figure 8: Circuit Scorecard (Orally Argued & Decided Cases – No Consolidations)



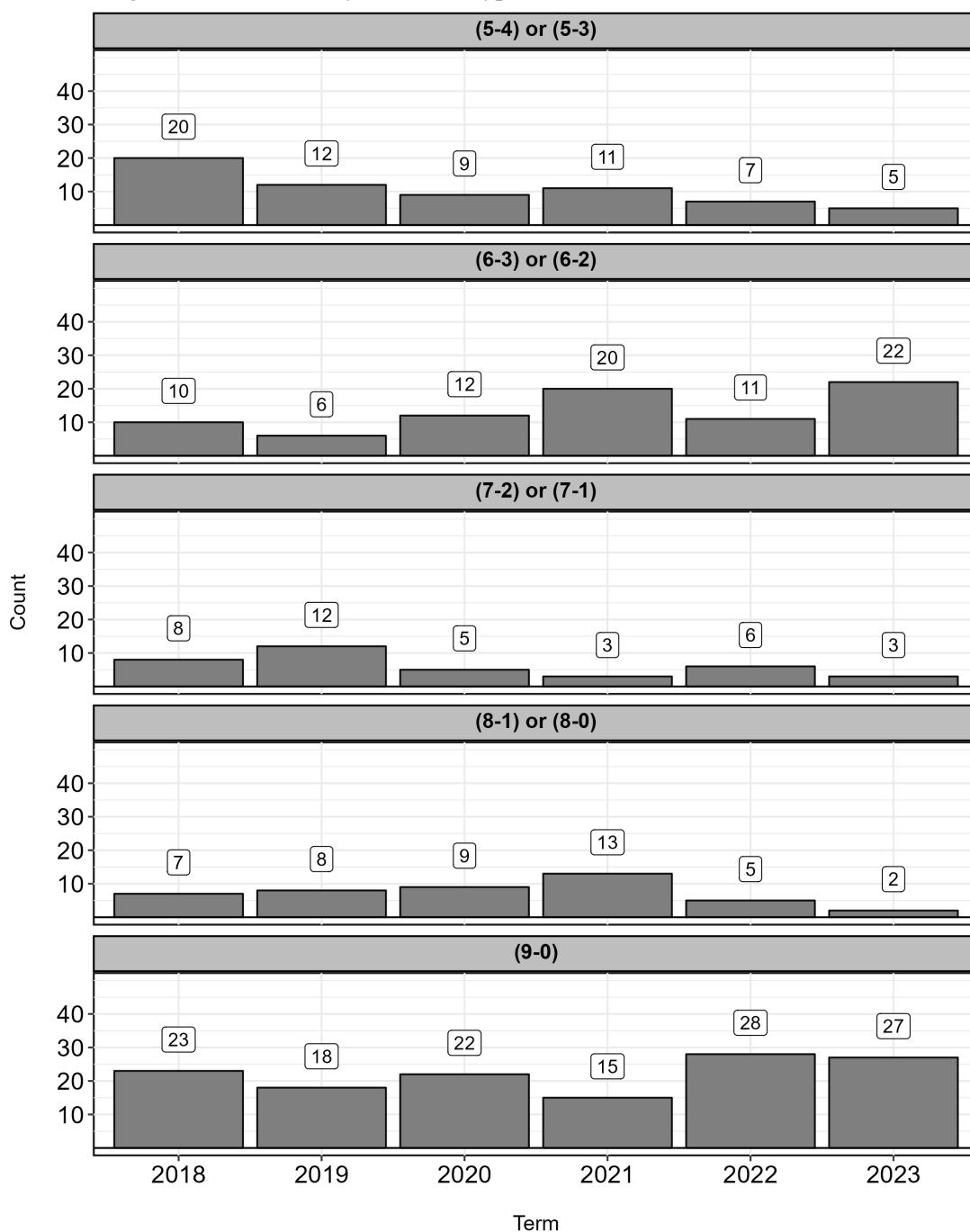
Note: Figure considers percentage of outcomes for cases originating in respective Circuit. These only include cases that were orally argued and decided – They do **not** consider cases that were consolidated for arguments (Ex: *Danco Laboratories v. Alliance for Hipp. Medicine* with *FDA v. Alliance for Hipp. Medicine*) or in rendering a decision (Ex: *Relentless, Inc. v. DOC* with *Loper Bright Enterprises v. Raimondo*). For percentages including those cases as well, see next page.

Figure 9: Circuit Scorecard (With Consolidations)



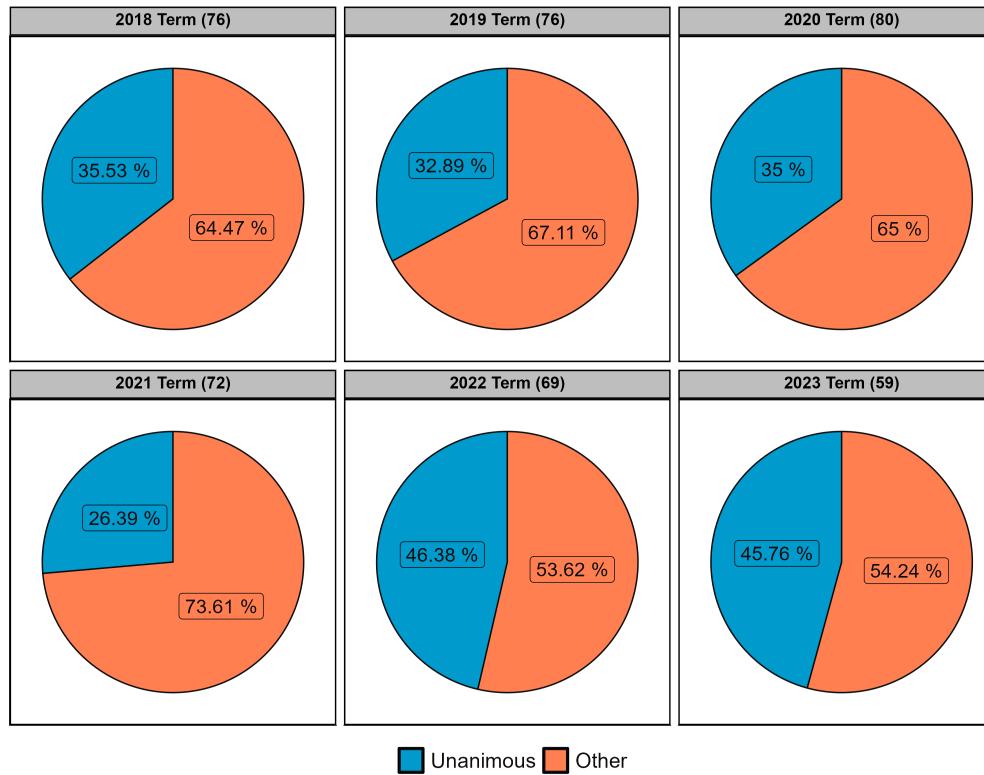
Note: This figure adds the following consolidated cases (at argument or decision level): *Jackson v. U.S.* (CA11), *Idaho v. U.S.* (CA9), *Kinder Morgan v. EPA* (CADC), *American Forest & Paper Assn. v. EPA* (CADC), *U.S. Steel Corp. v. EPA* (CADC), *Becerra v. Northern Arapaho Tribe* (CA10), *Danco Laboratories v. Alliance for Hipp. Medicine* (CA5), *Garland v. Singh* (CA9), *Garland v. Mendez Collins* (CA9), *Net Choice, LLC v. Paxton* (CA5), and *Relentless, Inc. v. DOC* (CA1).

