

SUPREME COURT OF THE UNITED STATES UPDATE 2018-2019

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A POST-KENNEDY SUPREME COURT

• "[The retirement of Justice Anthony Kennedy] was, I would say, the event of greatest consequence for the current Term, and perhaps for many Terms ahead." Ginsburg, J. (June 7, 2019)

"The 2018-2019 Supreme Court term promises to be an important one"
Elizabeth Slattery,
Heritage Foundation (Sept. 18, 2018)

 Term "got off to a sleepy start," but "potential blockbusters on the docket for the new year." The Hill (Dec. 30, 2018)

STATISTICS TO DATE

- October Term 2017
 - 63 merits decisions in argued cases
 - Decisions divided 5-3 or 5-4: 19 (26%)
 - Unanimous: 28 cases
- Number of 5-4 opinions (historical)
 - 2016: 7 (10%)
 - 2015: 4 (5%)
 - 2014: 19 (26%)
 - 2013: 10 (14%)
 - 2012: 23 (29%)

Historical data from Scotusblog

- October Term 2018 (as of June 18)
 - 69 argued cases
 - 49 opinions issued in argued cases
 - Decisions divided 5-4 or 5-3: 12
 - Unanimous: 25

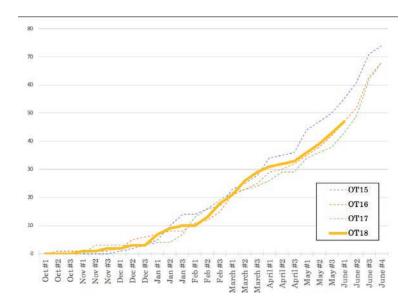
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SUBJECT MATTER OF ARGUED CASES OT 2018

- Business law: 21
- · Criminal, habeas, and related: 13
- Other constitutional law: 10
- Procedure and jurisdiction: 9
- Administrative and environmental law: 9
- · Voting rights: 3
- Tribal law: 3
- Immigration: 1
- Other: 1

PACE OF DECISIONS (AS OF JUNE 17)



As of June 17, major cases awaiting decision (argued):

Gundy (Oct.)
Knick (Jan.)
American Legion (Feb.)
Rucho (Mar.)
Benisek (Mar.)
Kisor (Mar.)
Commerce (Apr.)

Source: Scotusblog

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JUSTICE BRETT KAVANAUGH - FIRST FULL TERM (AS OF JUNE 17)

- · Six majority opinions to date
 - Schein (9-0); Rimini (9-0); Quarles (9-0); Air & Liquid (6-3); Apple (5-4); Halleck (5-4)
- Percentage voting agreement in full, part, or judgment (from Scotusblog, as of June 15): JGR (95%); SAA (91%); CT (81%); SGB (79%); EK (77%); NG (74%); RBG (72%); SS (72%).
- Dissents: Cougar Den (5-4)
- Notable vote alignments: Apple v. Pepper, Moore v. Texas; Garza v. Idaho; Air & Liquid
- By comparison:
 - NG OT'17: 7 majority opinions (one unanimous, one 7-2, five 5-4);
 4 concurrences; 6 dissents
 - EK OT'10: 7 majority opinions (three unanimous, two 8-1, two 7-2);
 0 concurrences, 3 dissents
 - SS OT'09: 8 majority opinions (four unanimous, one 8-1, two 7-2, one 6-3);
 3 concurrences, 4 dissents

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