

Grants Per Conference

	October Term																		
	'06	'07	'08	'09	'10	'11	'12	'13	'14	'15	'16	'17	'18	'19	Average (OT 06-OT18)	Range (OT06-OT18)	Calendar Weeks Covered	Grants Per Weeks Covered (OT06-OT18)	
Feb #1	4	2	8	9	3	7	6	4	0	1	5	6	1	2	4.3	0.9	4	1.1	
Feb #2	0	3	3	1	1	0	0	2	5	2	0	3	3	1	1.8	0.5	1	1.8	
Feb #3	1	0	0	1	3	1	0	1	1	0	0	0	2	1	0.8	0.3	1	0.8	
March #1	0	8	0	4	2	2	3	1	2	1	0	1	4	1.8	0.8	2	0.9		
March #2	1	2	1	0	1	1	2	1	3	1	2	0	0	0	1.3	4.2	0-3	1	
March #3	1	0	2	1	0	2	2	1	1	0	1	2	1	1	1.1	0.2	1	1.1	
April #1	3	0	2	3	4	1	1	2	3	0	0	0	0	0	1.5	0.4	2	0.7	
April #2	0	1	2	3	2	0	0	1	2	2	2	0	2	4	1.3	0.3	1	1.3	
April #3	1	1	0	4	0	2	1	1	2	1	2	2	2	3	0	1.5	0.4	1	1.5
May #1	4	0	1	4	1	1	0	1	1	1	0	0	0	0	1.2	0.4	2	0.6	
May #2	0	3	0	1	5	1	1	5	1	3	0	1	4	1	1.9	0.5	1	1.9	
May #3	1	4	0	1	1	1	1	2	1	0	1	1	0	1	1.1	0.4	1	1.1	
June #1	4	1	0	2	0	2	1	2	0	3	3	1	0	3	1.5	0.4	1	1.5	
June #2	1	3	3	4	4	4	2	1	2	2	0	1	0	5	2.1	0.4	1	2.5	
June #3	2	1	3	3	3	4	1	4	3	1	2	0	5	0	2.5	0.5	1	2.6	
June #4	5	5	9	7	7	13	10	12	13	9	11	8	14	17	9.9	5-14	1	8.7	
Oct #1	9	17	10	11	13	7	9	8	12	13	8	9	5	10.1	5-17	13	0.8		
Oct #2	2	0	1	5	7	2	7	2	0	0	3	0	0	2.2	14.2	0-7	2	1.5	
Oct #3	1	2	1	2	1	4	1	2	3	3	0	4	1	1.9	0-4	1	2.2		
Nov #1	4	2	2	3	5	1	4	1	0	1	5	0	3	2.4	0.5	2	1.4		
Nov #2	2	1	1	0	0	5	1	0	4	7	1	0	5	2.1	6.5	0-7	1	1.8	
Nov #3	0	1	5	1	2	3	4	2	2	2	0	3	2	2.1	0.5	1	2.1		
Dec #1	0	3	2	3	4	3	4	2	0	0	0	2	2	2.0	0-4	1	2.1		
Dec #2	3	3	2	2	2	1	2	1	3	4	7	1	0	2.4	8.5	1-7	2	1.2	
Dec #3	5	6	2	3	3	5	5	2	3	7	4	7	2	4.2	2-7	1	3.8		
Jan #1	7	6	4	1	5	1	3	8	0	1	0	0	6	3.2	0-8	4	0.8		
Jan #2	4	4	6	5	0	0	6	3	6	4	11	11	8	5.2	9.8	0-11	1	4.3	
Jan #3	7	2	0	0	0	1	2	0	1	3	1	1	0	1.4	0-7	1	1.5		
Total	72	73	79	81	79	76	76	77	73	76	69	63	72	40	74.3	63-81	52	1.4	