Figure 10: Decisions by Coalition Type and Term (2018 to 2023 Terms)



Data Source: 2018 to 2022 Terms Compiled from Supreme Court Database (WUSTL)
Note: (9-0) does not consider whether concurrences (Regular, Special, or *In Judgement*) were filed.

Figure 11: Share of Cases Decided Unanimously by Term



Data Source: 2018 to 2022 Terms Compiled from Supreme Court Database

Note: Unanimous (9-0 or 8-0) does not consider whether concurrences (Regular, Special, or *In Judgement*) were filed.

Note: Parentheses beside term label represents total number of cases during term.

Opinion Lengths

Table 37: Ten Longest Decisions (2023 Term)

Case	Author	Type
Harrington v. Purdue Pharma	Kavanaugh	Dissent
Trump v. U.S.	Roberts	Majority
SEC v. Jarkey	Sotomayor	Dissent
Alexander v. SC Conf. of NAACP	Kagan	Dissent
Loper Bright v. Raimondo Sec. of Commerce	Roberts	Majority
Loper Bright v. Raimondo Sec. of Commerce	Gorsuch	Concurrence
City of Grants Pass v. Johnson	Gorsuch	Majority
Moore v. U.S.	Thomas	Dissent
Pulsifer v. U.S.	Gorsuch	Dissent
Loper Bright v. Raimondo Sec. of Commerce	Kagan	Dissent

Note: Word Counts calculated using `scotustext` (R) – Footnotes omitted.

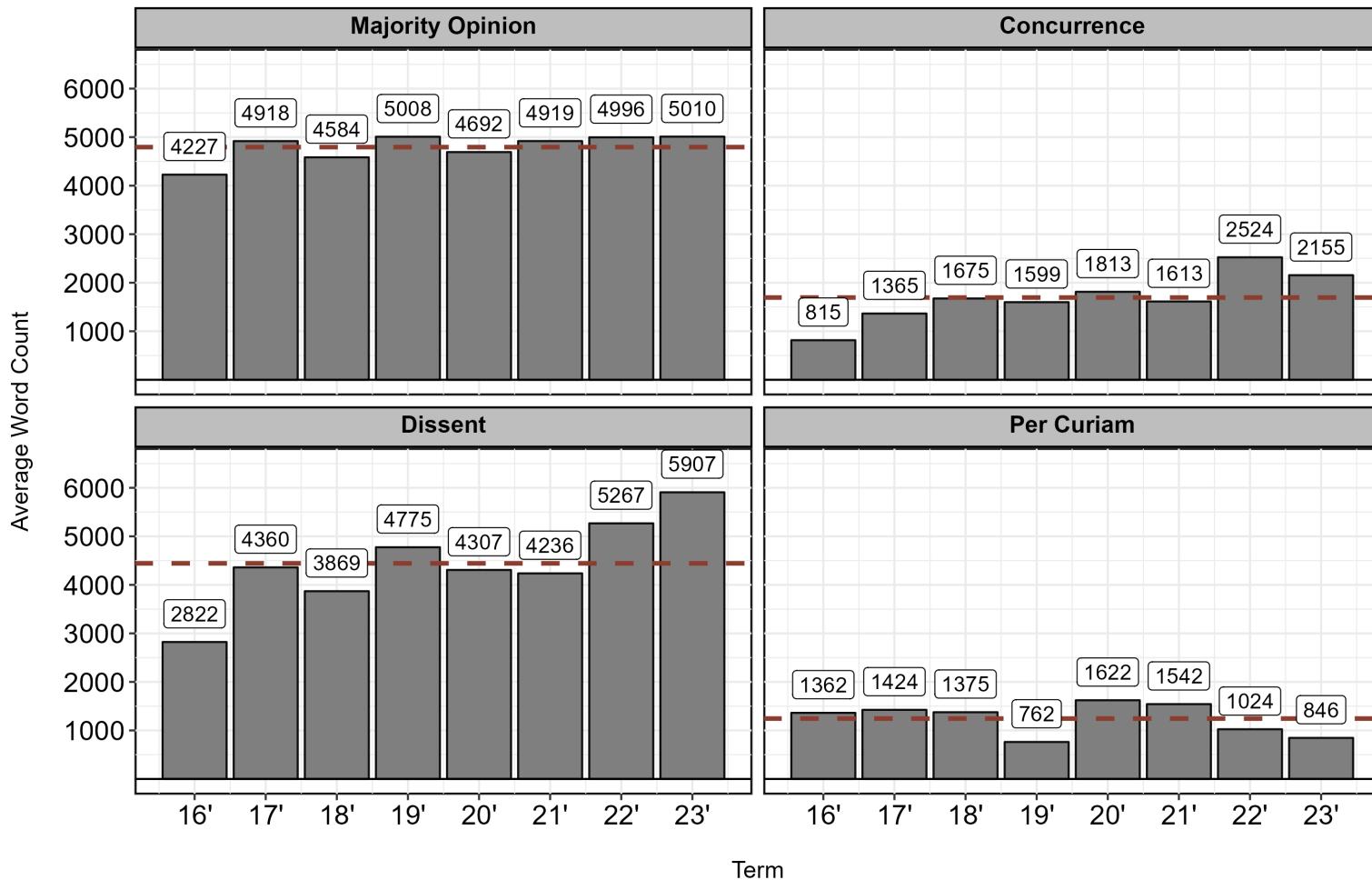
Table 38: Ten Shortest Decisions (2023 Term)

Case	Author	Type
Moyle v. U.S. (Cons. w. 23-727)	Per Curiam	Per Curiam
Wilkinson v. Garland	Roberts	Dissent
Vidal Under Sec. of Comm. v. Elster	Kavanaugh	Concurrence
Erlinger v. United States	Roberts	Concurrence
FBI v. Fikre	Alito	Concurrence
Garland v. Cargill	Alito	Concurrence
Trump v. Anderson	Barrett	Concurrence
Sheetz v. County of El Dorado	Kavanaugh	Concurrence
NRA v. Vullo	Gorsuch	Concurrence
McElrath v. Georgia	Alito	Concurrence

Note: Word Counts calculated using `scotustext` (R) – Footnotes omitted.

