

Majority Opinion Distribution by Senior Justices - OT13

For each case decided with a merits opinion, the author of the majority opinion is selected by the most senior Justice who votes with the majority. For example, in *Abramski v. United States*, a 5-4 decision in which Justices Kennedy, Ginsburg, Breyer, Sotomayor, and Kagan voted in the majority, Justice Kennedy (the most senior Justice in the majority) assigned authorship duties to Justice Kagan (the author of the majority opinion). The tables below demonstrate how the five most senior Justices on the Court assigned majority opinions during OT13 when they had the chance. For unanimous cases we have showed only statistics for Chief Justice Roberts because he is always the most senior Justice in the majority for unanimous opinions.

Unanimous Cases

	Roberts		Scalia		Kennedy		Thomas		Ginsburg		Breyer		Alito		Sotomayor		Kagan	
Roberts* (42)	5	12%	5	12%	3	7%	6	14%	4	10%	4	10%	5	12%	8	19%	2	5%

Divided Cases

	Roberts		Scalia		Kennedy		Thomas		Ginsburg		Breyer		Alito		Sotomayor		Kagan	
Roberts (19)	2	11%	3	16%	3	16%	1	5%	2	11%	2	11%	3	16%	0	0%	3	16%
Scalia (3)			0	0%	0	0%	0	0%	1	33%	1	33%	0	0%	0	0%	1	33%
Kennedy (3)			2	67%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	1	33%
Thomas (0)					0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Ginsburg (0)							0	0%	0	0%	0	0%	0	0%	0	0%	0	0%

* The only instance in which the Chief Justice would *not* be the most senior Justice in the majority of a unanimous decision would be when he is recused. He was not recused in any unanimous decisions during OT13.

Majority Opinion Distribution by Senior Justice - OT10 through OT13

Like the tables on the previous page, the tables below show how each of the most senior Justices assigned majority opinion authorship duties when they were, in fact, the most senior Justice in the majority. Unlike the tables above, however, the information on this page covers OT10-OT13.

Unanimous Cases

	Roberts		Scalia		Kennedy		Thomas		Ginsburg		Breyer		Alito		Sotomayor		Kagan	
Roberts* (132)	15	11%	19	14%	8	6%	16	12%	20	15%	11	8%	12	9%	16	12%	15	11%

Divided Cases

	Roberts		Scalia		Kennedy		Thomas		Ginsburg		Breyer		Alito		Sotomayor		Kagan	
Roberts (115)	15	13%	11	10%	20	17%	13	11%	8	7%	12	10%	18	16%	8	7%	10	9%
Scalia (9)			3	33%	0	0%	0	0%	2	22%	1	11%	0	0%	2	22%	1	11%
Kennedy (19)					8	42%	0	0%	1	5%	5	26%	0	0%	2	11%	3	16%
Thomas (2)							1	50%	1	50%	0	0%	0	0%	0	0%	0	0%
Ginsburg (0)									0	0%	0	0%	0	0%	0	0%	0	0%

* Chief Justice Roberts was recused in two unanimous cases during the past four Terms. Justice Scalia assigned one of those opinions, *Microsoft v. i4i Limited Partnership*, to Justice Sotomayor and the other, *Credit Suisse (USA) v. Simmonds*, to himself.