



THE QUORUM RULE

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THE SUPREME COURT MUST HAVE six members for a quorum. The United States Code is pretty clear on this: Section 1 of title 28 states, “The Supreme Court of the United States shall consist of a Chief Justice of the United States and eight associate justices, any six of whom shall constitute a quorum.”¹ The Court’s Rule 4.2 is similarly unequivocal: “Six Members of the Court constitute a quorum.”²

So what if the Court is supposed to meet but there aren’t enough Justices for a quorum? You might think that would be easy enough to avoid, but it happens to be the very first question the Supreme Court (or at least a non-quorum assembly thereof) ever faced.

You see, the Supreme Court’s quorum requirement was first set by the Judiciary Act of 1789, the forebear of 28 U.S.C. § 1. The Act provided that “the supreme court of the United States shall consist of a chief justice and five associate justices, any four of whom shall be a quorum.”³ The Act required the Court to sit in two sessions, beginning on the first Monday of February and August. It was passed on Sept. 24, 1789, so the Court’s first Term was set to start on the first First Monday after that, February 1, 1790. But – well, let’s let Chief Justice Burger tell the story:

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¹ 28 U.S.C. § 1.

² Sup. Ct. R. 4.2. Why the Court felt it necessary to adopt a quorum rule that says the same thing as its statutory quorum requirement is left to the reader’s imagination.

³ 1st Cong. Sess. I Ch. 20 (1789), 1 Stat. 73.

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On the day set, only three of the six Justices who had been confirmed were present.[⁴] There being no quorum they met the following day when the fourth Justice[⁵] arrived. The fifth[⁶] did not make it at all and the sixth, Justice Harrison, declined the appointment partly on the grounds of health and probably influenced by the reality that riding circuit, with the primitive conditions of travel in that day, was a burden that only a Justice in robust health could undertake.⁷

John Tucker, the Court's first Clerk, recorded the occasion, noting the presence of Chief Justice John Jay and Associate Justices William Cushing and James Wilson, and stating: "This being the day assigned by Law, for commencing the first Sessions of the Supreme Court of the United States, and a sufficient Number of the Justices to form a quorum not being convened, the Court is adjourned, by the Justices now present, until to Morrow, at one of the Clock in the afternoon."⁸ The Clerk's notes for the following day show the addition of Justice John Blair and state, "Proclamation is made and the Court is opened."⁹

So the practice established by the Court on its very first day was that when a quorum is lacking, the Court adjourns until it can meet with a

⁴ Chief Justice John Jay and Associate Justices William Cushing and James Wilson.

⁵ Associate Justice John Blair.

⁶ Associate Justice John Rutledge.

⁷ 1989 *Journal of the Supreme Court* 343 (during a special session to commemorate the 200th anniversary of the Court's first meeting). Although Chief Justice Burger refers to "Justice Harrison," as he notes, Robert H. Harrison never actually became a Justice, having declined the appointment. See Lee Epstein et al., *THE SUPREME COURT COMPENDIUM* 250 (3d ed. 2003).

⁸ 1 *DOCUMENTARY HISTORY OF THE SUPREME COURT OF THE UNITED STATES* 171. The words "to form a quorum" appear as a caret insertion in pencil and apparently may not be contemporaneous. *Id.* at 171 n.4. Contemporary newspapers, however, noted specifically that the adjournment was due to the lack of a quorum. See 2 *DOCUMENTARY HISTORY OF THE SUPREME COURT OF THE UNITED STATES* 686-687.

⁹ 1 *DOCUMENTARY HISTORY OF THE SUPREME COURT OF THE UNITED STATES* 171. The Court didn't do much that day. Since there were no cases, it contented itself to read letters appointing the Chief Justice, the Associate Justices (or at least those present), and the Attorney General, and appointing a Cryer of the Court. *Id.* at 173-175. During the ensuing sessions, the Court appointed the Clerk, adopted a seal, and admitted attorneys to its Bar. *Id.* at 175-177.

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quorum. That practice is now enshrined in the Court's Rule 4.2, which states: "In the absence of a quorum on any day appointed for holding a session of the Court, the Justices attending – or if no Justice is present, the Clerk or a Deputy Clerk – may announce that the Court will not meet until there is a quorum."¹⁰ In other words, the Court should handle a lack of quorum in the same way that Chief Justice Jay did on the first Monday in February 1790.