Note: Full (approximate) opinion-level word counts available in online supplemental data repository.

Figure 12: Average Opinion Lengths by Type (OT18-OT23)



Note: Dashed red line represents longitudinal mean.

Decision Turnover

Figure 13: Average Decision Turnover by Sitting (OT2023)

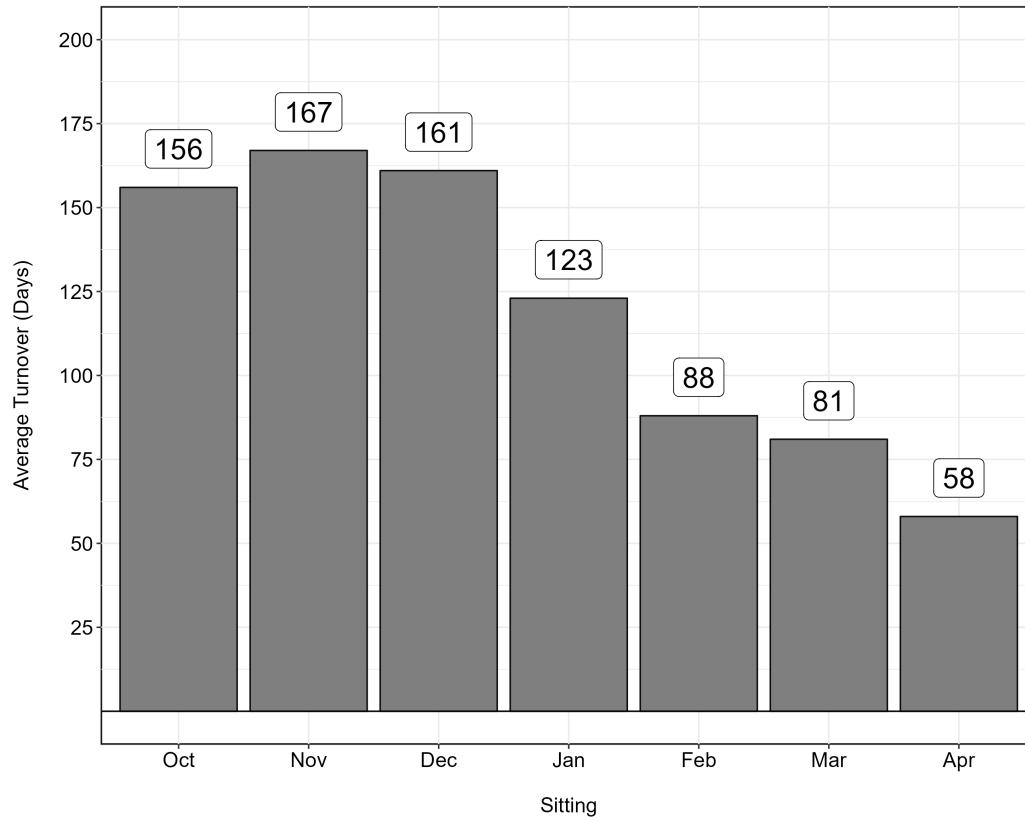
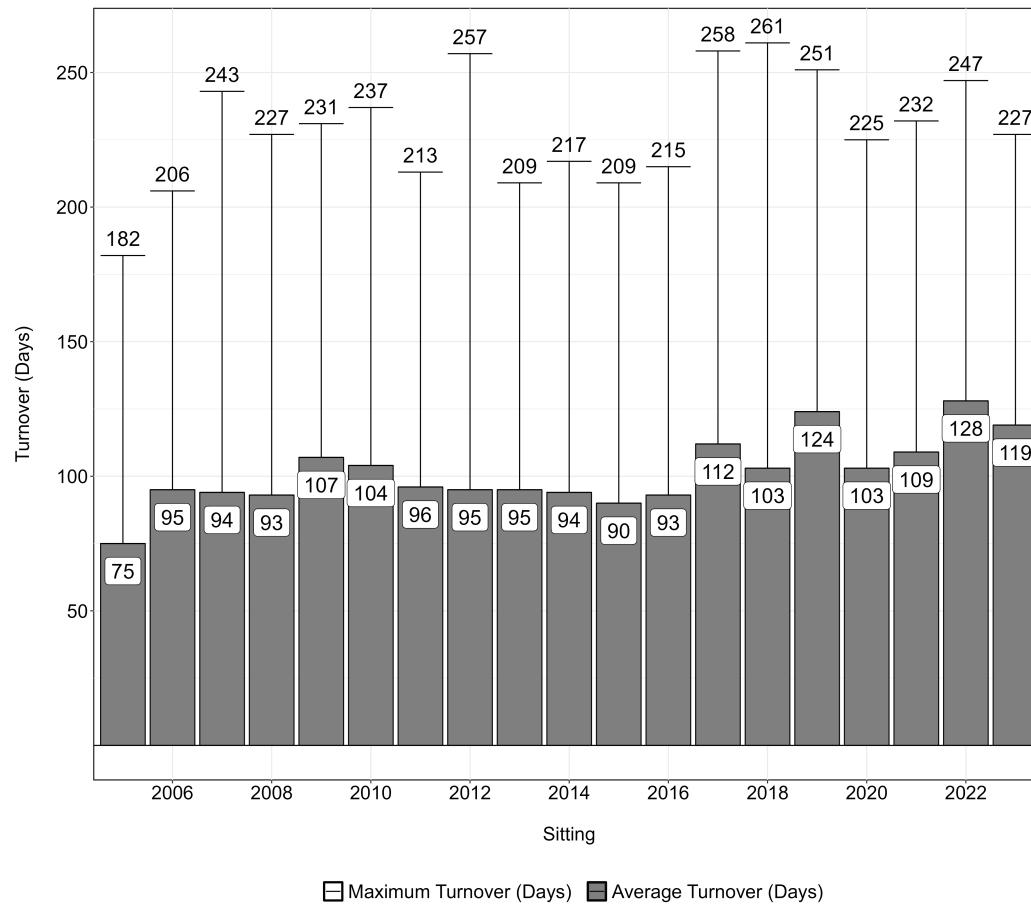


Figure 14: Average Decision Turnover by Term (OT18-OT23)



Note: Longitudinal data retrieved from Supreme Court Database.

