Stat Pack for October Term 2013

Index

Summary of the Term

Total Merits Opinions Released	**32**
+ Signed opinions after oral argument	29
+ Summary reversals	3
Total Merits Opinions Expected	**71**
+ Petitions granted and set for argument	75
+ Summary reversals	3
- Cases dismissed before oral argument	-5
- Cases dismissed after oral argument	-2
Cases Set for Argument During OT14	**9**

* You can find past Stat Packs here: <http://www.scotusblog.com/reference/stat-pack/>. A few matters regarding our methodology are worth mentioning at the outset. First, SCOTUSblog treats consolidated cases as a single case, as determined by the case with the lowest docket number (prior to the release of an opinion) or the case that is captioned with an opinion. To the extent that two cases are argued separately but later decided with only one opinion, we will remove one of the cases from this Stat Pack, except to include it in the Pace of Grants chart to maintain cross-conference comparisons. The most unusual way we manage these later-consolidated cases is to merge the oral argument data for the two cases. We combine the questions asked by each Justice in the separate oral argument proceedings into one "consolidated" session. Second, this Stat Pack frequently uses the term "merits opinions," "merits docket," or "merits cases." Those three terms are used interchangeably, and signify the set of cases decided "on the merits." Those cases include signed opinions after oral argument (the bulk of all merits cases), most per curiam opinions released after oral arguments, summary reversals (cases decided with per curiam opinions after the certiorari stage), and cases decided by an equally divided (4-4) Court. Cases that are dismissed as improvidently granted are not included in our tally of merits cases.

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Opinions by Sitting

	October	November	December	January	February	March	April		
Roberts	1	-	1	1	-	-	-	**JGR**	3
Scalia	1	2	1	1	-	-	-	**AS**	5
Kennedy	-	-	1	1	-	-	-	**AMK**	2
Thomas	1	1	1	-	-	-	-	**CT**	3
Ginsburg	1	2	-	-	-	-	-	**RBG**	3
Breyer	1	1	1	-	-	-	-	**SGB**	3
Alito	2	1	1	-	-	-	-	**SAA**	4
Sotomayor	1	1	1	1	-	-	-	**SMS**	4
Kagan	1	1	-	-	-	-	-	**EK**	2
	October	**November**	**December**	**January**	**February**	**March**	**April**	**Total**	**31**
	Decided: 10 | Remain: 1	**Decided: 10 | Remain: 2**	**Decided: 7 | Remain: 4**	**Decided: 4 | Remain: 8**	**Decided: 0 | Remain: 7**	**Decided: 0 | Remain: 6**	**Decided: 0 | Remain: 11**	**Args**	**75**
	Troice SGB	*Sandifer* AS	*BG Group* SGB	*Law* AS	*Utility Air*	*Clark*	*POM*		
	~~*Madigan*~~	*Walden* CT	*Bay Mills*	*Noel Canning*	*Robers*	*Hobby Lobby*	*NML Capital*		
	McCutcheon JGR	*Bond*	*Northwest* SAA	*Exec. Benefits*	*Highmark*	*Wood*	*SBA List*		
	Burt SAA	*Sprint* RBG	*Lexmark Int'l* AS	*Brandt* JGR	*Octane*	*Alice Corp.*	*Aereo*		
	Woods AS	*Medtronic* SGB	*Apel* JGR	*Quality Stores* AMK	*Hall*	*Loughrin*	*Clarke*		
	Atlantic Marine SAA	*Town of Greece*	*Air Wisconsin* SMS	*Castleman* SMS	*Plumhoff*	*Fifth Third*	*CTS*		
	Schuette	*AU Optronics* SMS	*Ray Haluch* AMK	*McCullen*	*Halliburton*		*Nautilus*		
	Heimeshoff CT	*Burrage* AS	*Mayorkas*	*Harris*			*Franks*		
	Daimler AG RBG	*Lawson* RBG	*EME Homer*	*Petrella*			*Riley*		
	Cheever SMS	*Rosemond* EK	*Lozano* CT	*Navarette*			*Wurie*		
	Kaley EK	*Fernandez* SAA	*Woodall*	*Abramski*			*Limelight*		
		~~*Unite Here*~~		*Paroline*					

Circuit Scorecard

October Term 2013

	Number	Percent	Decided	Aff'd	Rev'd	Aff'd %	Rev'd %
CA1	4	6%	2	0	2	0%	100%
CA2	5	7%	2	2	0	100%	0%
CA3	1	1%					
CA4	2	3%					
CA5	6	8%	4	1	3	25%	75%
CA6	11	15%	5	1	4	20%	80%
CA7	4	6%	1	1	0	100%	0%
CA8	2	3%	2	0	2	0%	100%
CA9	11	15%	6	0	6	0%	100%
CA10	4	6%	2	0	2	0%	100%
CA11	3	4%	1	1	0	100%	0%
CA DC	4	6%	1	0	1	0%	100%
CA Fed	6	8%	1	0	1	0%	100%
State	7	10%	4	1	3	25%	75%
Dist. Court	1	1%	1	0	1	0%	100%
Original	-	-		N/A	N/A	N/A	N/A
	71	**100%**	**32**	**7**	**25**	**22%**	**78%**

October Term 2014

	Number	Percent
CA1	-	-
CA2	1	11%
CA3	-	-
CA4	1	11%
CA5	1	11%
CA6	1	11%
CA7	-	-
CA8	2	22%
CA9	1	11%
CA10	1	11%
CA11	-	-
CA DC	-	-
CA Fed	1	11%
State	-	-
Dist. Court	-	-
Original	-	-
	9	**100%**

Circuit Scorecard

This chart features affirmance and reversal rates for each circuit and each Justice. The first number is the number of times a particular Justice voted to affirm a decision of the court below and the second number is the number of times that Justice voted to vacate or reverse the decision below.

	Roberts	Scalia	Kennedy	Thomas	Ginsburg	Breyer	Alito	Sotomayor	Kagan	Total Votes	Overall Decisions
CA1	0 - 2	0 - 2	1 - 1	0 - 2	0 - 2	0 - 2	1 - 1	1 - 1	0 - 2	3 - 15	0 - 2
CA2	2 - 0	2 - 0	2 - 0	2 - 0	2 - 0	2 - 0	2 - 0	2 - 0	2 - 0	18 - 0	2 - 0
CA3	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0
CA4	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0
CA5	1 - 3	1 - 3	0 - 4	1 - 3	1 - 3	1 - 3	0 - 4	1 - 3	1 - 3	7 - 29	1 - 3
CA6	1 - 4	1 - 4	1 - 4	1 - 4	1 - 4	1 - 4	1 - 4	1 - 4	1 - 3	9 - 35	1 - 4
CA7	1 - 0	1 - 0	1 - 0	1 - 0	1 - 0	1 - 0	1 - 0	1 - 0	1 - 0	9 - 0	1 - 0
CA8	0 - 2	0 - 2	0 - 2	0 - 2	0 - 2	0 - 2	0 - 2	0 - 2	0 - 2	0 - 18	0 - 2
CA9	0 - 6	0 - 6	0 - 6	0 - 6	0 - 6	0 - 6	0 - 6	0 - 6	0 - 6	0 - 54	0 - 6
CA10	0 - 2	0 - 2	0 - 2	1 - 1	0 - 2	0 - 2	1 - 1	1 - 1	0 - 2	3 - 15	0 - 2
CA11	0 - 1	1 - 0	1 - 0	1 - 0	1 - 0	0 - 1	1 - 0	0 - 1	1 - 0	6 - 3	1 - 0
CA DC	1 - 0	0 - 1	1 - 0	0 - 1	0 - 1	0 - 1	0 - 1	0 - 1	0 - 1	2 - 7	0 - 1
CA Fed.	0 - 1	0 - 1	0 - 1	0 - 1	0 - 1	0 - 1	0 - 1	0 - 1	0 - 1	0 - 9	0 - 1
State Ct.	1 - 3	1 - 3	1 - 3	1 - 3	0 - 4	1 - 3	1 - 3	0 - 4	0 - 4	6 - 30	1 - 3
Dist. Court	0 - 1	0 - 1	0 - 1	0 - 1	1 - 0	1 - 0	0 - 1	1 - 0	1 - 0	4 - 5	0 - 1
Original	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0	0 - 0
	7 - 25	**7 - 25**	**8 - 24**	**8 - 24**	**7 - 25**	**7 - 25**	**8 - 24**	**8 - 24**	**7 - 24**	**67 - 220**	**7 - 25**