Flash forward a couple hundred years. On the first Monday in October 2016, the Court assembled with just five members: the Chief Justice and Justices Kennedy, Thomas, Alito, and Sotomayor – one short of the six-Justice quorum requirement.¹¹ Under Rule 4.2, the Chief should have announced the lack of quorum, apologized or whatever, and postponed the beginning of the 2016 Term until the next day. According to the Court's Journal, here's what happened instead:

The Chief Justice said:

"I have the honor to announce, on behalf of the Court that the October 2015 Term of the Supreme Court of the United States is now closed, and the October 2016 Term is now convened.

"Today's orders of the Court have been duly entered and certified, and filed with the Clerk."¹²

If anyone was surprised that the Court session occurring before them lacked a quorum, the Court's Journal does not reflect it. And although the Court did not hear oral arguments, what happened that day spans 138 pages of the Journal. The written orders included:

¹⁰ The requirement to adjourn for lack of a quorum has been in the Court's rules since 1954. It was adopted as Rule 4.3 on April 12, 1954 and became effective July 1, 1954. See Revised Rules of the Supreme Court of the United States, www.supremecourt.gov/pdfs/rules/rules_1954.pdf. The Rules have expressly stated that a quorum is 6 justices since 1980. See Rules of the Supreme Court of the United States, www.supremecourt.gov/pdfs/rules/rules_1980.pdf.

¹¹ The Court was down to eight Justices at the beginning of the 2016 Term due to the death of Justice Scalia and the Senate's failure to act on President Obama's nomination of Merrick Garland to fill the vacancy. Justices Ginsburg, Breyer, and Kagan were likely absent because the first Monday in October coincided with Rosh Hashanah that year.

¹² 2016 Journal of the Supreme Court 1. I refer to the Court's Journal a lot in this article, so from here on out I'm dropping "of the Supreme Court" from the citations.

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- summary decisions in eight cases;
- nine pages of other orders in pending cases;
- a long list of cases in which certiorari was denied;
- shorter lists of cases in which habeas corpus, mandamus, prohibition, and rehearing, respectively, was denied;
- six disciplinary orders; and
- the admission of numerous attorneys to the Supreme Court Bar on written motion.¹³

The Court did not stop after issuing written orders. It also admitted 36 attorneys to its Bar on oral motions presented by four members of the Bar.¹⁴ If those motions were handled in the usual way, the Clerk called the name of the first attorney movant, who then proceeded to the rostrum. What likely happened next is described in the “Instructions to Movant” provided by the Clerk’s office:

Proceed to the rostrum when your name is called by the Clerk. Wait for the Chief Justice to recognize you before making the following statement:

“Mr. Chief Justice, and May it Please the Court, I move the admission of _____ of the Bar of the State (Commonwealth) of _____.

I am satisfied that he (she) possesses the necessary qualifications.”¹⁵

Each applicant would have stood as his or her name was called. When the movant was finished, Chief Justice Roberts, sitting with only four other Justices, likely replied: “Thank you, your motion is granted and the applicants will be admitted,” at which point the applicants sat down and the clerk called the next movant to the rostrum. When all the motions were heard, the Chief likely welcomed them to the Supreme Court Bar and instructed the Clerk to administer the oath.¹⁶ The Clerk would then have instructed the group of applicants to stand and asked whether they “solemnly swear (or affirm) that as an attorney and as a counselor of this

¹³ *Id.* at 1-3; 3-12; 12-126; 126-127; 127-128; 128-136.

¹⁴ *Id.* at 136-138.

¹⁵ Stern & Gressman, *SUPREME COURT PRACTICE* 851 (8th ed. 2002).

¹⁶ *Id.*

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Court, you will conduct yourself uprightly, and according to law, and that you will support the Constitution of the United States,” to which the applicants would have responded “I do.”¹⁷ Following the attorney admissions, the Court adjourned until the following day when all eight Justices were in attendance.¹⁸

According to the plain language of 28 U.S.C. § 1 and the Court’s own Rule 4.2, none of that was supposed to happen. So what’s going on? Read on to discover how often the Supreme Court has met without a quorum and what, if any, effect the lack of quorum has on the actions it has taken during sessions without a quorum.

I.

HOW LONG HAS THIS BEEN GOING ON?

We know that in 1789 the Court was serious enough about obeying the quorum rule that it postponed its very first meeting and that in 2016 the Court was not quite so fastidious. Where did it all go wrong? How often are the Justices missing sessions?