Opinions Per Week

	October Term										Average (OT 06-OT17)		Range (OT06-OT17)
	'06	'07	'08	'09	'10	'11	'12	'13	'14	'15	'16	'17	'18
Oct #1	0	0	0	0	0	0	0	0	0	0	0	0	0
Oct #2	0	0	1	0	0	0	0	0	0	1	0	0	0.1
Oct #3	1	0	0	1	0	0	0	0	0	0	0	0	0.1
Nov #1	0	0	0	0	1	0	2	0	0	0	0	0	0.1
Nov #2	0	1	1	1	3	1	0	2	0	0	0	0	0.2
Nov #3	1	0	0	1	1	0	1	0	1	0	0	0	0.3
Dec #1	0	0	1	1	0	1	3	0	1	1	0	1	0.3
Dec #2	1	2	0	5	0	0	1	2	2	1	0	1	0.5
Dec #3	2	3	1	0	1	2	1	1	2	1	0	0	0.3
Jan #1	4	3	4	4	2	7	4	3	4	2	1	1	3.3
Jan #2	1	3	5	5	3	4	1	1	6	5	1	0	2.9
Jan #3	3	1	6	1	4	4	1	3	1	4	0	3	2.6
Feb #1	5	5	5	5	4	7	9	6	3	0	3	6	3
Feb #2	1	2	3	3	6	1	4	5	2	2	1	3	2.8
Feb #3	2	1	4	2	3	1	1	2	1	3	2	3	1.9
March #1	1	2	2	1	3	7	4	3	4	6	6	3	3.5
March #2	2	2	5	5	2	5	3	2	3	2	1	3	2.8
March #3	2	1	2	0	2	2	1	0	0	3	2	2	1.4
April #1	5	5	4	4	2	4	4	3	6	4	2	0	3.9
April #2	3	1	4	3	2	2	1	3	2	1	3	1	2.2
April #3	5	1	4	2	2	0	1	3	1	1	2	1	1.8
May #1	1	1	2	3	3	1	3	1	6	8	3	3	1.8
May #2	5	4	3	6	6	5	4	5	3	3	2	3	2.6
May #3	1	3	2	5	2	2	3	5	3	4	2	4	1.5
June #1	4	3	5	4	8	2	3	5	1	5	5	4	4.2
June #2	8	9	6	9	9	2	7	6	9	5	5	3	2.9
June #3	6	7	7	10	10	8	8	8	10	11	13	12	6-13
June #4	8	10	2	5	5	12	3	3	5	9	10	5.8	2-12
Total	72	70	79	86	82	75	78	73	73	74	68	70	75

Oral Argument - Justices

For our purposes, the number of “questions” per argument is simply the number of times a given justice’s name appears in the argument transcript in capital letters. To account for the chief justice’s administrative comments – such as his call for an advocate to begin – his tally for each case has been uniformly reduced by three “questions.”

Average Number of Questions Per Argument

	Average
Sotomayor	23.9
Breyer	18.8
Kavanaugh	15.5
Kagan	15.2
Gorsuch	14.6
Roberts	13.6
Alito	13.4
Ginsburg	8.3
Thomas	0.0

Frequency as the Top Questioner or as a Top 3 Questioner

	Freq. Top 1	Freq. Top 3
Sotomayor	46%	78%
Breyer	17%	54%
Gorsuch	14%	42%
Kavanaugh	13%	35%
Roberts	6%	29%
Kagan	6%	39%
Ginsburg	5%	10%
Alito	6%	35%
Thomas	0%	0%

Cases With Most Total Justice Questions

	Rucho	275
Commerce	219	
Am. Legion	212	
PDR Network	199	
Kaestner Tr.	174	
Rehaf	166	
Manhattan	163	
Cougar Den	161	
Davis	153	
Murphy	153	

Most Active Arguments

	Argument	Number of Questions (% of all questions)	Frequency
Roberts	Dawson	33 (23%)	Ginsburg 24/58 41%
Thomas	Flowers	3 (2%)	Sotomayor 27/69 39%
Ginsburg	Fort Bend	34 (37%)	Roberts 9/ 69 13%
Breyer	Halleck	50 (31%)	Alito 5/ 69 7%
Alito	Rucho	51 (19%)	Kagan 2/ 69 3%
Sotomayor	Commerce	58 (26%)	Breyer 1/ 69 1%
Kagan	Am. Legion	38 (18%)	Gorsuch 1/ 69 1%
Gorsuch	Rehaf	43 (26%)	Thomas 0/ 69 0%
Kavanaugh	Rucho	51 (19%)	Kavanaugh 0/ 61 0%