Merits Cases by Vote Split

9-0 24 (75%)	8-1 1 (3%)	7-2 3 (9%)	6-3 3 (9%)	5-4 1 (3%)
Stanton v. Sims (PC)	Brandt v. U.S.	Chadbourne v. Troice	Fernandez v. California	McCutcheon v. FEC
Burt v. Titlow		BG Group v. Argentina	Kaley v. U.S.	
Ford v. U.S. (PC)		Rosemond v. U.S.	Lawson v. FMR	
U.S. v. Woods				
Atlantic Marine v. U.S. Dist. Ct.				
Sprint v. Jacobs				
Kansas v. Cheever				
Heimeshoff v. Hartford Life Ins.				
Daimler AG v. Bauman				
Mississippi v. AU Optronics				
Ray Haluch Gravel v. Central Pension				
Medtronic v. Mirowski Ventures				
Burrage v. U.S.				
Sandifer v. U.S. Steel Corp.				
Air Wisconsin v. Hoeper				
Hinton v. Alabama (PC)				
Walden v. Fiore				
U.S. v. Apel				
Law v. Siegel				
Lozano v. Alvarez				
Lexmark Int'l v. Static Control				
U.S. v. Quality Stores (8-0)				
U.S. v. Castleman				
Northwest v. Ginsberg				

Not Included Above		
Cline v. Okla. Coalition	Dismissed as Improvidently Granted	Before Arguments
Unite Here v. Mulhall	Dismissed as Improvidently Granted	After Arguments
Madigan v. Levin	Dismissed	After Arguments
Mt. Holly v. Mt. Holly Gardens	Dismissed	Before Arguments
U.S. Forest Serv. v. Pac. Rivers Council	Dismissed	Before Arguments
UBS v. Union de Empleados de Muelles	Dismissed	Before Arguments
Burnside v. Walters	Vacated and Remanded	Before Arguments

Past Terms	9-0	8-1	7-2	6-3	5-4
OT08	33%	5%	16%	16%	29%
OT09	46%	10%	15%	11%	18%
OT10	48%	13%	15%	5%	20%
OT11	44%	11%	8%	17%	20%
OT12	49%	5%	9%	8%	29%
Avg.	44%	9%	13%	11%	23%

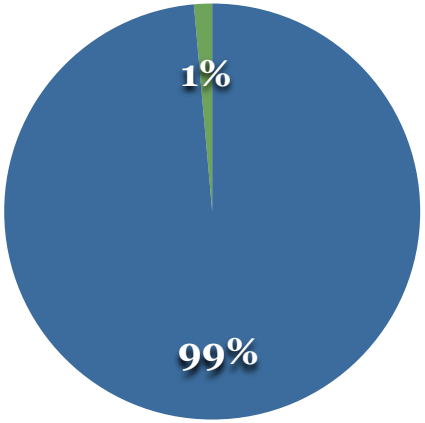
* We treat cases with eight or fewer votes as if they were decided by the full Court. For example, we treat *United States v. Quality Stores*, which had only eight Justices voting, as a 9-0 case throughout much of this Stat Pack. For 8-0, 7-1, and 6-2 decisions, we simply assume that the recused Justice would have joined the majority. In cases that are decided 5-3, we would look at each case individually to decide whether it was more likely that the recused Justice would join the majority or the dissent. Our assumption that nine Justices voted in each case applies only to figures that treat each case as a whole, like the chart above, and not to figures that focus on the behavior of individual Justices, like our Justice Agreement charts. We have done our best to note where we assume a full Court and where we count only actual votes.

** For cases that are decided by a 5-4 vote, we provide information about whether the majority was comprised of the most common conservative block (Roberts, Scalia, Kennedy, Thomas, and Alito), the most common liberal block (Kennedy, Ginsburg, Breyer, Sotomayor, and Kagan), or a more uncommon alignment. A conservative lineup is marked with a red square, a liberal lineup is marked with a blue square, and all others are marked with a yellow square.

Make-Up of the Merits Docket

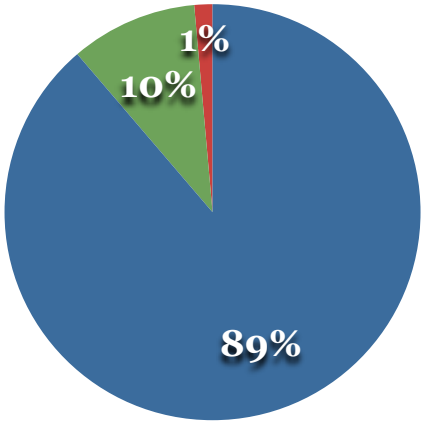
The following charts depict different characteristics of the cases that were released with merits opinions or are expected to be disposed of with a merits opinion. These charts include information about cases disposed of with signed opinions, summary reversals, or those that were affirmed by an equally divided Court.

Source of Jurisdiction



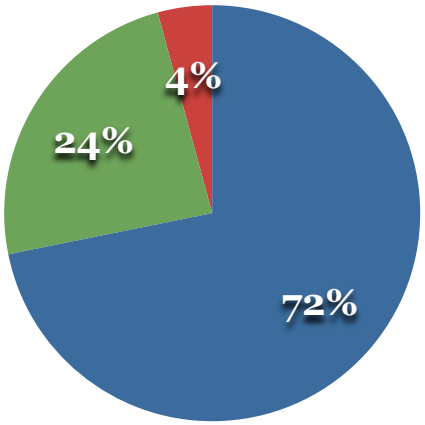
Certiorari	70	99%
Appeal	1	1%
Original	0	0%

Court Below



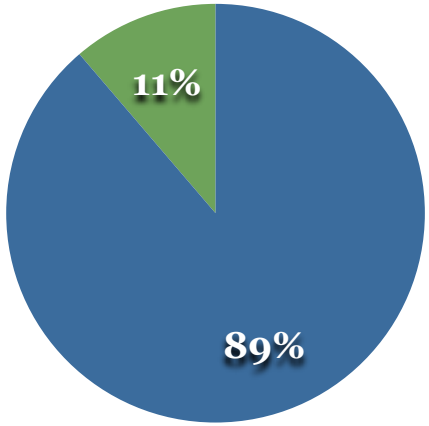
U.S. Court of Appeals	63	89%
State	7	10%
Three-Judge District Court	1	1%
Original	0	0%

Nature



Civil	51	72%
Criminal	17	24%
Habeas	3	4%
Original	0	0%

Docket*



Paid	63	89%
In Forma Pauperis	8	11%
Original	0	0%

* Technically, all paid and *in forma pauperis* cases have been on the same docket since 1971, with paid cases beginning each year with case number 1, and IFP cases beginning at number 5001. Accordingly, the first paid case of this Term was numbered 13-1 and the first IFP case was numbered 13-5001. Original cases remain on a separate docket and follow a separate numbering convention. For more information on the dockets, see EUGENE GRESSMAN ET AL., SUPREME COURT PRACTICE 55–56 (9th ed. 2007).

