

Justice Agreement - Highs and Lows

The following tables list the Justice pairs with the highest and lowest agreement rates based on our three metrics for justice agreement—all cases, non-unanimous cases, and 5-4 cases only—when Justices agree in full, part, or judgment only. Non-unanimous cases are those where at least one Justice dissented; cases that produced only a majority opinion and one or more concurring opinions are not included in that measure.

	Highest Agreement			Lowest Agreement		
All Cases	1	Scalia - Thomas	94.9%	1	Roberts - Ginsburg	74.6%
	2	Thomas - Alito	94.8%	2	Alito - Sotomayor	75.4%
	3	Ginsburg - Kagan	93.0%	3	Thomas - Sotomayor	75.9%
	4	Roberts - Scalia	89.8%	4	Ginsburg - Alito	75.9%
	5	Roberts - Kennedy	89.8%	5	Thomas - Ginsburg	76.3%
	6	Scalia - Alito	89.7%	6	Roberts - Sotomayor	77.6%
	7	Sotomayor - Kagan	89.3%	7	Scalia - Breyer	77.6%
	8	Roberts - Thomas	88.1%	8	Scalia - Sotomayor	77.6%
	9	Kennedy - Alito	87.9%	9	Kennedy - Sotomayor	77.6%
	10	Ginsburg - Sotomayor	87.9%	10	Kennedy - Ginsburg	78.0%
Divided Cases	1	Scalia - Thomas	85.7%	1	Alito - Sotomayor	26.3%
	2	Thomas - Alito	85.0%	2	Roberts - Ginsburg	28.6%
	3	Ginsburg - Kagan	80.0%	3	Thomas - Sotomayor	30.0%
	4	Roberts - Scalia	71.4%	4	Ginsburg - Alito	30.0%
	5	Roberts - Kennedy	71.4%	5	Thomas - Ginsburg	33.3%
	6	Scalia - Alito	70.0%	6	Roberts - Sotomayor	35.0%
	7	Sotomayor - Kagan	68.4%	7	Scalia - Sotomayor	35.0%
	8	Roberts - Thomas	66.7%	8	Kennedy - Sotomayor	35.0%
	9	Kennedy - Alito	65.0%	9	Scalia - Breyer	38.1%
	10	Ginsburg - Sotomayor	65.0%	10	Kennedy - Ginsburg	38.1%
5-4 Cases	1	Thomas - Alito	87.5%	1	Scalia - Breyer	0.0%
	2	Ginsburg - Kagan	87.5%	2	Thomas - Kagan	0.0%
	3	Roberts - Scalia	75.0%	3	Roberts - Ginsburg	12.5%
	4	Roberts - Thomas	75.0%	4	Thomas - Ginsburg	12.5%
	5	Scalia - Thomas	75.0%	5	Alito - Sotomayor	12.5%
	6	Breyer - Sotomayor	75.0%	6	Alito - Kagan	12.5%
	7	Breyer - Kagan	75.0%	7	Roberts - Breyer	25.0%
	8	Sotomayor - Kagan	75.0%	8	Roberts - Sotomayor	25.0%
	9	Roberts - Kennedy	62.5%	9	Roberts - Kagan	25.0%
	10	Roberts - Alito	62.5%	10	Scalia - Sotomayor	25.0%