

Table 1: Methods of Discussion, Voting, and Assignment

State Court	Order of Discussion	Order of Vote	Simultaneity	Method of Assignment
Alabama	Reporting justice, then open	Reverse seniority	Not simultaneous	From clerk's office, rotation
Alaska	Authoring justice, reverse seniority	Same as discussion	Not simultaneous	From clerk's office, rotation (seniority)
Arizona	Vice CJ, then seniority, CJ last*	Same as discussion*	Simultaneous*	CJ if in majority, else senior justice
Arkansas	Reporting justice, back-up, then seniority from back-up, then seniority of those left, CJ 1st if left*	Same as discussion*	Simultaneous*	From clerk's office, rotation
California	Seniority, CJ last	Same as discussion	Simultaneous*	CJ, for all cases
Colorado	Reverse seniority	Same as discussion	Simultaneous*	CJ, for all cases*
Connecticut	Most junior member, then open	Reverse seniority*	Not simultaneous	CJ, for all cases
Delaware	Reverse seniority	Same as discussion	Not simultaneous	Senior-most justice on panel*
Florida	Reporting justice, seniority, CJ last	Same as discussion	Simultaneous*	From clerk's office, by rotation
Georgia	Reporting justice, then open	By show of hands*	Not simultaneous	From clerk's office, by rotation
Hawaii	Reporting justice, seniority, CJ last*	Same as discussion*	Simultaneous*	Reporting justice if in majority, else consensus of majority*
Idaho	Reporting justice, seniority, irrespective of CJ status	Same as discussion	Not simultaneous	From clerk's office, at random
Illinois	Reporting justice, then open	Reverse seniority*	Not simultaneous	From CJ, by rotation
Indiana	Reverse seniority	Same as discussion	Simultaneous*	Consensus of the majority
Iowa	Reporting justice, counter-clockwise*	Same as discussion*	Simultaneous*	From CJ, at random*
Kansas	Reporting justice, then open	Same as discussion	Not simultaneous	CJ if in majority, else senior justice*
Kentucky	Discussion leader, clockwise rotation* ^a	Blindly online*	Not simultaneous	CJ for cert grants, else clerk (random)*
Louisiana	Reporting justice, then open	Same as discussion	Not simultaneous	Drawn at random after orals
Maine	Reporting justice, reverse seniority, CJ last	Same as discussion	Simultaneous*	From CJ, by rotation
Maryland	Reverse seniority, CJ last	Same as discussion	Simultaneous*	CJ if in majority, else senior justice
Massachusetts	Reporting justice, seniority, CJ last*	Seniority, CJ last	Not simultaneous	CJ, for all cases
Michigan	Discussion leader, then seniority ^b	Same as discussion	Simultaneous*	At random, after orals
Minnesota	Reporting justice, seniority, CJ last	Same as discussion	Not simultaneous	From commissioner's office, rotation
Mississippi	Reporting justice, separate opinion-writers (by seniority), then seniority*	Reverse seniority*	Not simultaneous	From clerk's office, rotation (seniority)*
Missouri	No formal order*	Reverse seniority	Not simultaneous	From CJ, by rotation (after orals)
Montana	No formal order*	Same as discussion*	Simultaneous*	From CJ, by rotation
Nebraska	Reporting justice, then open	Seniority, CJ first	Not simultaneous	From clerk's office, by rotation
Nevada	Reporting justice, then around table	Same as discussion	Not simultaneous	From clerk's office, by rotation
New Hampshire	CJ first, then open*	No formal order	Simultaneous*	Random draw (before orals)*
New Jersey	Reporting justice, seniority*	Seniority, CJ first	Not simultaneous	CJ if in majority, else senior justice
New Mexico	Reporting justice, then open	Same as discussion	Not simultaneous	From clerk's office, at random*
New York	Reporting justice, reverse seniority, CJ last	Same as discussion	Simultaneous*	At random (after orals)
North Carolina	No formal order*	Reverse seniority	Not simultaneous	Rotation, not by CJ*

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North Dakota	Reverse seniority, authoring justice last*	No formal order	Not simultaneous	From clerk's office, by rotation
Ohio	Seniority, CJ first	Same as discussion*	Not simultaneous	Random draw (after orals)
Oklahoma (Civil)	Reporting justice, reverse seniority	Same as discussion	Not simultaneous	From Vice CJ, by rotation* ^c
Oklahoma (Criminal)	Authoring justice, justice who brought case to conference, then seniority*	No vote at conference*	Not simultaneous	Rotation (seniority)
Oregon	CJ first, then around table*	CJ selects the first voter, then rotation*	Simultaneous*	CJ, for all cases ^d
Pennsylvania	CJ leads discussion, no formal order*	Reverse seniority*	Not simultaneous	CJ if in majority, else senior justice*
Rhode Island	Justice to left of authoring member, clock-wise, authoring justice last*	Same as discussion*	Simultaneous*	From CJ, by rotation
South Carolina	Reporting justice, seniority	Same as discussion	Simultaneous*	From clerk's office, by rotation
South Dakota	Reporting justice, then clockwise*	Same as discussion*	Simultaneous*	From clerk's office, at random ^e
Tennessee	First speaker random, then rotation*	No formal order	Simultaneous*	CJ, for all cases*
Texas (Civil)	Authoring justice, then rotation	Same as discussion	Not simultaneous	Random draw
Texas (Criminal)	Presiding judge, reverse seniority*	Same as discussion*	Not simultaneous	From clerk's office, by rotation* ^f
Utah	No formal order	Same as discussion	Not simultaneous	From clerk's office (before orals) ^g
Vermont	Reporting justice, reverse seniority, CJ last*	Same as discussion*	Simultaneous*	By rotation, if in majority*
Virginia	Justice to right of authoring member, around table, authoring justice last*	Same as discussion*	Not simultaneous	From clerk's office, at random
Washington	Reporting justice, CJ calls on those with contrary views (raised hands)*	Reporting justice, then rotation	Not simultaneous	From clerk's office, at random ^h
West Virginia	Reporting justice, reverse seniority	Same as discussion*	Not simultaneous	From CJ, by rotation
Wisconsin	Reporting justice, the seniority with respect to reporting justice*	Same as discussion*	Simultaneous*	Random draw among majority*
Wyoming	Reporting justice, CJ, seniority with respect to reporting justice*	Same as discussion*	Simultaneous*	By CJ, for all cases

Note: An "asterisk" indicates a difference with Hall's (1990) database.

^aThe discussion leader rotates clockwise as well for each case.

^bDiscussion leader rotates in each case by seniority.

^cAlso by Chief Justice for cases retained on the merits (i.e., not *certiorari* or original jurisdiction cases). Chief Justice not a part of the normal rotation of authorship

^dBut if the case is a direct appeal, then assignment is defined by rotation. Nevertheless, the CJ could, in theory, reassign.

^eThe assigned justice must carry a majority of the court, however, or the opinion goes to a majority member.

^fThe assigned justice must carry a majority of the court, however, or the opinion goes to a majority member.

^gThe assigned justice must carry a majority of the court, however, or the opinion goes to a majority member.

^hThis is true even if assigned justice is in the minority so long as he will conform to the majority's viewpoint.