Term Index

This chart includes a summary of the cases for the Term including (1) majority opinion author, (2) vote, (3) days between argument and opinion, (4) judgment, and (5) court below. For each sitting, the chart provides the number of majority opinions written by each Justice and the average number of days between argument and opinion for that Justice's majority opinions.

	October								
1	**Troice**	SGB	7-2	142d	A	CA5	JGR	1	176d
2	**~~Madigan~~**				-		AS	1	55d
3	**McCutcheon**	JGR	5-4	176d	R	USDC	AMK	0	
4	**Burt**	SAA	9-0	28d	R	CA6	CT	1	62d
5	**Woods**	AS	9-0	55d	R	CA5	RBG	1	91d
6	**Atlantic Marine**	SAA	9-0	55d	R	CA5	SGB	1	142d
7	**Schuette**					CA6	SAA	2	42d
8	**Heimeshoff**	CT	9-0	62d	A	CA2	SMS	1	56d
9	**Daimler AG**	RBG	9-0	91d	R	CA9	EK	1	132d
10	**Cheever**	SMS	9-0	56d	R	ST	Total	**10**	
11	**Kaley**	EK	6-3	132d	A	CA11	Expect.	**11**	
12							Avg.		**89d**

	November								
1	**Sandifer**	AS	9-0	84d	A	CA7	JGR	0	
2	**Walden**	CT	9-0	113d	R	CA9	AS	2	80d
3	**Bond**					CA3	AMK	0	
4	**Sprint**	RBG	9-0	35d	R	CA8	CT	1	113d
5	**Medtronic**	SGB	9-0	78d	R	CAFC	RBG	2	74d
6	**Town of Greece**					CA2	SGB	1	78d
7	**AU Optronics**	SMS	9-0	69d	R	CA5	SAA	1	104d
8	**Burrage**	AS	9-0	76d	R	CA8	SMS	1	69d
9	**Lawson**	RBG	6-3	112d	R	CA1	EK	1	113d
10	**Rosemond**	EK	7-2	113d	R	CA10	Total	**10**	
11	**Fernandez**	SAA	6-3	104d	A	ST	Expect.	**12**	
12	**~~Unite Here~~**				-		Avg.		**87d**

	December								
1	**BG Group**	SGB	7-2	93d	R	CADC	JGR	1	84d
2	**Bay Mills**					CA6	AS	1	112d
3	**Northwest**	SAA	9-0	120d	R	CA9	AMK	1	37d
4	**Lexmark Int'l**	AS	9-0	112d	A	CA6	CT	1	84d
5	**Apel**	JGR	9-0	84d	R	CA9	RBG	0	
6	**Air Wisconsin**	SMS	9-0	49d	R	ST	SGB	1	93d
7	**Ray Haluch**	AMK	9-0	37d	R	CA1	SAA	1	120d
8	**Mayorkas**					CA9	SMS	1	49d
9	**EME Homer**					CADC	EK	0	
10	**Lozano**	CT	9-0	84d	A	CA2	Total	**7**	
11	**Woodall**					CA6	Expect.	**11**	
12							Avg.		**83d**

	January								
1	**Law**	AS	9-0	50d	R	CA9	JGR	1	55d
2	**Noel Canning**					CADC	AS	1	50d
3	**Exec. Benefits**					CA9	AMK	1	70d
4	**Brandt**	JGR	8-1	55d	R	CA10	CT	0	
5	**Quality Stores**	AMK	8-0	70d	R	CA6	RBG	0	
6	**Castleman**	SMS	9-0	70d	R	CA6	SGB	0	
7	**McCullen**					CA1	SAA	0	
8	**Harris**					CA7	SMS	1	70d
9	**Petrella**					CA9	EK	0	
10	**Navarette**					ST	Total	**4**	
11	**Abramski**					CA4	Expect.	**12**	
12	**Paroline**					CA5	Avg.		**61d**

	February								
1	**Utility Air**					CADC	JGR	0	
2	**Robers**					CA7	AS	0	
3	**Highmark**					CAFC	AMK	0	
4	**Octane**					CAFC	CT	0	
5	**Hall**					ST	RBG	0	
6	**Plumhoff**					CA6	SGB	0	
7	**Halliburton**					CA5	SAA	0	
8							SMS	0	
9							EK	0	
10							Total	**0**	
11							Expect.	**7**	
12							Avg.		-

	March								
1	**Clark**					CA7	JGR	0	
2	**Hobby Lobby**					CA10	AS	0	
3	**Wood**					CA9	AMK	0	
4	**Alice Corp.**					CAFC	CT	0	
5	**Loughrin**					CA10	RBG	0	
6	**Fifth Third**					CA6	SGB	0	
7							SAA	0	
8							SMS	0	
9							EK	0	
10							Total	**0**	
11							Expect.	**6**	
12							Avg.		-

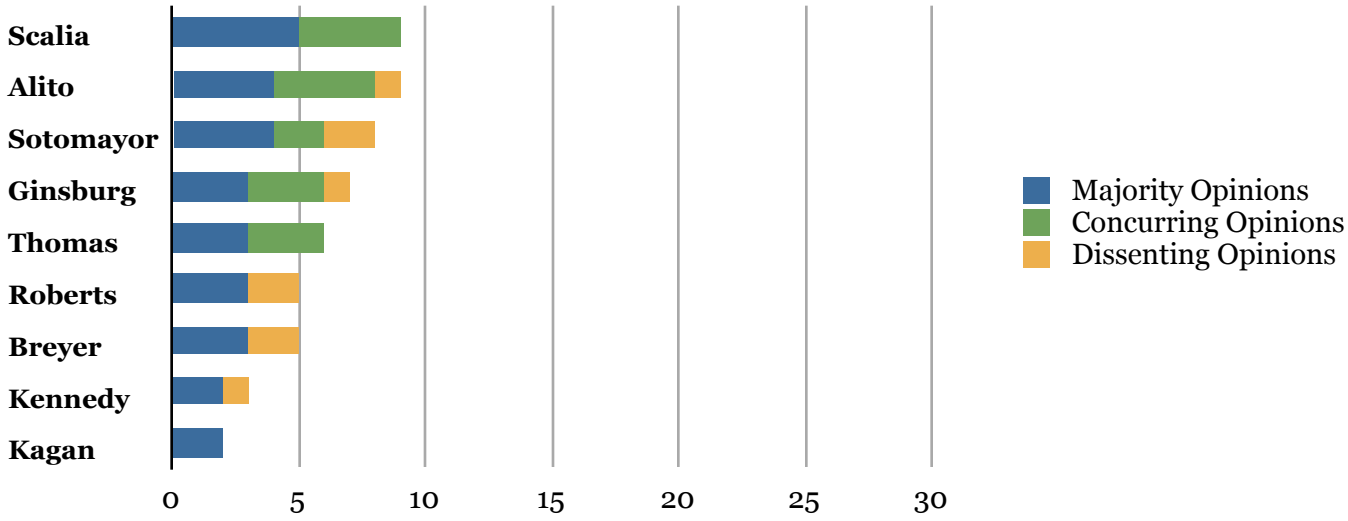
	April								
1	**POM**					CA9	JGR	0	
2	**NML Capital**					CA2	AS	0	
3	**SBA List**					CA6	AMK	0	
4	**Aereo**					CA2	CT	0	
5	**Clarke**					CA11	RBG	0	
6	**CTS**					CA4	SGB	0	
7	**Nautilus**					CAFC	SAA	0	
8	**Franks**					CA11	SMS	0	
9	**Riley**					ST	EK	0	
10	**Wurie**					CA1	Total	**0**	
11	**Limelight**					CAFC	Expect.	**11**	
12							Avg.		-
13									
14									

