**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

<table>
<thead>
<tr>
<th>Justice</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scalia</td>
<td>22.0</td>
</tr>
<tr>
<td>Sotomayor</td>
<td>19.0</td>
</tr>
<tr>
<td>Breyer</td>
<td>17.5</td>
</tr>
<tr>
<td>Roberts</td>
<td>13.8</td>
</tr>
<tr>
<td>Kagan</td>
<td>12.7</td>
</tr>
<tr>
<td>Ginsburg</td>
<td>11.1</td>
</tr>
<tr>
<td>Kennedy</td>
<td>10.1</td>
</tr>
<tr>
<td>Alito</td>
<td>9.4</td>
</tr>
<tr>
<td>Thomas</td>
<td>0.0</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Justice</th>
<th>Freq. Top 1</th>
<th>Freq. Top 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scalia</td>
<td>43%</td>
<td>62%</td>
</tr>
<tr>
<td>Sotomayor</td>
<td>26%</td>
<td>51%</td>
</tr>
<tr>
<td>Breyer</td>
<td>23%</td>
<td>42%</td>
</tr>
<tr>
<td>Ginsburg</td>
<td>4%</td>
<td>18%</td>
</tr>
<tr>
<td>Kagan</td>
<td>4%</td>
<td>13%</td>
</tr>
<tr>
<td>Roberts</td>
<td>3%</td>
<td>10%</td>
</tr>
<tr>
<td>Kennedy</td>
<td>3%</td>
<td>6%</td>
</tr>
<tr>
<td>Alito</td>
<td>1%</td>
<td>12%</td>
</tr>
<tr>
<td>Thomas</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>

### Most Active Arguments

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

### Frequency as the First Questioner

<table>
<thead>
<tr>
<th>Justice</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ginsburg</td>
<td>20 /68 29%</td>
</tr>
<tr>
<td>Sotomayor</td>
<td>14 /68 21%</td>
</tr>
<tr>
<td>Scalia</td>
<td>12 /68 18%</td>
</tr>
<tr>
<td>Kennedy</td>
<td>11 /68 16%</td>
</tr>
<tr>
<td>Roberts</td>
<td>5 /68 7%</td>
</tr>
<tr>
<td>Kagan</td>
<td>4 /68 6%</td>
</tr>
<tr>
<td>Alito</td>
<td>2 /68 3%</td>
</tr>
<tr>
<td>Thomas</td>
<td>0 /68 0%</td>
</tr>
<tr>
<td>Breyer</td>
<td>0 /66 0%</td>
</tr>
</tbody>
</table>