Figure 15: Frequency in Majority by Justice (OT2023)

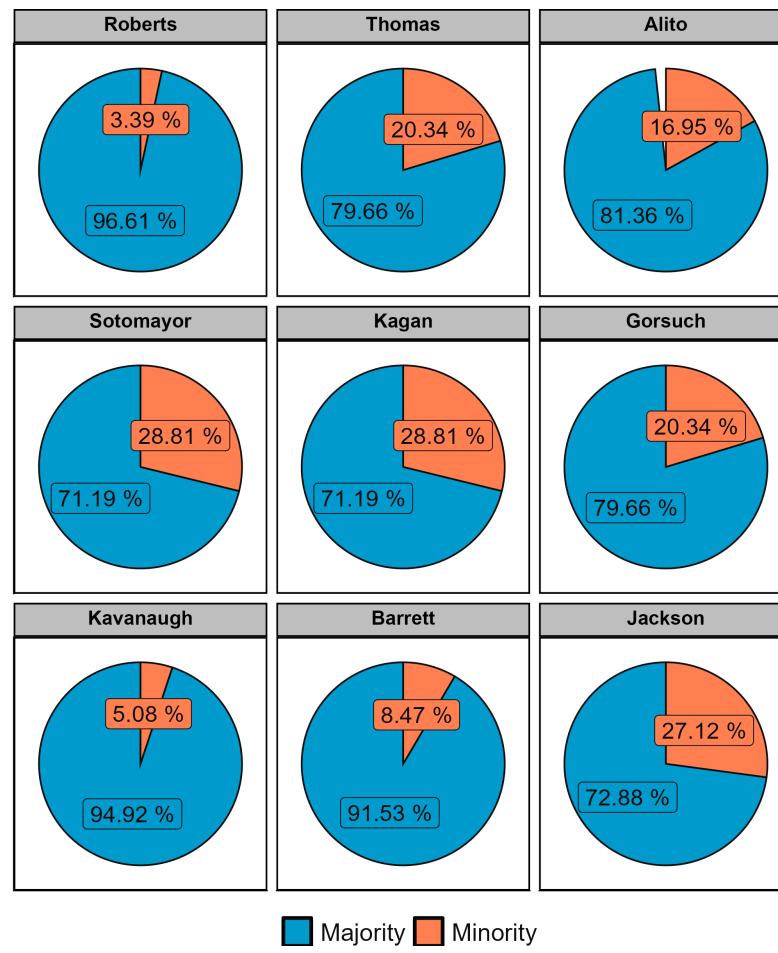


Figure 16: Frequency in Majority by Justice in (6-3) and (5-4) Cases (OT23)

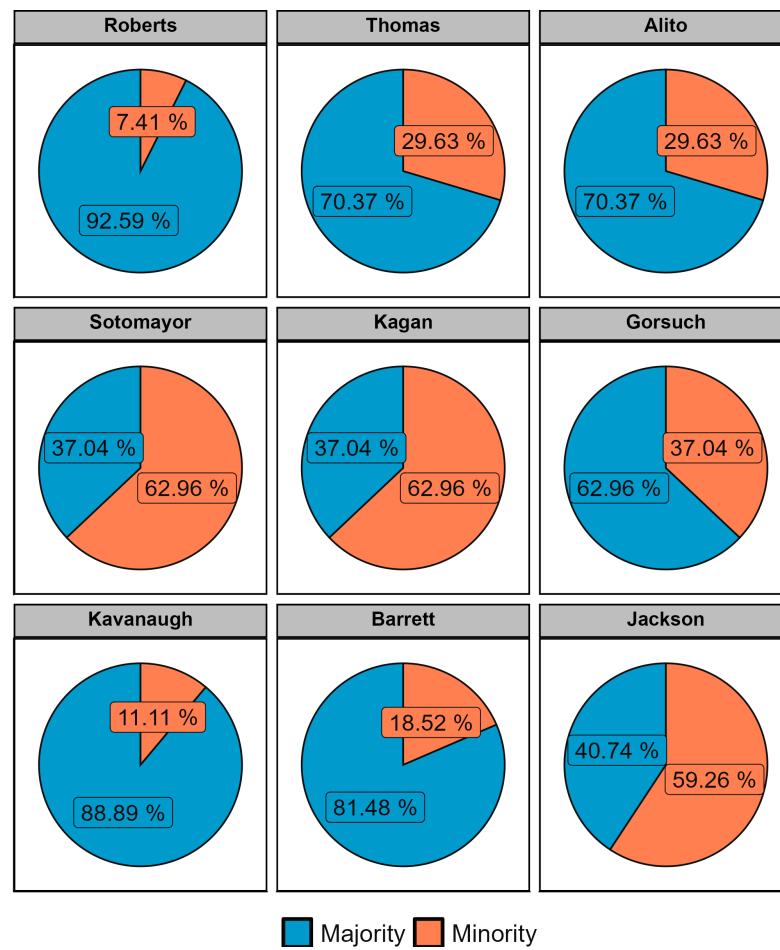


Figure 17: Frequency in Majority by Justice (OT2005-OT2023)