Frequency as the First Questioner

	Frequency
Ginsburg	24/58 41%
Sotomayor	27/69 39%
Roberts	9/ 69 13%
Alito	5/ 69 7%
Kagan	2/ 69 3%
Breyer	1/ 69 1%
Gorsuch	1/ 69 1%
Thomas	0/ 69 0%
Kavanaugh	0/ 61 0%

Oral Argument - Advocates

Overview						
	OT12	OT13	OT14	OT15	OT16	OT17
Number of Different Advocates	120	121	112	117	100	113
Number of Total Appearances	193	185	178	186	158	182

Appearances by Advocates Who...	OT12	OT13	OT14	OT15	OT16	OT17	OT18
...Are from the Office of the Solicitor General	64 (33%)	61 (33%)	56 (31%)	59 (32%)	48 (30%)	48 (29%)	52 (29%)
...Have experience in the Office of the Solicitor General	Not Available	85 (47%)	78 (46%)	84 (71%)	73 (48%)	71 (65%)	88 (48%)
...Have argued at least twice during the Term	104 (54%)	96 (52%)	104 (58%)	109 (59%)	94 (59%)	77 (47%)	92 (51%)
...Are “expert” Supreme Court litigators*	137 (71%)	131 (71%)	116 (66%)	136 (74%)	115 (74%)	89 (56%)	125 (69%)
...Are based in Washington, D.C.**	125 (65%)	119 (64%)	101 (57%)	122 (66%)	97 (61%)	97 (60%)	109 (61%)
...Are female	33 (17%)	28 (15%)	34 (19%)	32 (18%)	33 (21%)	19 (12%)	31 (17%)
...Are female and not from the Office of the Solicitor General***	17 (13%)	11 (9%)	17 (14%)	13 (10%)	15 (14%)	10 (9%)	21 (12%)

Most Popular Advocate Origins

State	Total		
	Washington, D.C.	California	New York
Washington, D.C.	109	12	10
California	12	—	—
New York	10	—	—
Texas	8	—	—

Most Popular Supreme Court Clerkships

Clerkship	Advocates		
	Appearances	Advocates	Advocates
Antonin Scalia	26	—	11
John G. Roberts	15	—	9
Stephen Breyer	10	—	7
Ruth Bader Ginsburg	7	—	4

Most Popular Law Schools

Law School	Advocates		
	Appearances	Advocates	Advocates
Harvard	34	—	24
Yale	33	—	18
Chicago	15	—	7
Stanford	9	—	5
Michigan	8	—	5

* We adopt Richard Lazarus' definition of an "expert" Supreme Court litigator: one who has argued five or more times before the Supreme Court or works in an office where lawyers have collectively argued more than 10 times. See Richard J. Lazarus, "Advocacy Matters Before and Within the Supreme Court: Transforming the Court by Transforming the Bar," 97 Geo. L.J. 1487, 1490 n.17 (2008).

** An advocate's "origin" is simply the state of origin listed for that lawyer on the court's monthly hearing lists. If attorneys from the Office of the Solicitor General are omitted, lawyers based in Washington, D.C., appeared 59 times during OT18.

*** The percentage of figures for this category omit all advocates from the Office of the Solicitor General. They demonstrate the percentage of female advocates from positions other than those within the Office of the Solicitor General.

