

## Days Between 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 and, as the charts below show, it was fairly successful during OT 2010.

| Argued          | Avg. Days   |
|-----------------|-------------|
| <b>October</b>  | 207d        |
| <b>November</b> | 179d        |
| <b>December</b> | 165d        |
| <b>January</b>  | 117d        |
| <b>February</b> | 140d        |
| <b>March</b>    | 130d        |
| <b>April</b>    | 118d        |
| <b>Overall</b>  | <b>153d</b> |

|                |             |
|----------------|-------------|
| <b>Average</b> | <b>153d</b> |
| <b>Median</b>  | <b>149d</b> |
| <b>St. Dev</b> | <b>38d</b>  |

|                 |                |      |
|-----------------|----------------|------|
| <b>Longest</b>  | <i>Abbott</i>  | 252d |
| <b>Shortest</b> | <i>Montana</i> | 90d  |

|             |             |
|-------------|-------------|
| <b>OT03</b> | 172d        |
| <b>OT04</b> | 167d        |
| <b>OT05</b> | 165d        |
| <b>OT06</b> | 131d        |
| <b>OT07</b> | 134d        |
| <b>OT08</b> | 167d        |
| <b>OT09</b> | 168d        |
| <b>OT10</b> | <b>153d</b> |

|                | Rank |                      | Days | Month Argued | Granted | Argued |
|----------------|------|----------------------|------|--------------|---------|--------|
| <b>Longest</b> | 1    | <i>Abbott</i>        | 252d | October      | Jan 25  | Oct 4  |
|                | 2    | <i>Flores-Villar</i> | 233d | November     | Mar 22  | Nov 10 |
|                | 3    | <i>Harrington</i>    | 232d | October      | Feb 22  | Oct 12 |
|                | 4    | <i>LA County</i>     | 225d | October      | Feb 22  | Oct 5  |
|                | 5*   | <i>Michigan</i>      | 218d | October      | Mar 1   | Oct 5  |
|                | 5*   | <i>Bruesewitz</i>    | 218d | October      | Mar 8   | Oct 12 |
|                | 7    | <i>Snyder</i>        | 212d | October      | Mar 8   | Oct 6  |
|                | 8    | <i>NASA</i>          | 211d | October      | Mar 8   | Oct 5  |
|                | 9    | <i>Matrixx</i>       | 210d | January      | Jun 14  | Jan 10 |
|                | 10   | <i>Kasten</i>        | 205d | October      | Mar 22  | Oct 13 |

|                 | Rank |                     | Days | Month Argued | Granted | Argued |
|-----------------|------|---------------------|------|--------------|---------|--------|
| <b>Shortest</b> | 1    | <i>Montana</i>      | 90d  | January      | Oct 12  | Jan 10 |
|                 | 2*   | <i>McIntyre</i>     | 105d | January      | Sep 28  | Jan 11 |
|                 | 2*   | <i>Goodyear</i>     | 105d | January      | Sep 28  | Jan 11 |
|                 | 4*   | <i>Sykes</i>        | 106d | January      | Sep 28  | Jan 12 |
|                 | 4*   | <i>King</i>         | 106d | January      | Sep 28  | Jan 12 |
|                 | 6    | <i>McNeill</i>      | 108d | April        | Jan 7   | Apr 25 |
|                 | 7*   | <i>Talk America</i> | 110d | March        | Dec 10  | Mar 30 |
|                 | 7*   | <i>PLIVA</i>        | 110d | March        | Dec 10  | Mar 30 |
|                 | 9*   | <i>Stern</i>        | 112d | January      | Sep 28  | Jan 18 |
|                 | 9*   | <i>Bayer</i>        | 112d | January      | Sep 28  | Jan 18 |

\* You can read about a less successful past Term here <<http://www.scotusblog.com/2008/01/on-the-docket-and-briefing-schedules/>>.

\* In a handful of cases, the Court will not be presented with a petition for writ of certiorari, but will instead receive a Statement of Jurisdiction. These charts treat those cases identically to cert. petitions and the “Grant Date” indicates when the Court noted probable jurisdiction or postponed the determination of jurisdiction.