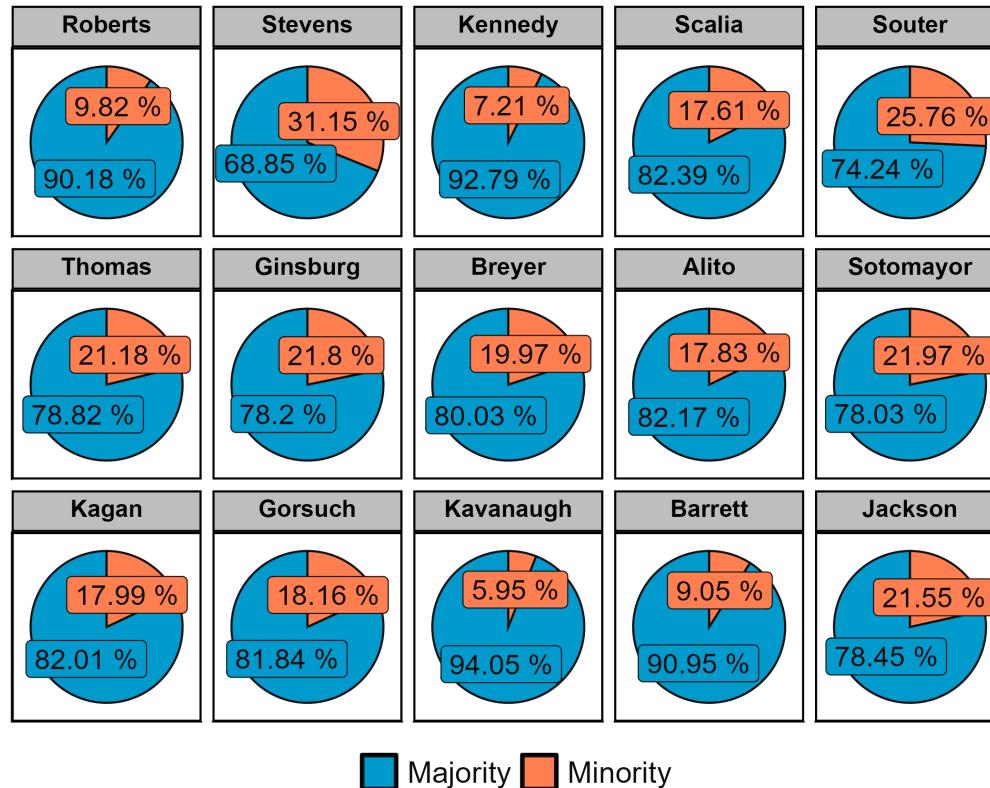
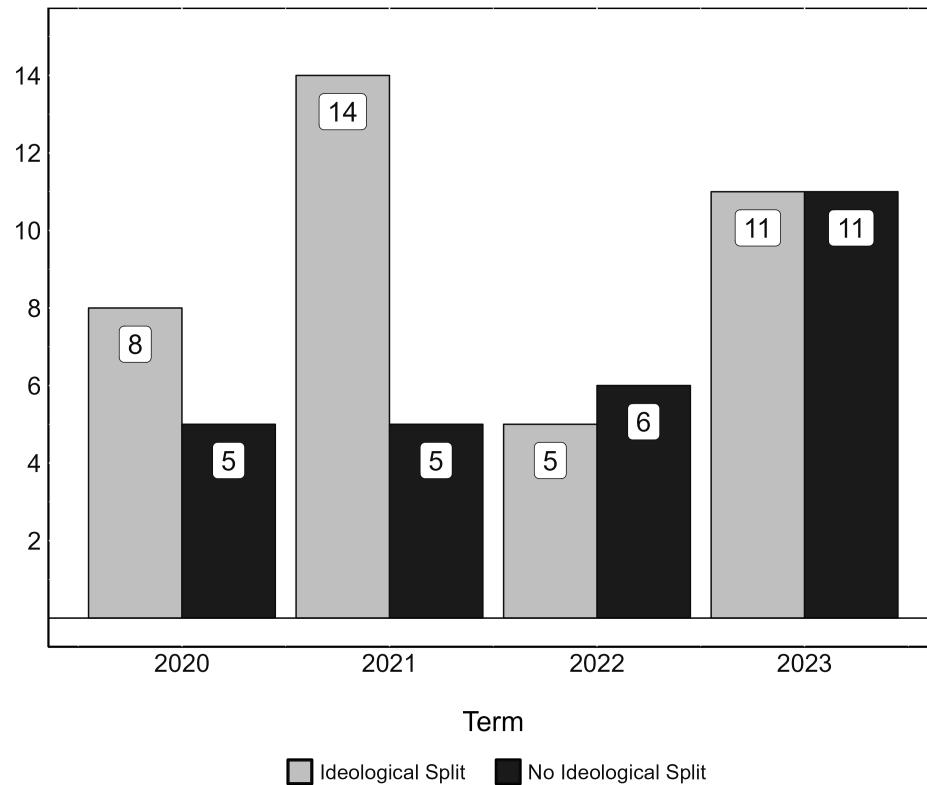
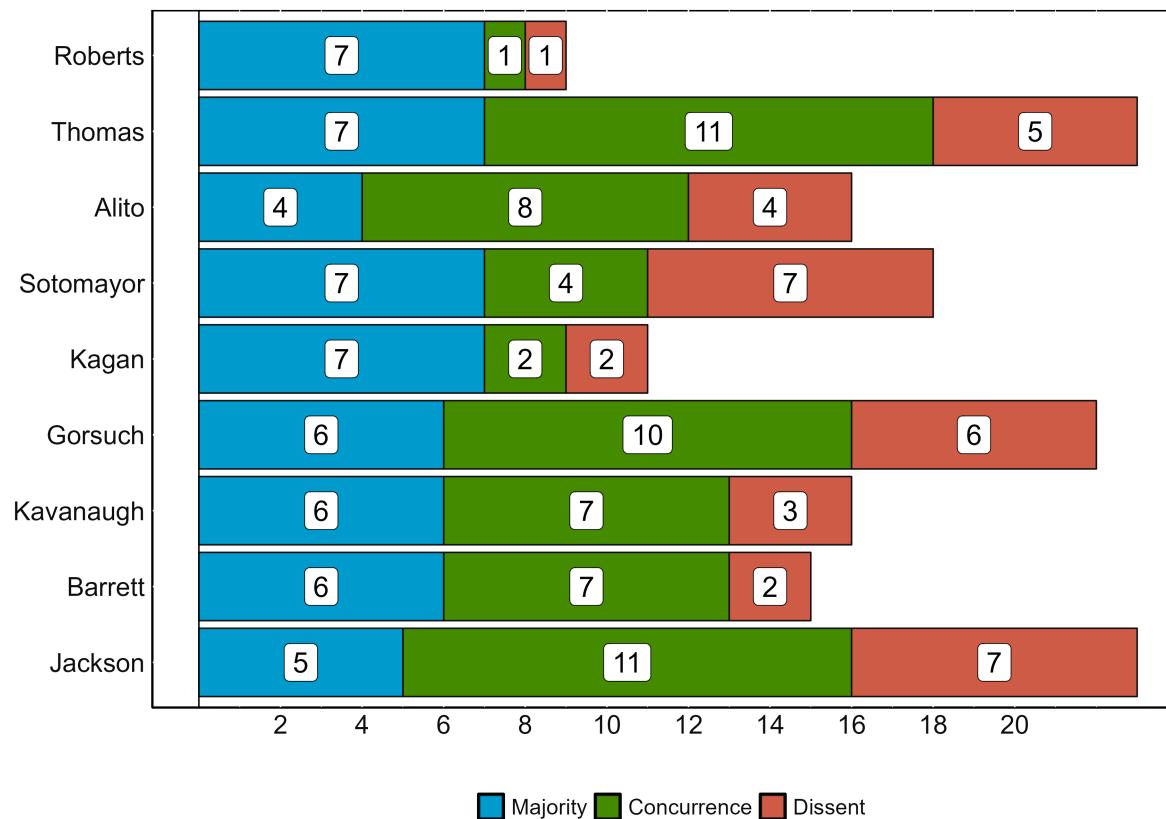


Figure 18: Ideological Splits in (6-3) and (5-4) Cases (OT20-OT23)



Note: Does not include (6-2) decision in *Google v. Oracle* (18-956).
Only considers cases in orally argued & decided cases (not accounting for consolidated cases).

