

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 - *i.e.*, all cases, non-unanimous cases, and 5-4 cases only - when Justices agree in full, part, or judgment only. Non-unanimous cases are those in which 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	Ginsburg - Breyer	94.4%	1	Thomas - Sotomayor	50.0%
	2	Breyer - Sotomayor	94.4%	2	Thomas - Breyer	51.4%
	3	Breyer - Kagan	94.4%	3	Thomas - Kagan	54.1%
	4	Ginsburg - Kagan	93.2%	4	Thomas - Ginsburg	55.4%
	5	Ginsburg - Sotomayor	91.9%	5	Alito - Kagan	56.8%
	6	Sotomayor - Kagan	90.5%	6	Scalia - Ginsburg	58.1%
	7	Roberts - Scalia	83.8%	7	Scalia - Sotomayor	58.1%
	8	Kennedy - Sotomayor	82.4%	8	Ginsburg - Alito	58.1%
	9	Roberts - Alito	81.1%	9	Alito - Sotomayor	60.8%
	10	Kennedy - Kagan	81.1%	10	Scalia - Breyer	62.5%
Divided Cases	1	Ginsburg - Breyer	90.5%	1	Thomas - Sotomayor	15.9%
	2	Breyer - Sotomayor	90.5%	2	Thomas - Breyer	16.7%
	3	Breyer - Kagan	90.5%	3	Thomas - Kagan	22.7%
	4	Ginsburg - Kagan	88.6%	4	Thomas - Ginsburg	25.0%
	5	Ginsburg - Sotomayor	86.4%	5	Alito - Kagan	27.3%
	6	Sotomayor - Kagan	84.1%	6	Scalia - Ginsburg	29.5%
	7	Roberts - Scalia	72.7%	7	Scalia - Sotomayor	29.5%
	8	Kennedy - Sotomayor	70.5%	8	Ginsburg - Alito	29.5%
	9	Roberts - Alito	68.2%	9	Alito - Sotomayor	34.1%
	10	Kennedy - Kagan	68.2%	10	Scalia - Breyer	35.7%
5-4 Cases	1	Roberts - Alito	94.7%	1	Scalia - Sotomayor	0.0%
	2	Scalia - Thomas	94.7%	2	Alito - Kagan	0.0%
	3	Ginsburg - Sotomayor	94.7%	3	Roberts - Kagan	5.3%
	4	Breyer - Sotomayor	94.7%	4	Scalia - Ginsburg	5.3%
	5	Ginsburg - Breyer	89.5%	5	Scalia - Breyer	5.3%
	6	Ginsburg - Kagan	89.5%	6	Thomas - Sotomayor	5.3%
	7	Scalia - Alito	84.2%	7	Thomas - Ginsburg	10.5%
	8	Sotomayor - Kagan	84.2%	8	Thomas - Breyer	10.5%
	9	Roberts - Scalia	78.9%	9	Ginsburg - Alito	10.5%
	10	Thomas - Alito	78.9%	10	Roberts - Ginsburg	15.8%