	Summary Reversal					
1	**Stanton**	PC	9-0	-	R	CA9
2	**Ford**	PC	9-0	-	R	CA6
3	**Hinton**	PC	9-0	-	R	ST

	Total				
1	**Roberts**	3		Cases Dismissed	2
2	**Scalia**	5			
3	**Kennedy**	2			
4	**Thomas**	3			
5	**Ginsburg**	3			
6	**Breyer**	3			
7	**Alito**	4			
8	**Sotomayor**	4			
9	**Kagan**	2			
10	**Summary Rev.**	3			
11	Cases Disposed	**34**			
12	Expected	**73**			
13	Percent Decided	**47%**			
14	Average Time	**83d**			

Total Opinion Authorship

	Total Opinions	Majority Opinions	Concurring Opinions	Dissenting Opinions
Roberts	**5**	3	-	2
Scalia	**9**	5	4	-
Kennedy	**3**	2	-	1
Thomas	**6**	3	3	-
Ginsburg	**7**	3	3	1
Breyer	**5**	3	-	2
Alito	**9**	4	4	1
Sotomayor	**8**	4	2	2
Kagan	**2**	2	-	-
Per Curiam	**3**	3	-	-
	57	**32**	**16**	**9**

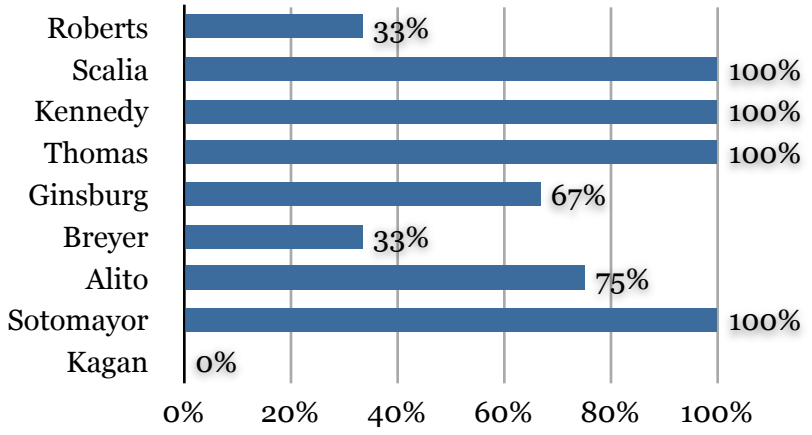


Majority Opinion Authorship

Majority Opinions Authored

	Total	9-0	8-1	7-2	6-3	5-4	Average Strength of the Majority*
Roberts	3	1	1	-	-	1	7.3
Scalia	5	5	-	-	-	-	9.0
Kennedy	2	2	-	-	-	-	9.0
Thomas	3	3	-	-	-	-	9.0
Ginsburg	3	2	-	-	1	-	8.0
Breyer	3	1	-	2	-	-	7.7
Alito	4	3	-	-	1	-	8.3
Sotomayor	4	4	-	-	-	-	9.0
Kagan	2	-	-	1	1	-	6.5
	29	**21**	**1**	**3**	**3**	**1**	**8.4**

Percentage of Majority Opinions Decided with Unanimous Judgment



Authorship as a Percentage of Similar Opinions

	9-0	8-1	7-2	6-3	5-4
Roberts	5%	100%	-	-	100%
Scalia	24%	-	-	-	-
Kennedy	10%	-	-	-	-
Thomas	14%	-	-	-	-
Ginsburg	10%	-	-	33%	-
Breyer	5%	-	67%	-	-
Alito	14%	-	-	33%	-
Sotomayor	19%	-	-	-	-
Kagan	-	-	33%	33%	-
	100% (21)	**100% (1)**	**100% (3)**	**100% (3)**	**100% (1)**

Days Between Argument and Opinion

Majority Opinion Author	Days
Kennedy	54d
Sotomayor	61d
Scalia	75d
Alito	77d
Ginsburg	79d
Thomas	86d
Breyer	104d
Roberts	105d
Kagan	123d
	106d

Frequency in the Majority

The following charts measure how frequently each Justice has voted with the majority during October Term 2013. The charts include summary reversals but do not include cases that were dismissed.

All Cases

Justice	Votes	Frequency in Majority		OT11	OT10	OT09	OT08	OT07
Scalia	**32**	**32**	**100%**	82%	86%	87%	84%	81%
Thomas	**32**	**31**	**97%**	86%	88%	83%	81%	75%
Roberts	**32**	**30**	**94%**	92%	91%	91%	81%	90%
Ginsburg	**32**	**30**	**94%**	70%	74%	80%	70%	75%
Breyer	**32**	**30**	**94%**	76%	79%	78%	75%	79%
Kagan	**31**	**29**	**94%**	82%	81%	-	-	-
Kennedy	**32**	**29**	**91%**	93%	94%	91%	92%	86%
Alito	**32**	**29**	**91%**	83%	86%	87%	81%	82%
Sotomayor	**32**	**27**	**84%**	80%	81%	84%	-	-

Divided Cases

Justice	Votes	Frequency in Majority		OT11	OT10	OT09	OT08	OT07
Scalia	**8**	**8**	**100%**	67%	74%	76%	76%	65%
Thomas	**8**	**7**	**88%**	74%	76%	67%	72%	85%
Roberts	**8**	**6**	**75%**	86%	83%	83%	72%	73%
Ginsburg	**8**	**6**	**75%**	45%	50%	63%	55%	65%
Breyer	**8**	**6**	**75%**	57%	60%	58%	62%	68%
Kagan	**8**	**6**	**75%**	67%	67%	-	-	-
Kennedy	**8**	**5**	**63%**	88%	88%	83%	89%	79%
Alito	**8**	**5**	**63%**	69%	74%	76%	72%	75%
Sotomayor	**8**	**3**	**38%**	64%	64%	69%	-	-

Justice Agreement - All Cases

	Scalia		Kennedy		Thomas		Ginsburg		Breyer		Alito		Sotomayor		Kagan		Total
Roberts	25	78%	29	91%	23	72%	25	78%	29	91%	23	72%	21	66%	26	84%	
	29	91%	29	91%	27	84%	26	81%	30	94%	26	81%	25	78%	27	87%	32
	30	94%	29	91%	29	91%	28	88%	30	94%	27	84%	27	84%	27	87%	
	2	6%	3	9%	3	9%	4	13%	2	6%	5	16%	5	16%	4	13%	
Scalia			25	78%	27	84%	23	72%	24	75%	23	72%	17	53%	26	84%	
			28	88%	29	91%	27	84%	29	91%	28	88%	24	75%	28	90%	32
			29	91%	31	97%	30	94%	30	94%	29	91%	27	84%	29	94%	
			3	9%	1	3%	2	6%	2	6%	3	9%	5	16%	2	6%	
Kennedy					24	75%	24	75%	26	81%	26	81%	20	63%	25	81%	
					26	81%	25	78%	27	84%	29	91%	24	75%	26	84%	32
					28	88%	27	84%	27	84%	30	94%	26	81%	26	84%	
					4	13%	5	16%	5	16%	2	6%	6	19%	5	16%	
Thomas							22	69%	23	72%	24	75%	16	50%	25	81%	
							26	81%	28	88%	29	91%	23	72%	27	87%	32
							29	91%	29	91%	30	94%	26	81%	28	90%	
							3	9%	3	9%	2	6%	6	19%	3	10%	
Ginsburg									26	81%	22	69%	24	75%	27	87%	
									28	88%	24	75%	27	84%	29	94%	32
									30	94%	27	84%	29	91%	31	100%	
									2	6%	5	16%	3	9%	0	0%	
Breyer											24	75%	23	72%	27	87%	
											26	81%	27	84%	29	94%	32
											27	84%	29	91%	29	94%	
											5	16%	3	9%	2	6%	
Alito													19	59%	21	68%	
													23	72%	25	81%	32
													26	81%	26	84%	
													6	19%	5	16%	
Sotomayor															20	65%	
															26	84%	32
															28	90%	
															3	10%	
Kagan																	31