Figure 19: Opinion Authorship by Justice (OT23)



Docket



Photo Credit: Chris Geidner (Law Dork)

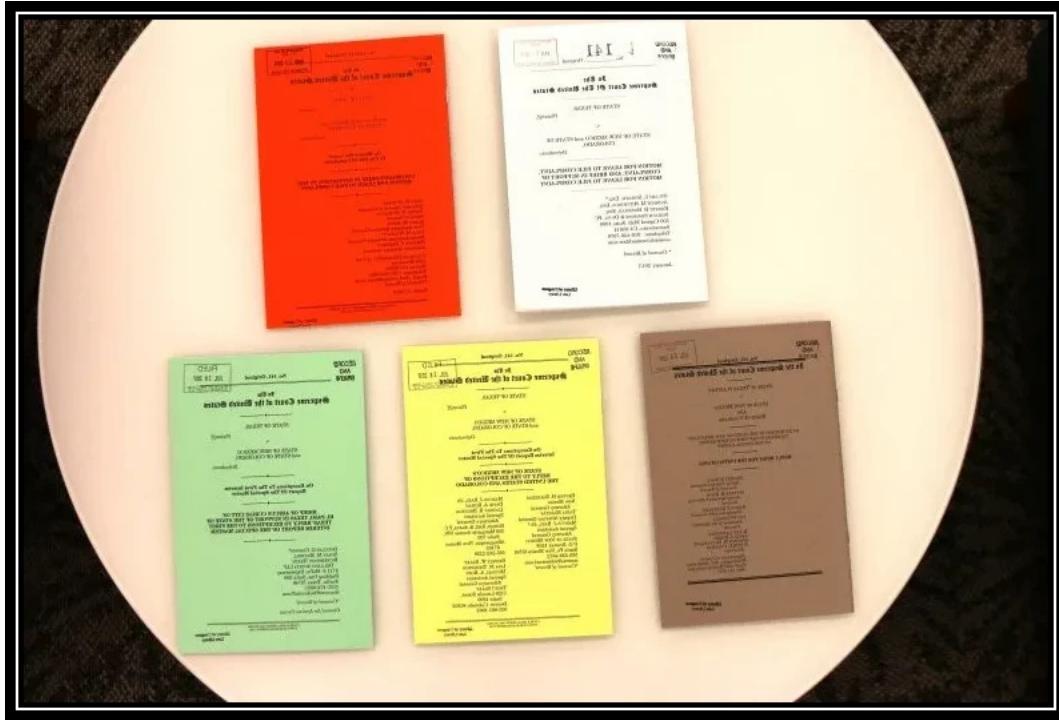


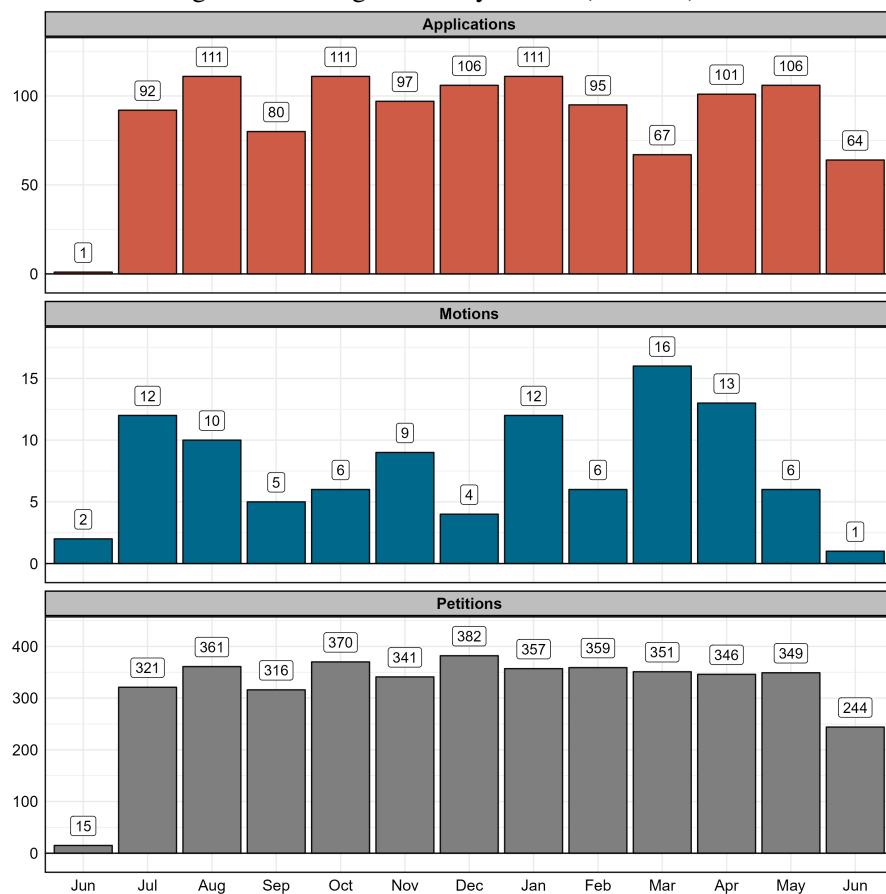
Photo Credit: Donna Sokol (Library of Congress Blogs)

Table 39: What's Included (Docket)

Topic	Description
Filing Trends	Filing trends of Applications, Motions, and Petitions (Non-Original Jurisdiction) by month (2023 Filing Term) and Year (2018 to 2023 Filing Terms).
Courts of Origin	Volume of petitions filed at the Court during the 2023 filing period by court of origin (e.g., U.S. Court of Appeals for the Fifth Circuit). Also an additional figure depicting the distribution of cases by Federal Appeals Circuit.
Amicus Curiae Briefs	Average volume of amicus briefs filed in Granted petitions (2018 to 2023 Terms), as well as summary statistics of “Cert” (pre-grant) and “Merits” (post-grant) stage amicus filings for cases argued in the 2023 term.