**** The advocate appearances in *Knick*, argued twice, are counted once.

Oral Argument - Advocates

Advocates Who Have Argued Two or More Cases During OT18

Name	Appearances		Position	Law School	Supreme Court Clerkship	U.S. Solicitor General Experience	Gender
	OT18	All Time					
David C. Frederick	5	55	Kellogg, Hansen, Todd, Figel & Frederick PLLC	Texas	Byron White	Assistant to the Solicitor General	Male
Jeffrey B. Wall	5	21	Principal Deputy Solicitor General	Chicago	Clarence Thomas	Assistant to the Solicitor General	Male
Noel J. Francisco	5	11	Solicitor General	Chicago	Antonin Scalia	Solicitor General	Male
Paul D. Clement	4	96	Kirkland & Ellis LLP	Harvard	Antonin Scalia	Solicitor General	Male
Edwin S. Kneedler	4	142	Deputy Solicitor General	Virginia	None	Deputy Solicitor General	Male
Kannon K. Shanaghgam	4	27	Williams & Connolly LLP*	Harvard	Antonin Scalia	Assistant to the Solicitor General	Male
Malcolm L. Stewart	4	83	Deputy Solicitor General	Yale	Harry Blackmun	Deputy Solicitor General	Male
Daniel L. Geyser	4	8	Geiser PC	Harvard	None	Deputy Solicitor General	Male
Shay Dvoretzky	3	10	Jones Day LLP	Yale	Antonin Scalia	None	Male
Eric J. Feigin	3	21	Assistant to the Solicitor General	Stanford	Stephen Breyer	Assistant to the Solicitor General	Male
Jeffrey L. Fisher	3	38	Stanford Supreme Court Clinic	Michigan	John Paul Stevens	None	Male
Allon Kedem	3	11	Assistant to the Solicitor General	Yale	Elena Kagan	Assistant to the Solicitor General	Male
Zachary D. Tripp	3	11	Assistant to the Solicitor General	Columbia	Ruth Bader Ginsburg	Assistant to the Solicitor General	Male
Anthony A. Yang	3	29	Assistant to the Solicitor General	Yale	None	Assistant to the Solicitor General	Male
Jonathan C. Bond	3	4	Assistant to the Solicitor General	George Washington	Antonin Scalia	Assistant to the Solicitor General	Male
Lissa S. Blatt	2	37	Arnold & Porter Kaye Scholer LLP*	Texas	None	Assistant to the Solicitor General	Female
Theodore J. Boutrous Jr.	2	4	Gibson, Dunn & Crutcher LLP	San Diego	None	None	Male
Paul W. Hughes	2	5	Mayer Brown LLP*	Yale	None	None	Male
Neal K. Katyal	2	39	Hogan Lovells LLP	Yale	Stephen Breyer	Acting Solicitor General	Male
Rachel P. Kowner	2	13	Assistant to the Solicitor General	Stanford	Antonin Scalia	Assistant to the Solicitor General	Female
Ann O'Connell Adams	2	21	Assistant to the Solicitor General*	George Washington	William Rehnquist	Assistant to the Solicitor General	Female
Carter G. Phillips	2	87	Sidley Austin LLP	Northwestern	Warren Burger	Assistant to the Solicitor General	Male
Andrew J. Pincus	2	29	Mayer Brown LLP	Columbia	None	Assistant to the Solicitor General	Male
Seth P. Waxman	2	82	WilmerHale LLP	Yale	None	Solicitor General	Male
Michael B. Kimberly	2	5	Mayer Brown LLP*	Yale	None	None	Male
Christopher G. Michel	2	3	Assistant to the Solicitor General	Yale	John G. Roberts	Assistant to the Solicitor General	Male
Erica L. Ross	2	3	Assistant to the Solicitor General	Stanford	Elena Kagan	Assistant to the Solicitor General	Female
Jonathan Ellis	2	3	Assistant to the Solicitor General	Pennsylvania	John G. Roberts	Assistant to the Solicitor General	Male
Michael R. Huston	2	3	Assistant to the Solicitor General	Michigan	John G. Roberts	Assistant to the Solicitor General	Male
Morgan Ratner	2	3	Assistant to the Solicitor General	Harvard	John G. Roberts	Assistant to the Solicitor General	Female
Toby J. Heytens	2	9	Solicitor General of Virginia	Virginia	Ruth Bader Ginsburg	Assistant to the Solicitor General	Male
Total:	30						

*Since their last oral arguments so far this term, these attorneys have moved to new positions.

Voting Alignment – All Cases

Cases are sorted by date of decision. Dissenting justices are shaded in gray and the author of the majority opinion is highlighted in red.