To start with the first question, the short answer appears to be that it went wrong in October Term 1994. An examination of the Court’s Journals shows that the opening session of October Term 2016 was no fluke. The Court has convened with fewer than six Justices once in the current Term, and at least once during every Term from 2012 to 2017.¹⁹ It obeyed the quorum rule in the 2010 and 2011 Terms, but before that it violated the rule for sixteen straight Terms, 1994 to 2009. In total, the Court has met 49 times without a quorum since the opening day of the 1994 Term, an average of two non-quorum sessions per Term.²⁰

¹⁷ *Id.* at 851 n.14.

¹⁸ 2016 Journal at 138-139; *see supra* n.12.

¹⁹ A chart listing each non-quorum session is included as an appendix to this article. The Court was short only one justice for most of the non-quorum sessions, but it has also met twelve times with four Justices and twice (in 1997 and 2007) with just three. *See App., infra*.

²⁰ The most non-quorum sessions in a single term was five in the 2004 Term; the fewest was, well, zero in OT 2010, 2011, and 2018. *See id.*

Before the 1994 Term, however, non-quorum sessions were much less common. The Journal shows only two such sessions (one each in the 1983 and 1985 Terms) in the 34 Terms from 1960 to 1993.²¹ In the first of those sessions, the Court handed down decisions in three argued cases but did not issue written orders or admit attorneys to its Bar.²² On June 9, 1986, however, a five-member Court did all of those things.²³ That was unusual enough that the Clerk noted in the table of contents of the Court’s Journal that the “Court met to announce opinions, orders without quorum.”²⁴

Why the sudden change? The Court did not revise the quorum rule between the 1993 and 1994 Terms. Nor did it announce that it would no longer adhere to the quorum rule. It did, however, have some notable personnel changes between those two Terms. Most importantly, Justice Blackmun announced his retirement in the spring of 1994 and Justice Breyer was confirmed as his replacement that summer. One might speculate that Justice Blackmun, who was present for the non-quorum sessions during the 1983 and 1985 Terms – and perhaps stirred by the Clerk’s having taken note of the latter session – voiced some objection and that the other Justices agreed to make sure no more than three Justices were missing from any public session, at least while Blackmun was still on the bench.

The end of the 1993 Term also brought the retirements of Alfred Wong, the Court’s Marshal from 1976 to 1993, and Robb Jones, Chief Justice Rehnquist’s Administrative Assistant.²⁵ In his announcement of Wong’s retirement, Rehnquist noted that “[t]he Marshal of the Court is responsible for all those housekeeping functions that keep the building running smoothly.”²⁶ The Administrative Assistant likewise plays an important role assisting the Chief Justice “in administering the internal operations of the Supreme Court.”²⁷ It’s at least possible that the Marshal or the Administra-

²¹ 1983 Journal 635 (listing four Justices present on May 31, 1984); 1985 Journal 703 (listing five Justices present on June 9, 1986). Given that record, I did not review Journals before OT 1960.

²² 1983 Journal 635.

²³ 1985 Journal 703-722.

²⁴ 1985 Journal III.

²⁵ See 1993 Journal 986-987.

²⁶ *Id.* at 986.

²⁷ Stern & Gressman, *supra* n.15, at 32-33.

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tive Assistant was responsible for coordinating Justices' vacation schedules to avoid a light bench, and somehow that got lost in the hand-over to the new people in those positions.

Although I have not been able to confirm these theories,²⁸ it is striking that the Court strictly adhered to the quorum rule for at least 23 Terms before 1983 and for the eight Terms from 1986-1993, but lasted just two months into the 1994 Term before meeting without a quorum, and then just four months after that before doing it again.²⁹

If you're curious which Justices' absences have left the Court without a quorum, the answer is almost all of them. During the Roberts Court, only Chief Justice Roberts and Justice Kavanaugh have not contributed (by their absence) to the lack of a quorum.³⁰ Justices Thomas and Gorsuch each have only one absence on a non-quorum day, Kagan has two, Kennedy three, and the rest five or more.

