

## 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 |
|------------------|---------|
| <b>Scalia</b>    | 22.0    |
| <b>Sotomayor</b> | 19.0    |
| <b>Breyer</b>    | 17.5    |
| <b>Roberts</b>   | 13.8    |
| <b>Kagan</b>     | 12.7    |
| <b>Ginsburg</b>  | 11.1    |
| <b>Kennedy</b>   | 10.1    |
| <b>Alito</b>     | 9.4     |
| <b>Thomas</b>    | 0.0     |

### Frequency as the Top Questioner or as a Top 3 Questioner

|                  | Freq. Top 1 | Freq. Top 3 |
|------------------|-------------|-------------|
| <b>Scalia</b>    | 43%         | 62%         |
| <b>Sotomayor</b> | 26%         | 51%         |
| <b>Breyer</b>    | 23%         | 42%         |
| <b>Ginsburg</b>  | 4%          | 18%         |
| <b>Kagan</b>     | 4%          | 13%         |
| <b>Roberts</b>   | 3%          | 10%         |
| <b>Kennedy</b>   | 3%          | 6%          |
| <b>Alito</b>     | 1%          | 12%         |
| <b>Thomas</b>    | 0%          | 0%          |

### Most Active Arguments

|                  | Argument              | Number of Questions (% of all Questions) |
|------------------|-----------------------|------------------------------------------|
| <b>Roberts</b>   | Michigan v. EPA       | 36 (18%)                                 |
| <b>Scalia</b>    | Michigan v. EPA       | 51 (25%)                                 |
| <b>Kennedy</b>   | Los Angeles v. Patel  | 32 (16%)                                 |
| <b>Thomas</b>    | N/A                   | N/A                                      |
| <b>Ginsburg</b>  | Gelboim v. BoA        | 34 (17%)                                 |
| <b>Breyer</b>    | Bullard v. Blue Hills | 41 (20%)                                 |
| <b>Alito</b>     | Obergefell v. Hodges  | 42 (21%)                                 |
| <b>Sotomayor</b> | Obergefell v. Hodges  | 58 (29%)                                 |
| <b>Kagan</b>     | Obergefell v. Hodges  | 41 (20%)                                 |

### Frequency as the First Questioner

|                  | Frequency |     |
|------------------|-----------|-----|
| <b>Ginsburg</b>  | 20 /68    | 29% |
| <b>Sotomayor</b> | 14 /68    | 21% |
| <b>Scalia</b>    | 12 /68    | 18% |
| <b>Kennedy</b>   | 11 /68    | 16% |
| <b>Roberts</b>   | 5 /68     | 7%  |
| <b>Kagan</b>     | 4 /68     | 6%  |
| <b>Alito</b>     | 2 /68     | 3%  |
| <b>Thomas</b>    | 0 /68     | 0%  |
| <b>Breyer</b>    | 0 /66     | 0%  |