Filing Trends (2023 and Previous Terms)

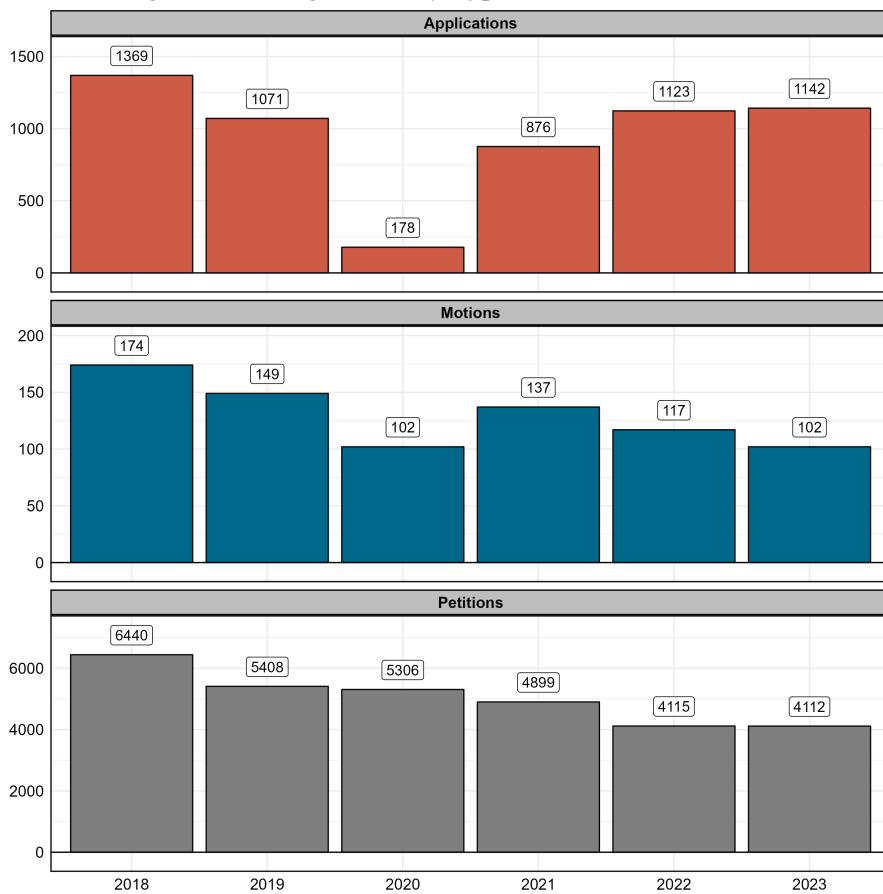
Figure 20: Filing Trends by Month (OT2023)



Note: Does not include original jurisdiction filings.

Data Source: Supreme Court of the United States (Retrieved using scotustext R)

Figure 21: Filing Trends by Type (OT2018-OT2023)



Note: Does not include original jurisdiction filings.

Data Source: Supreme Court of the United States (Retrieved using `scotustext R`)

Filing Trends – Court of Origin (2023 Term – As of June 25, 2024)

Table 40: Petitions by Court of Origin (1-20)

Court	Type	Petitions
Fifth Circuit	Circuit	421
Ninth Circuit	Circuit	382
Eleventh Circuit	Circuit	250
Sixth Circuit	Circuit	224
Fourth Circuit	Circuit	212
Eighth Circuit	Circuit	179
Third Circuit	Circuit	165
Second Circuit	Circuit	129
Seventh Circuit	Circuit	119
Tenth Circuit	Circuit	117
First Circuit	Circuit	79
Dist. of Columbia Circuit	Circuit	65
Federal Circuit	Circuit	62
Supreme Court of Florida	State/Other	38
Court of Criminal Appeals of Texas	State/Other	33
Court of Criminal Appeals of Oklahoma	State/Other	28
Dist. Court of Appeal of Florida - Fourth Dist.	State/Other	24
Court of Appeal of California - Second App. Dist.	State/Other	21
Supreme Court of Virginia	State/Other	21
Supreme Court of California	State/Other	17
Supreme Court of Louisiana	State/Other	17

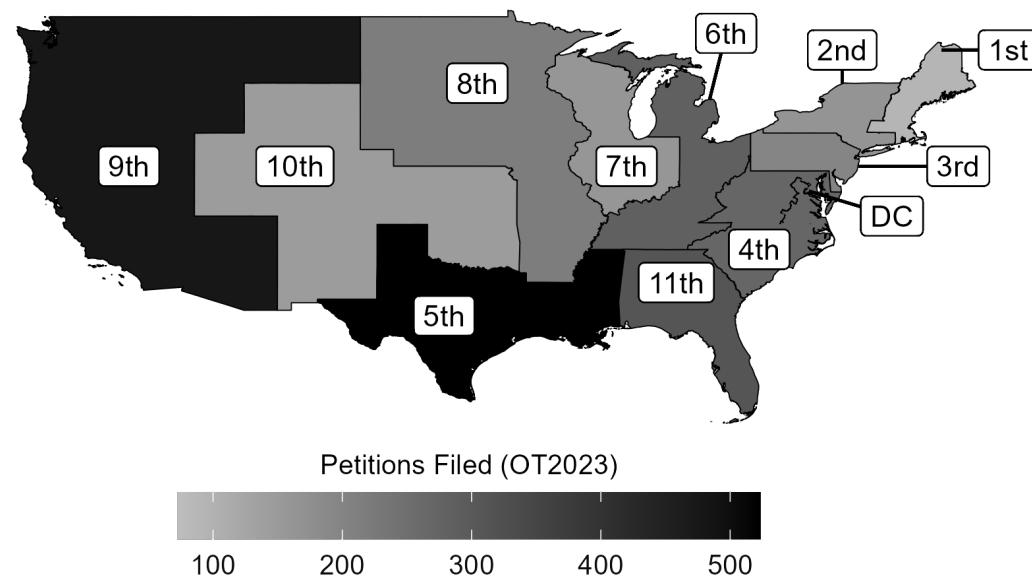
Data Source: Compiled from Supreme Court Docket

Table 41: Petitions by Court of Origin (21-40)

Court	Type	Petitions
Supreme Court of Louisiana	State/Other	17
Court of Appeals of Minnesota	State/Other	14
Supreme Court of Ohio	State/Other	12
Court of Appeals of Arizona - Div. One	State/Other	11
Court of Appeals of Colorado	State/Other	10
App. Court of Illinois - First Dist.	State/Other	9
Court of Appeal of California - First App. Dist.	State/Other	9
Dist. Court of Appeal of Florida - Second Dist.	State/Other	9
Dist. of Columbia Court of Appeals	State/Other	9
Superior Court of New Jersey - App. Div.	State/Other	9
Superior Court of Pennsylvania - Philadelphia Office	State/Other	9
Court of Appeals for the Armed Forces	State/Other	9
Appeals Court of Massachusetts	State/Other	8
Court of Appeals of Texas - First Dist.	State/Other	8
Supreme Court of Alabama	State/Other	8
Supreme Court of Colorado	State/Other	8
Supreme Court of New Hampshire	State/Other	8
Court of Appeal of California - Third App. Dist.	State/Other	7
Court of Appeals of Kentucky	State/Other	7
Court of Appeals of New York	State/Other	7
Dist. Court of Appeal of Florida - Fifth Dist.	State/Other	7