Justice	Absences on non-quorum days (2005-2019 Terms)
Roberts Kavanaugh (2018-2019)	0
Thomas Gorsuch (2016-2019)	1
Kagan (2012-2019)	2
Kennedy (2005-2017)	3
Ginsburg	5
Souter (2005-2008)	9
Sotomayor (2009-2019) Stevens (2005-2010)	10
Scalia (2005-2015)	13
Alito (2006-2019)	16
Breyer	19

²⁸ I am grateful to Professor Lee Epstein (the curator of the Blackmun Papers) and to Professor Pamela S. Karlan (who clerked for Justice Blackmun during OT 1985) for entertaining my questions on this.

²⁹ See 1994 Journal 389, 699 (noting five Justices present on December 12, 1994 and April 3, 1995).

³⁰ In fact, my review of the Court's Journals indicates that John Roberts has not missed a single session of the Court since he was sworn in on October 3, 2005.

II.

SO WHAT DOES IT MEAN?

According to *Black's Law Dictionary*, a quorum is “[t]he smallest number of people who must be present at a meeting so that official decisions can be made.”³¹ More specifically, it is “the minimum number of members . . . who must be present for a deliberative assembly to legally transact business.”³²

So when it lacks a quorum, the Court may not make official decisions or legally transact the Court’s business. Given that handicap, it’s not surprising that the Court adjourned its first meeting in 1790 until there was a quorum, nor that it adopted a rule requiring, when there’s no quorum, that the Justices or a clerk announce that the Court will not meet until there is.³³ But since the Court has been meeting without a quorum anyway, the question becomes what effect, if any, the Court’s inability to make official decisions or legally transact business has on the business it appears to have conducted during those sessions?

The answer, I think, is “not very much.” The business apparently conducted during non-quorum sessions has included (1) opening the Court’s 2016 Term; (2) announcing decisions in argued cases; (3) releasing written orders, namely summary decisions, decisions on petitions for certiorari, orders on petitions for habeas corpus, mandamus, prohibition, and rehearing, disciplinary orders, and admissions to the Bar on written motion; and (4) admitting attorneys on oral motions.³⁴

Starting at the top of that list, it’s doubtful that announcing the opening of the Term is the sort of official business that is forbidden when the Court lacks a quorum. The beginning of the Supreme Court’s annual Term is prescribed by Section 2 of Title 28, which states: “The Supreme Court shall hold at the seat of government a term of court commencing on the first Monday in October of each year and may hold such adjourned or spe-

³¹ BLACK’S LAW DICTIONARY 1446 (10th ed. 2014).

³² *Id.* The Supreme Court has noted, in the context of three-member court of appeals panels, that two members constitute a quorum that is “legally able to transact business.” *Khanh Phuong Nguyen v. United States*, 539 U.S. 69, 82 (2003).

³³ Sup. Ct. R. 4.1.

³⁴ See text accompanying nn.13-17, *supra*.

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cial terms as may be necessary.” The start of the Term does not depend on whether the Court actually convenes on the appointed day to announce that the Term has opened. As in 1790, the Court may not have been *supposed* to convene on that day without a quorum, but that does not mean that the Term failed to commence because it did. Indeed, the Court has distinguished the “ceremonial” part of an official body’s meetings from the part where official business is conducted.³⁵

Although it’s a closer question, the announcement of the Court’s opinions also seems to be more ceremonial than official business. To be sure, the Court’s official business definitely includes *deciding* cases – that’s how the Court wields “[t]he judicial Power of the United States” assigned to it by Article III of the Constitution. So the Court must have a quorum to do that. But it doesn’t follow that it must also have a quorum to *announce* its decisions. For one thing, every decision says which Justices participated and notes any who did not, a configuration that doesn’t change if some of them aren’t sitting on the bench when the opinion is handed down. So the cases are in fact decided by at least a quorum of Justices. And while the release of an opinion marks the end of the judicial process,³⁶ nothing requires that the Court meet publicly to do it. The federal courts of appeals, by comparison, typically release opinions without anyone yelling “Oyez! Oyez! Oyez!” or reading part of their work to a live audience. And the Court itself issues *per curiam* opinions and summary decisions without convening publicly at all.³⁷ Accordingly, the announcement of an opinion during a Court session on the skinny side of the quorum line is best thought of as a bit of unauthorized judicial theater that happens to coincide with the authorized public release of an opinion decided *with* a quorum.

The same is true for other written orders. As with opinions, the Court’s orders say if one or more Justices did not participate, and the Court regularly releases orders between public sessions. In fact, since 2012 the Court has released orders on the days it sits publicly at 9:30 a.m., a half hour *before*

³⁵ See *Town of Greece v. Galloway*, 572 U.S. 565, 591 (2014) (distinguishing “the ceremonial portion” of a town meeting from “policymaking”).