Key

Fully Agree
Agree in Full or Part
Agree in Full, Part, or Judgment Only
Disagree in Judgment

Justice Agreement - Non-Unanimous Cases

	Scalia		Kennedy		Thomas		Ginsburg		Breyer		Alito		Sotomayor		Kagan		Total
Roberts	3	38%	5	63%	1	13%	4	50%	6	75%	3	38%	3	38%	4	50%	
	6	75%	5	63%	4	50%	4	50%	6	75%	3	38%	3	38%	4	50%	8
	6	75%	5	63%	5	63%	4	50%	6	75%	3	38%	3	38%	4	50%	
	2	25%	3	38%	3	38%	4	50%	2	25%	5	63%	5	63%	4	50%	
Scalia	3	38%	4	50%	4	50%	3	38%	4	50%	1	13%	4	50%			
	5	63%	6	75%	6	75%	6	75%	5	63%	3	38%	6	75%			8
	5	63%	7	88%	6	75%	6	75%	5	63%	3	38%	6	75%			
	3	38%	1	13%	2	25%	2	25%	3	38%	5	63%	2	25%			
Kennedy	2	25%	3	38%	3	38%	6	75%	2	25%	3	38%					
	3	38%	3	38%	3	38%	6	75%	2	25%	3	38%					8
	4	50%	3	38%	3	38%	6	75%	2	25%	3	38%					
	4	50%	5	63%	5	63%	2	25%	6	75%	5	63%					
Thomas	3	38%	2	25%	4	50%	0	0%	3	38%							
	5	63%	5	63%	5	63%	2	25%	5	63%							8
	5	63%	5	63%	6	75%	2	25%	5	63%							
	3	38%	3	38%	2	25%	6	75%	3	38%							
Ginsburg	6	75%	3	38%	4	50%	8	100%									
	6	75%	3	38%	5	63%	8	100%									8
	6	75%	3	38%	5	63%	8	100%									
	2	25%	5	63%	3	38%	0	0%									
Breyer	3	38%	4	50%	6	75%											
	3	38%	5	63%	6	75%											8
	3	38%	5	63%	6	75%											
	5	63%	3	38%	2	25%											
Alito	1	13%	3	38%													
	2	25%	3	38%													8
	2	25%	3	38%													
	6	75%	5	63%													
Sotomayor	4	50%															
	5	63%															8
	5	63%															
	3	38%															
Kagan																	8

Key

Fully Agree
Agree in Full or Part
Agree in Full, Part, or Judgment Only
Disagree in Judgment

Time Between Cert. Grant And Oral Argument

The following charts address the number of days between when the Court grants certiorari (or otherwise decides that a case should be argued), and when it hears oral argument in a given case. The typical briefing schedule outlined in the Court's rules allows for 112 days between argument and opinion. The Court typically seeks to avoid compressing the briefing schedule.

Argued	Avg. Days
October	211d
November	197d
December	175d
January	149d
February	130d
March	115d
April	103d
Overall	159d

Average	**159d**
Median	**168d**
St. Dev.	**49d**

Shortest	*Abramski*	99d
Longest	*Bond*	291d

Averages

OT03	172d
OT04	167d
OT05	165d
OT06	131d
OT07	134d
OT08	167d
OT09	168d
OT10	153d
OT11	160d
OT12	141d
OT13	**159d**

	Rank		Days	Granted	Argued
Shortest	1	*Abramski v. U.S.*	99d	Oct 15, 2013	Jan 22, 2014
	2	*Lane v. Franks*	101d	Jan 17, 2014	Apr 28, 2014
	2	*Argentina v. NML Capital*	101d	Jan 10, 2014	Apr 21, 2014
	2	*POM v. Coca-Cola*	101d	Jan 10, 2014	Apr 21, 2014
	5	*U.S. v. Wurie*	102d	Jan 17, 2014	Apr 29, 2014
	5	*Riley v. California*	102d	Jan 17, 2014	Apr 29, 2014
	5	*ABC v. Aereo*	102d	Jan 10, 2014	Apr 22, 2014
	5	*SBA List v. Driehaus*	102d	Jan 10, 2014	Apr 22, 2014
	9	*CTS v. Waldberger*	103d	Jan 10, 2014	Apr 23, 2014
	9	*U.S. v. Clarke*	103d	Jan 10, 2014	Apr 23, 2014

	Rank		Days	Granted	Argued
Longest	1	*Bond v. United States*	291d	Jan 18, 2013	Nov 5, 2013
	2	*Chadbourne v. Troice*	262d	Jan 18, 2013	Oct 7, 2013
	3	*Sandifer v. U.S. Steel Corp.*	258d	Feb 19, 2013	Nov 4, 2013
	4	*Walden v. Fiore*	245d	Mar 4, 2013	Nov 4, 2013
	5	*Kansas v. Cheever*	233d	Feb 25, 2013	Oct 16, 2013
	6	*McCutcheon v. FEC*	231d	Feb 19, 2013	Oct 8, 2013
	7	*Burt v. Titlow*	225d	Feb 25, 2013	Oct 8, 2013
	8	*Kaley v. U.S.*	212d	Mar 18, 2013	Oct 16, 2013
	9	*Law v. Siegel*	210d	Jun 17, 2013	Jan 13, 2014
	10	*Paroline v. U.S.*	209d	Jun 27, 2013	Jan 22, 2014

	Less than 100 days	100-124	125-149	150-174	175-199	200-224	225-249	More than 250
OT11	1	11	20	18	11	1	2	5
OT12	5	32	12	12	4	4	1	4
OT13	**1**	**25**	**6**	**9**	**13**	**9**	**4**	**3**

* In cases that are on appeal to the Supreme Court, rather than on petition for writ of certiorari, the Court will rule on a statement of jurisdiction rather than on a cert. petition. Our charts treat those cases identically to those decided on cert. petitions and the "Grant Date" indicates when the Court noted probable jurisdiction or postponed the determination of jurisdiction.

Time Between Oral Argument and Opinion

The following charts address the time it takes for the Court to release opinions following oral argument. The Court has thus far released twenty-nine signed opinions after argument during October Term 2013.