Case Name	Decided	Vote	Author	Sotomayor	Ginsburg	Kagan	Breyer	Roberts	Kavanaugh	Gorsuch	Alito	Thomas
<i>Mount Lemmon Fire District v. Guido</i>	November 6, 2018	8-0	Ginsburg									
<i>Weyerhaeuser v. U.S. Fish and Wildlife Service</i>	November 27, 2018	8-0	Roberts									
<i>United States v. Stitt</i>	December 10, 2018	9-0	Breyer									
<i>Escondido v. Emmons</i>	January 7, 2019	9-0	Per Curiam									
<i>Shoop v. Hill</i>	January 7, 2019	9-0	Per Curiam									
<i>Culbertson v. Berryhill</i>	January 8, 2019	9-0	Thomas									
<i>Henry Schein v. Archer and White Sales</i>	January 8, 2019	9-0	Kavanaugh									
<i>Stokeling v. United States</i>	January 15, 2019	5-4	Thomas									

Voting Alignment – All Cases

(continued)

Voting Alignment – All Cases

(continued)

Case Name	Decided	Vote	Author	Sotomayor	Ginsburg	Kagan	Breyer	Roberts	Kavanaugh	Gorsuch	Aлito	Thomas
<i>Garza v. Idaho</i>	February 27, 2019	6-3	Sotomayor									
<i>Madison v. Alabama</i>	February 27, 2019	5-3	Kagan									
<i>Fourth Estate Public Benefit Corp. v. Wall-Street.com</i>	March 4, 2019	9-0	Ginsburg									
<i>BNSF Railway v. Loos</i>	March 4, 2019	7-2	Ginsburg									
<i>Rimini Street Inc. v. Oracle USA Inc.</i>	March 4, 2019	9-0	Kavanaugh									
<i>Washington Department of Licensing v. Cougar Den</i>	March 19, 2019	5-4	Breyer									
<i>Nielsen v. Preap</i>	March 19, 2019	5-4	Alito									
<i>Air & Liquid Systems v. DeVries</i>	March 19, 2019	6-3	Kavanaugh									

Voting Alignment – All Cases

(continued)

Case Name	Decided	Vote	Author	Sotomayor	Ginsburg	Kagan	Breyer	Roberts	Kavanaugh	Gorsuch	Alito	Thomas
<i>Obduskey v. McCannly & Holthus LLP</i>	March 20, 2019	9-0	Breyer									
<i>Frank v. Gaos</i>	March 20, 2019	8-1	Per Curiam									
<i>Sudan v. Harrison</i>	March 26, 2019	8-1	Alito									
<i>Surgeon v. Frost</i>	March 26, 2019	9-0	Kagan									
<i>Lorenzo v. Securities Exchange Commission</i>	March 27, 2019	6-2	Breyer									
<i>Biestek v. Berryhill</i>	April 1, 2019	6-3	Kagan									
<i>Bucklew v. Precythe</i>	April 1, 2019	5-4	Gorsuch									
<i>Lamps Plus v. Varela</i>	April 24, 2019	5-4	Roberts									

Voting Alignment – All Cases

(continued)

Case Name	Decided	Vote	Author	Sotomayor	Ginsburg	Kagan	Breyer	Roberts	Kavanaugh	Gorsuch	Alito	Thomas
<i>Thacker v. Tennessee Valley Authority</i>	April 29, 2019	9-0	Kagan									
<i>California Franchise Tax Board v. Hyatt</i>	May 13, 2019	5-4	Thomas									
<i>Cochise Consultancy v. United States ex rel. Hunt</i>	May 13, 2019	9-0	Thomas									
<i>Apple v. Pepper</i>	May 13, 2019	5-4	Kavanaugh									
<i>Merck Sharp & Dohme Corp. v. Albrecht</i>	May 20, 2019	9-0	Breyer									
<i>Herrera v. Wyoming</i>	May 20, 2019	5-4	Sotomayor									
<i>Mission Product Holdings Inc. v. Tempnology, LLC</i>	May 20, 2019	8-1	Kagan									
<i>Nieves v. Bartlett</i>	May 28, 2019	6-3	Roberts									

Voting Alignment – All Cases

(continued)