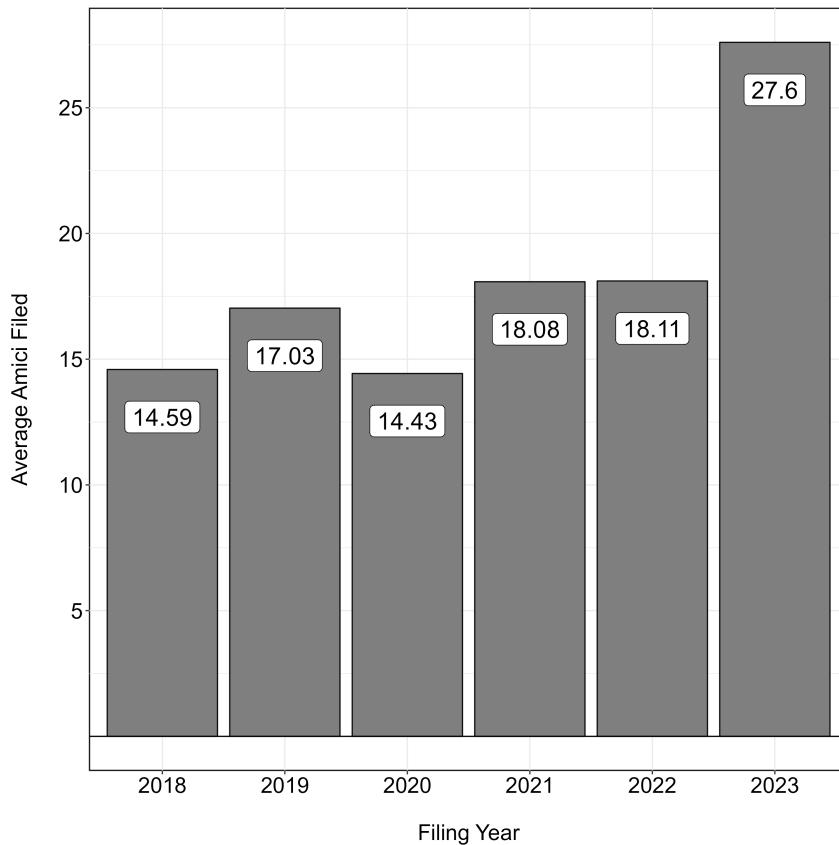
Data Source: Compiled from Supreme Court Docket

Figure 22: Petitions Filed by Circuit Origin (OT2023)



Amicus Curiae Briefs

Figure 23: Average Number of Amici Filed for Granted Petitions (OT18-OT23)



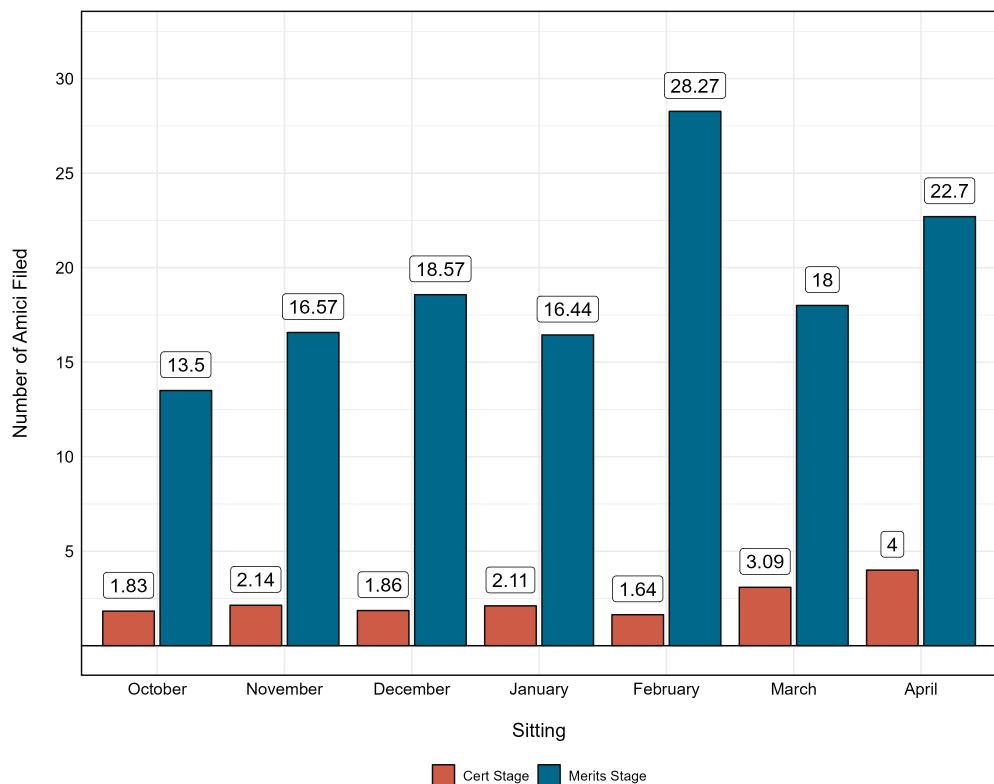
Note: Average number of amici filed considers amici filed at any (both) certiorari and granted stages.

Furthermore, the x-axis (*Filing Year*) represents the term when the petition was filed – **not** when it was granted review. For example, *Acheson Hotels, LLC v. Laufer* (No. 22-429) was filed during the 2022 term but was argued this term (OT2023). As such, it would be included in the bar referencing the 2022 filing year.

Furthermore, given that many cases filed in OT2023 have yet to be granted (denied) review or distributed for Conference, that bar should be viewed as a preliminary diagnostic with incomplete data.

Finally, Granted (Denied) does not mean the case was orally argued. For example, *Danco Laboratories, LLC v. Alliance for Hippocratic Medicine* (No. 23-236) was granted and subsequently consolidated with *FDA v. Alliance for Hippocratic Medicine* (No. 23-235). Although *FDA* will be the recorded decision, the certiorari-stage (i.e., pre-grant stage) amici filed in *Danco Laboratories* are included in the counts used to derive the average filings for the 2023 Filing Year.

Figure 24: Average Number of Amici Filed in Argued Cases (OT23)



Note: x-axis represents sitting when case was argued – Ex: November Sitting (November 27, 2023 - December 6, 2023). For a case-level breakdown, please visit EmpiricalSCOTUS.