Argued	Avg.	Total	Remain
October	89d	11	*1*
November	87d	12	*2*
December	83d	11	*4*
January	61d	12	*8*
February	-	7	*7*
March	-	6	*6*
April	-	11	*11*
Overall	**83d**	70	*39*

Average	**83d**
Median	**78d**
St. Dev.	**35d**

Shortest	*Burt*	28d
Longest	*McCutcheon*	176d

Averages

OT03	82d
OT04	91d
OT05	79d
OT06	96d
OT07	94d
OT08	94d
OT09	109d
OT10	106d
OT11	97d
OT12	95d
OT13	**83d**

	Rank			Author	Vote	Argued	Decided
Shortest	1	*Burt v. Titlow*	28d	Alito	9-0	Oct 8, 2013	Nov 5, 2013
	2	*Sprint v. Jacobs*	35d	Ginsburg	9-0	Nov 5, 2013	Dec 10, 2013
	3	*Ray Haluch Gravel v. Central Pen.*	37d	Kennedy	9-0	Dec 9, 2013	Jan 15, 2014
	4	*Air Wisconsin v. Hoeper*	49d	Sotomayor	9-0	Dec 9, 2013	Jan 27, 2014
	5	*Law v. Siegel*	50d	Scalia	9-0	Jan 13, 2014	Mar 4, 2014
	6	*Brandt v. U.S.*	55d	Roberts	8-1	Jan 14, 2014	Mar 10, 2014
	6	*Atlantic Marine v. U.S. Dist. Ct.*	55d	Alito	9-0	Oct 9, 2013	Dec 3, 2013
	6	*U.S. v. Woods*	55d	Scalia	9-0	Oct 9, 2013	Dec 3, 2013
	9	*Kansas v. Cheever*	56d	Sotomayor	9-0	Oct 16, 2013	Dec 11, 2013
	10	*Heimeshoff v. Hartford Life Ins.*	62d	Thomas	9-0	Oct 15, 2013	Dec 16, 2013

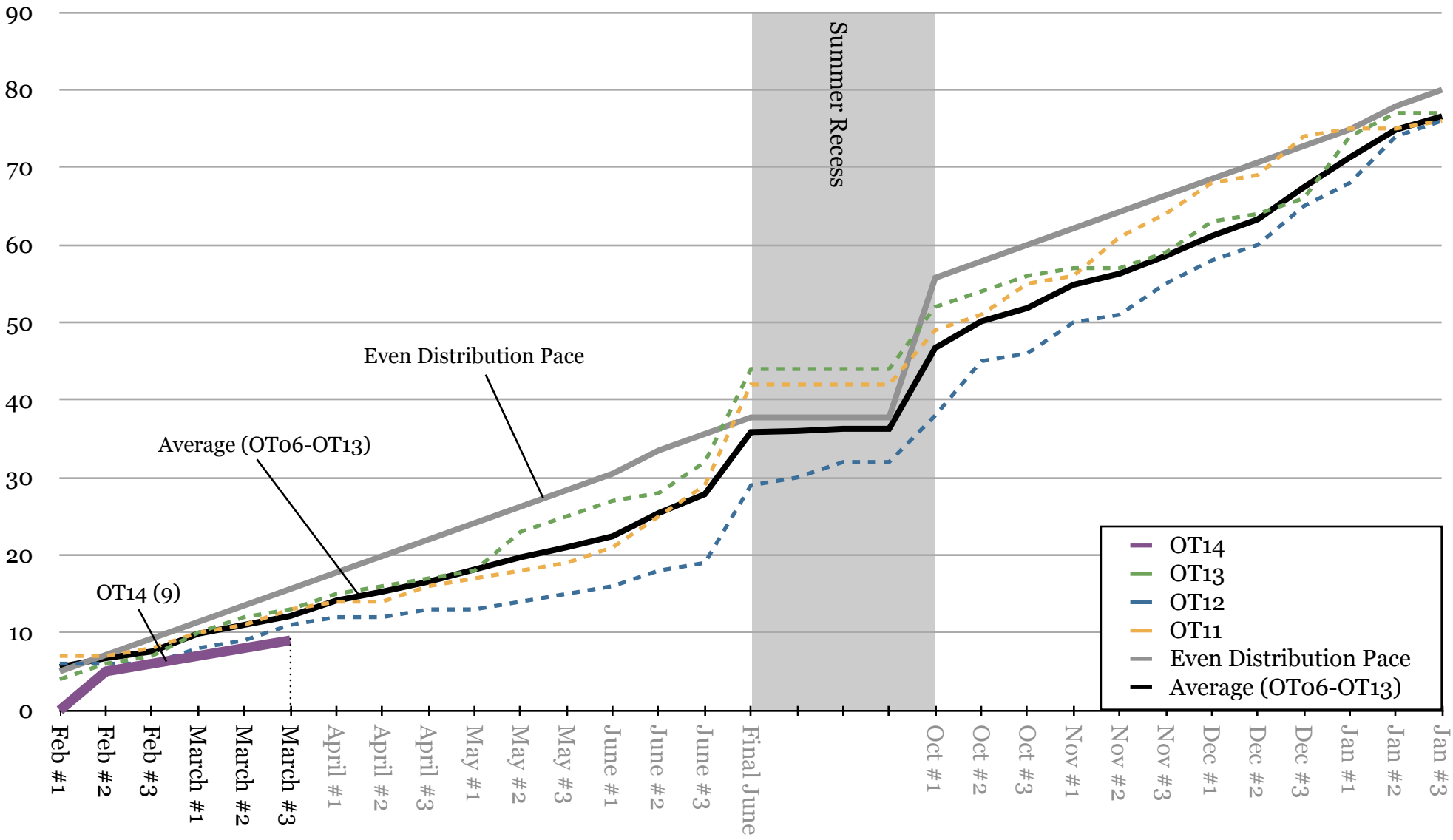
	Rank			Author	Vote	Argued	Decided
Longest	1	*McCutcheon v. FEC*	176d	Roberts	5-4	Oct 8, 2013	Apr 2, 2014
	2	*Chadbourne v. Troice*	142d	Breyer	7-2	Oct 7, 2013	Feb 26, 2014
	3	*Kaley v. U.S.*	132d	Kagan	6-3	Oct 16, 2013	Feb 25, 2014
	4	*Northwest v. Ginsberg*	120d	Alito	9-0	Dec 3, 2013	Apr 2, 2014
	5	*Walden v. Fiore*	113d	Thomas	9-0	Nov 4, 2013	Feb 25, 2014
	5	*Rosemond v. U.S.*	113d	Kagan	7-2	Nov 12, 2013	Mar 5, 2014
	7	*Lawson v. FMR*	112d	Ginsburg	6-3	Nov 12, 2013	Mar 4, 2014
	7	*Lexmark Int'l v. Static Control*	112d	Scalia	9-0	Dec 3, 2013	Mar 25, 2014
	9	*Fernandez v. California*	104d	Alito	6-3	Nov 13, 2013	Feb 25, 2014
	10	*BG Group v. Argentina*	93d	Breyer	7-2	Dec 2, 2013	Mar 5, 2014

	Less than 30 days	30-59	60-89	90-119	120-149	150-179	180-209	210-239	More than 240
OT11	2	5	19	24	8	6	1	0	0
OT12	1	15	21	20	8	4	2	1	1
OT13	**1**	**8**	**9**	7	**3**	**1**	**0**	**0**	**0**