Case Name	Decided	Vote	Author	Sotomayor	Ginsburg	Kagan	Breyer	Roberts	Kavanaugh	Gorsuch	Arlito	Thomas
<i>Home Depot v. Jackson</i>	May 28, 2019	5-4	Thomas									
<i>Smith v. Berryhill</i>	May 28, 2019	9-0	Sotomayor									
<i>Box v. Planned Parenthood of Indiana and Kentucky</i>	May 28, 2019	7-2	Per Curiam									
<i>Mont v. United States</i>	June 3, 2019	5-4	Thomas									
<i>Fort Bend County, Texas v. Davis</i>	June 3, 2019	9-0	Ginsburg									
<i>Taggart v. Lorenzen</i>	June 3, 2019	9-0	Breyer									
<i>Azar v. Allina Health Services</i>	June 3, 2019	7-1	Gorsuch									
<i>Parker Drilling Management Services, Ltd. v. Newton</i>	June 10, 2019	9-0	Thomas									

Voting Alignment – All Cases

(continued)

Case Name	Decided	Vote	Author	Sotomayor	Ginsburg	Kagan	Breyer	Roberts	Kavanaugh	Gorsuch	Arlito	Thomas
<i>Return Mail Inc. v. United States Postal Service</i>	June 10, 2019	6-3	Sotomayor									
<i>Quarles v. United States</i>	June 10, 2019	9-0	Kavanaugh									
<i>Virginia Uranium v. Warren</i>	June 17, 2019	6-3	Gorsuch									
<i>Manhattan Community Access Corp. v. Halleck</i>	June 17, 2019	5-4	Kavanaugh									
<i>Gamble v. United States</i>	June 17, 2019	7-2	Alito									
<i>Virginia House of Delegates v. Bethune-Hill</i>	June 17, 2019	5-4	Ginsburg									
<i>PDR Network, LLC v. Carlton & Harris Chiropractic Inc.</i>	June 20, 2019	9-0	Breyer									
<i>The American Legion v. American Humanist Association</i>	June 20, 2019	7-2	Alito									

Voting Alignment – All Cases

(continued)

Case Name	Decided	Vote	Author	Sotomayor	Ginsburg	Kagan	Breyer	Roberts	Kavanaugh	Gorsuch	Arlito	Thomas
<i>McDonough v. Smith</i>	June 20, 2019	6-3	Sotomayor									
<i>Cundy v. United States</i>	June 20, 2019	5-3	Kagan									
<i>Rehaf v. United States</i>	June 21, 2019	7-2	Breyer									
<i>Flowers v. Mississippi</i>	June 21, 2019	7-2	Kavanaugh									
<i>Knick v. Township of Scott, Pennsylvania</i>	June 21, 2019	5-4	Roberts									
<i>North Carolina Department of Revenue v. The Kimberly Rice Kaestner 1992 Family Trust</i>	June 21, 2019	9-0	Sotomayor									
<i>The Dutra Group v. Batterton</i>	June 24, 2019	6-3	Arlito									
<i>United States v. Davis</i>	June 24, 2019	5-4	Gorsuch									

Voting Alignment – All Cases

(continued)

Case Name	Decided	Vote	Author	Sotomayor	Ginsburg	Kagan	Breyer	Roberts	Kavanaugh	Gorsuch	Arlito	Thomas
<i>Food Marketing Institute v. Argus Leader Media</i>	June 24, 2019	6-3	Gorsuch									
<i>Iancu v. Brunetti</i>	June 24, 2019	6-3	Kagan									
<i>Tennessee Wine & Spirits Retailers Association v. Thomas</i>	June 26, 2019	7-2	Alito									
<i>Kisor v. Wilkie</i>	June 26, 2019	5-4	Kagan									
<i>United States v. Haymond</i>	June 26, 2019	5-4	Gorsuch									
<i>Mitchell v. Wisconsin</i>	June 27, 2019	5-4	Alito									
<i>Department of Commerce v. New York</i>	June 27, 2019	5-4	Roberts									
<i>Rucho v. Common Cause</i>	June 27, 2019	5-4	Roberts									

Voting Alignment – 5-4 Cases

Cases are sorted by date of decision. Dissenting justices are shaded in gray and the author of the majority opinion is highlighted in red.

