

Oral Argument

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. In order to account for the Chief Justice’s administrative comments, his tally for each case has been uniformly reduced by three questions in each case.

Average Number of Questions

	Average
Scalia	23.8
Sotomayor	21.3
Breyer	20.3
Roberts	20.2
Ginsburg	12.6
Kagan	12.2
Kennedy	11.0
Alito	11.0
Thomas	0.0

Frequency as a Top or Top 3 Questioner

	Freq. Top 1	Freq. Top 3
Scalia	32%	63%
Roberts	24%	66%
Sotomayor	22%	63%
Breyer	16%	54%
Ginsburg	4%	21%
Alito	4%	16%
Kagan	2%	17%
Kennedy	1%	18%
Thomas	0%	0%

Average Number of Questions

Arranged by Vote Split

	9-0	8-1	7-2	6-3	5-4
Roberts	15	20	21	31	17
Scalia	24	26	25	32	30
Kennedy	9	12	12	13	15
Thomas	0	0	0	0	0
Ginsburg	14	15	14	11	14
Breyer	17	21	20	28	24
Alito	11	12	11	12	17
Sotomayor	19	17	21	20	22
Kagan	11	9	10	15	10
Overall	114	129	130	160	148

Frequency as the First Questioner

	Frequency	
Sotomayor	18 /67	27%
Ginsburg	15 /68	22%
Roberts	10 /67	15%
Scalia	9 /68	13%
Kagan	7 /64	11%
Kennedy	5 /67	7%
Alito	3 /68	4%
Breyer	1 /68	1%
Thomas	0 /68	0%