	9-0	8-1	7-2	6-3	5-4
OT13	70d	55d	116d	116d	176d

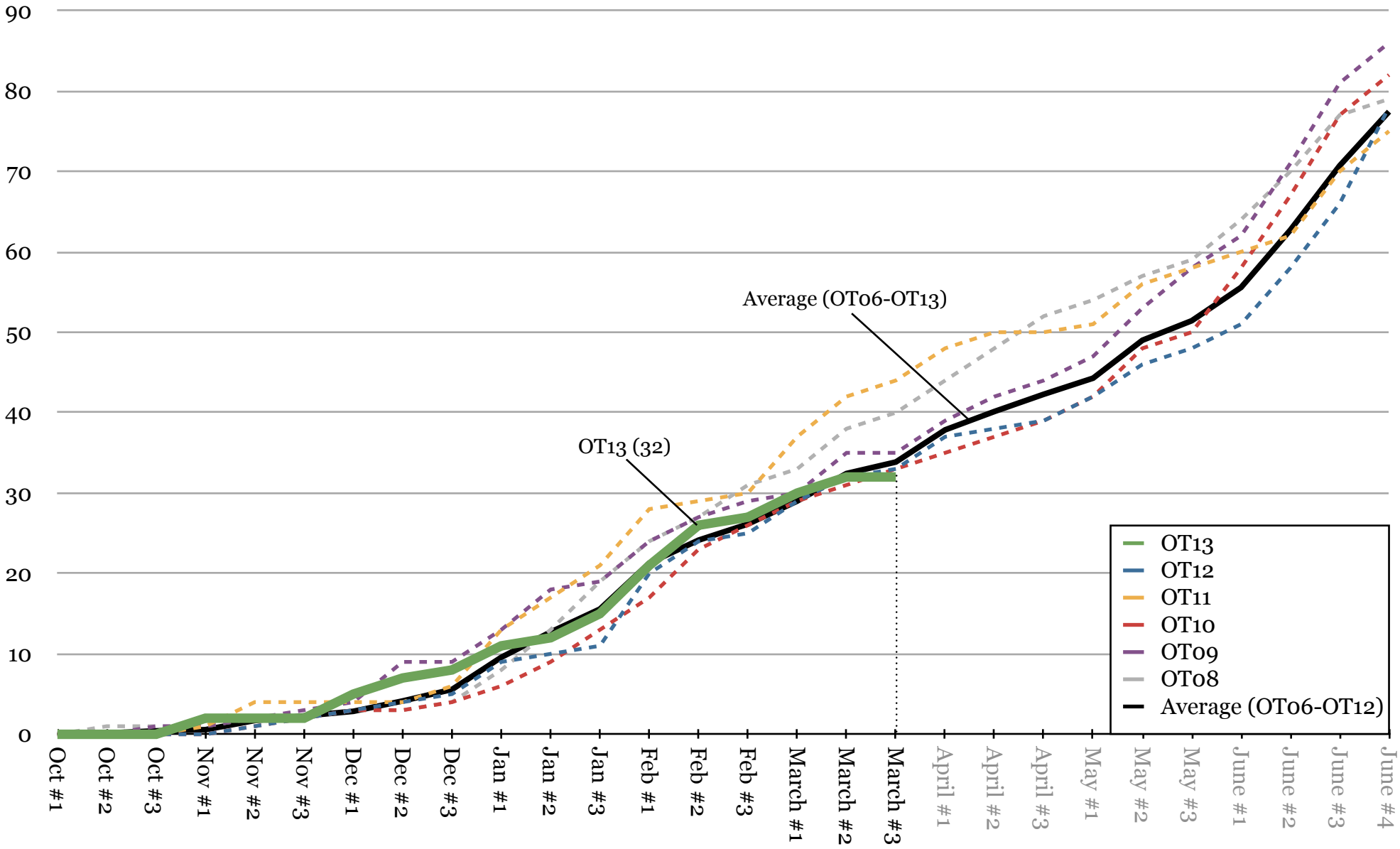
Pace of Grants

The following chart plots the pace at which the Court fills its merits docket for a given Term. Each date marker represents the conference within a given sitting. For instance, Feb #3 is the third February conference, which, for OT13, took place on March 7, 2013. Categorizing grants by their conference within a given sitting ensures more accurate cross-Term comparisons.



Pace of Opinions

The following chart plots the pace at which the Court releases merits opinions throughout the Term, beginning in October and ending in June. This chart includes both opinions released after full briefing and summary reversals. Here, as in the Pace of Grants chart, cases are categorized by their release within a given sitting, rather than by calendar month. For example, the opinion for Feb #3 of OT13 was actually released on March 10, 2014.



Grants Per Conference (OT03-Present)

	OT03	OT04	OT05	OT06	OT07	OT08	OT09	OT10	OT11	OT12	OT13	OT14	Average (OT03-OT13)		Range (OT03-OT13)
Feb #1	5	10	3	4	2	8	9	3	7	6	4	0	5.5		2 - 10
Feb #2	1	2	4	0	3	3	1	1	0	0	2	5	1.5	8.3	0 - 4
Feb #3	4	0	2	1	0	0	1	3	1	0	1	1	1.2		0 - 4
March #1	1	2	0	0	0	8	0	4	2	2	3	1	2.0		0 - 8
March #2	0	3	1	1	2	2	1	0	1	1	2	1	1.3	4.4	0 - 3
March #3	0	2	1	1	0	2	1	0	2	2	1	1	1.1		0 - 2
April #1	5	1	3	3	0	2	3	4	1	1	2		2.3		0 - 5
April #2	2	1	5	0	1	2	3	2	0	0	1		1.5	5.1	0 - 5
April #3	2	0	2	1	1	0	4	0	2	1	1		1.3		0 - 4
May #1	3	0	2	4	0	1	4	1	1	0	1		1.5		0 - 4
May #2	3	3	1	0	3	0	1	5	1	1	5		2.1	4.8	0 - 5
May #3	0	1	1	1	4	0	1	1	1	1	2		1.2		0 - 4
June #1	0	1	1	4	1	0	2	0	2	1	2		1.3		0 - 4
June #2	3	3	1	1	3	3	4	4	4	2	1		2.6	14.7	1 - 4
June #3	2	2	2	2	1	3	3	3	4	1	4		2.5		1 - 4
Final June	8	9	7	5	5	9	7	7	13	10	12		8.4		5 - 13
Long Conference	10	8	11	9	17	10	11	13	7	9	8		10.3		7 - 17
Oct #2	8	7	3	2	0	1	5	7	2	7	2		4.0	15.9	0 - 8
Oct #3	2	1	1	1	2	1	2	1	4	1	2		1.6		1 - 4
Nov #1	3	2	4	4	2	2	3	5	1	4	1		2.8		1 - 5
Nov #2	2	0	3	2	1	1	0	0	5	1	0		1.4	6.0	0 - 5
Nov #3	0	0	2	0	1	5	1	2	3	4	2		1.8		0 - 5
Dec #1	6	1	3	0	3	2	3	3	4	3	4		2.9		0 - 6
Dec #2	1	1	2	3	3	2	2	2	1	2	1		1.8	8.4	1 - 3
Dec #3	3	4	2	5	6	2	3	3	5	5	2		3.6		2 - 6
Jan #1	2	9	6	7	6	4	1	5	1	3	8		4.7		1 - 9
Jan #2	0	2	1	4	4	6	5	0	0	6	3		2.8	8.7	0 - 6
Jan #3	0	0	1	7	2	0	0	0	1	2	0		1.2		0 - 7
Total	76	75	75	72	73	79	81	79	76	76	77	9	76.3	76.3	72 - 81

Opinions Per Week (OT06-Present)

	OT06	OT07	OT08	OT09	OT10	OT11	OT12	OT13	Average (OT06-OT12)		Range (OT06-OT12)
Oct #1	0	0	0	0	0	0	0	0	0.0	0.4	0 - 0
Oct #2	0	0	1	0	0	0	0	0	0.1		0 - 1
Oct #3	1	0	0	1	0	0	0	0	0.3		0 - 1
Nov #1	0	0	0	0	0	1	0	2	0.1	1.9	0 - 1
Nov #2	0	1	1	1	1	3	1	0	1.1		0 - 3
Nov #3	1	0	0	1	1	0	1	0	0.6		0 - 1
Dec #1	0	0	1	1	1	0	1	3	0.6	3.3	0 - 1
Dec #2	1	2	0	5	0	0	1	2	1.3		0 - 5
Dec #3	2	3	1	0	1	2	1	1	1.4		0 - 3
Jan #1	4	3	4	4	2	7	4	3	4.0	10.0	2 - 7
Jan #2	1	3	5	5	3	4	1	1	3.1		1 - 5
Jan #3	3	1	6	1	4	4	1	3	2.9		1 - 6
Feb #1	5	5	5	5	4	7	9	6	5.7	10.6	4 - 9
Feb #2	1	2	3	3	6	1	4	5	2.9		1 - 6
Feb #3	2	1	4	2	3	1	1	1	2.0		1 - 4
March #1	1	2	2	1	3	7	4	3	2.9	7.7	1 - 7
March #2	2	2	5	5	2	5	3	2	3.4		2 - 5
March #3	2	1	2	0	2	2	1	0	1.4		0 - 2
April #1	5	5	4	4	2	4	4		4.0	8.4	2 - 5
April #2	3	1	4	3	2	2	1		2.3		1 - 4
April #3	5	1	4	2	2	0	1		2.1		0 - 5
May #1	1	1	2	3	3	1	3		2.0	9.1	1 - 3
May #2	5	4	3	6	6	5	4		4.7		3 - 6
May #3	1	3	2	5	2	2	2		2.4		1 - 5
June #1	4	3	5	4	8	2	3		4.1	26.0	2 - 8
June #2	8	9	6	9	9	2	7		7.1		2 - 9
June #3	6	7	7	10	10	8	8		8.0		6 - 10
June #4	8	10	2	5	5	5	12		6.7		2 - 12
Total	72	70	79	86	82	75	78	32	77.4	77.4	70 - 86

Oral Argument - Advocates

Overview

	OT10	OT11	OT12	OT13
Number of different advocates	143	118	120	105
Number of total appearances	196	182	193	153

Appearances by Advocates Who...	OT10	OT11	OT12	OT13
...Are from the Office of the Solicitor General	57 (29%)	58 (32%)	64 (33%)	50 (33%)
...Have experience in the Office of the Solicitor General	*Not Available*	*Not Available*	*Not Available*	69 (46%)
...Have argued at least twice during the Term	81 (41%)	98 (54%)	104 (54%)	77 (50%)
...Are "expert" Supreme Court litigators*	*Not Available*	*Not Available*	137 (71%)	108 (71%)
...Are based in Washington, D.C.**	106 (54%)	122 (67%)	125 (65%)	100 (65%)
...Are female	33 (17%)	27 (15%)	33 (17%)	23 (15%)
...Are female and not from the Office of the Solicitor General***	19 (14%)	14 (11%)	17 (13%)	9 (9%)

Most Popular Advocate Origins

State	Total
Washington, D.C.	100
California	7
Michigan	7
New York	5
Texas	5

Most Popular Supreme Court Clerkships

Clerkship	Appearances	Advocates
Antonin Scalia	14	8
William Brennan	12	4
Stephen Breyer	10	4
Anthony Kennedy	6	5
Sandra Day O'Connor	6	3

Most Popular Law Schools

Law School	Appearances	Advocates
Harvard	30	22
Yale	27	15
Chicago	12	8
Georgetown	5	5
Stanford	7	5

* We adopt Richard Lazarus's 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 ten 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 an advocate on the Court's monthly hearing lists. If attorneys from the Office of the Solicitor General are omitted, lawyers based in Washington, D.C., have appeared fifty times during OT13.
*** The percentage figures for this category omit all advocates from the Office of the Solicitor General. As such, they demonstrate the percentage of female advocates from positions other than those within the Office of the Solicitor General as a percentage of all men or women arguing from positions other than those within the Office of the Solicitor General.

Oral Argument - Advocates

Advocates Who Have Appeared More than Once During OT13

Rank	Name*	Appearances		Position	Law School	Supreme Court Clerkship	U.S. Solicitor General Experience**
		OT13	All-Time				
1	**Donald B. Verrilli, Jr.**	7	36	Solicitor General	Columbia	William Brennan	Yes
2	**Paul D. Clement**	4	73	Bancroft PLLC	Harvard	Antonin Scalia	Yes
	Neal K. Katyal	4	21	Hogan Lovells LLP	Yale	Stephen Breyer	Yes
4	**John J. Bursch**	3	8	Solicitor General of Michigan	Minnesota	None	No
	Michael R. Dreeben	3	91	Deputy Solicitor General	Duke	None	Yes
	Ian H. Gershengorn	3	4	Principal Deputy Solicitor General	Harvard	John Paul Stevens	Yes
	Thomas C. Goldstein	3	31	Goldstein & Russell PC	American	None	No
	Edwin S. Kneedler	3	124	Deputy Solicitor General	Virginia	None	Yes
	Mark A. Perry	3	6	Gibson Dunn LLP	Chicago	Sandra Day O'Connor	No
	Kevin K. Russell	3	10	Goldstein & Russell PC	Yale	Stephen Breyer	No
	Nicole A. Saharsky	3	20	Assistant to the Solicitor General	Minnesota	None	Yes
	Malcolm L. Stewart	3	66	Deputy Solicitor General	Yale	William Brennan	Yes
	Anthony A. Yang	3	17	Assistant to the Solicitor General	Yale	None	Yes
14	**Ginger D. Anders**	2	11	Assistant to the Solicitor General	Columbia	Ruth Bader Ginsburg	Yes
	John F. Bash	2	3	Assistant to the Solicitor General	Harvard	Antonin Scalia	Yes
	Eric J. Feigin	2	8	Assistant to the Solicitor General	Stanford	Stephen Breyer	Yes
	Curtis E. Gannon	2	16	Assistant to the Solicitor General	Chicago	Antonin Scalia	Yes
	Elaine J. Goldenberg	2	4	Assistant to the Solicitor General	Harvard	None	Yes
	Sarah E. Harrington	2	10	Assistant to the Solicitor General	Harvard	None	Yes
	Benjamin J. Horwich	2	10	Assistant to the Solicitor General	Stanford	Sandra Day O'Connor	Yes
	Peter Keisler	2	5	Sidley Austin LLP	Yale	Anthony Kennedy	No
	William L. Messenger	2	2	National Right to Work Foundation	George Washington	None	No
	Jonathan F. Mitchell	2	2	Solicitor General of Texas	Chicago	Antonin Scalia	No
	Ann O'Connell	2	8	Assistant to the Solicitor General	George Washington	John Roberts	Yes
	Joseph R. Palmore	2	9	Assistant to the Solicitor General	Virginia	Ruth Bader Ginsburg	Yes
	Carter G. Phillips	2	78	Sidley Austin LLP	Northwestern	Warren Burger	Yes
	Eric Schnapper	2	19	University of Washington	Yale	None	No
	Melissa A. Sherry	2	10	Assistant to the Solicitor General	Virginia	John Paul Stevens	Yes
	Seth P. Waxman	2	67	WilmerHale LLP	Yale	None	Yes
	Total: 29	**77**	**769**			**23**	**17**

* Yellow indicates that an advocate currently works in the Office of the Solicitor General.
** For the purposes of this category, we do not consider whether an advocate served as a Bristow Fellow.