³⁶ “[I]t is generally understood that a judge may change his or her position up to the very moment when a decision is released.” *Yovino v. Rizo*, 139 S. Ct. 706, 709 (2019).

³⁷ See, e.g., *Hashimi v. United States*, 139 S.Ct. 377 (2018), 2018 Journal 179 (summary disposition); *Rippo v. Baker*, 137 S.Ct. 905 (2017), 2016 Journal 541 (opinion *per curiam*).

the public session begins. There is no reason to think those orders are somehow tainted if there are too few Justices to form a quorum on the bench a half-hour later when the Chief announces, as he typically does, that the orders “have been duly entered and certified, and filed with the Clerk.”³⁸

Thus, while releasing orders and announcing opinions is sometimes described as the Court’s “business,”³⁹ neither seems to be official business that requires the Court to muster a quorum.

That leaves only the admission of attorneys on oral motion. Unlike the other “business” conducted during the court’s non-forum sessions, these attorney admissions are not so easily dismissed. The ceremony is not like the announcement of the Term’s opening, which happens whether or not the Chief announces it in open court. Nor is it like handing down written orders or announcing opinions, where the operative decision is made with a quorum even if it is announced without one. Instead, attorney admissions look very much like the Court is conducting official business with less than a quorum that would authorize it to do so: A member of the Court’s Bar stands and makes a motion to the Court and the Chief Justice announces a decision on that motion. And while it may appear ceremonial, the motion and order have a real consequence. Before the session, the attorney is simply an applicant to the Supreme Court Bar; afterward, he or she is a member of that Bar. Indeed, the Court itself has twice held that a court’s decision to admit (or not) an applicant to its bar is a judicial proceeding.⁴⁰

One might argue that the same logic would apply, more or less, to admissions to the Bar on written motion, which are included in the Court’s order list, and which I’ve argued above are *not* unauthorized if announced without a quorum. But while the qualifications for bar mem-

³⁸ *E.g.*, 2018 Journal 1.

³⁹ See Supreme Court of the United States, *The Court and Its Procedures*, www.supremecourt.gov/about/procedures.aspx (describing the release of orders and opinions and the admission of new bar members as “other business of the Court [that] is transacted” “[p]rior to hearing oral argument.”); Stern & Gressman, *supra* n.15, at 851 (describing the admission of attorneys on oral motions as “the first order of business after announcement of the entry of orders and opinions.”).

⁴⁰ *D.C. Court of Appeals v. Feldman*, 460 U.S. 462, 480-481 (1983); *In re Summers*, 325 U.S. 561, 567-568 (1945).

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bership and the application itself are the same for both methods, there are important differences between oral and written motions for admissions.

First let's see how the two methods are the same. Under the Court's Rule 5.1:

To qualify for admission to the Bar of this Court, an applicant must have been admitted to practice in the highest court of a State, Commonwealth, Territory or Possession, or the District of Columbia for a period of at least three years immediately before the date of application; must not have been the subject of any adverse disciplinary action pronounced or in effect during that 3-year period; and must appear to the Court to be of good moral and professional character.⁴¹

Those requirements do not change depending on the procedure for admission. Both methods likewise require an applicant to submit (1) a certificate showing the date of the admission to a qualifying court and the attorney's good standing; and (2) an application form signed by two sponsors, who must both be members of the Court's Bar.⁴²

Here's how they differ: to be admitted on written motion, the attorney must also submit a motion for admission signed by a member of the Court's Bar and the oath of admission, signed by the applicant before a notary public.⁴³ The Court acts on that motion outside of its public sessions and announces the attorney's admission in its written orders. An attorney who wishes to be admitted in open court, however, does *not* send a written motion or sign the oath.⁴⁴ Instead, both the motion and the oath happen in open Court, and the attorney is not admitted to the Bar unless they do.⁴⁵ It's hard to conclude that hearing and acting on a motion is any-

⁴¹ Sup. Ct. R. 5.1; see Stern & Gressman, *supra* n.15, at 841. These are basically the same requirements the Court set for admission in 1790. See 1 U.S. (2 Dall.) 399 (1790).

⁴² Sup. Ct. R. 5.2

⁴³ Stern & Gressman, *supra* n.15, at 849.

⁴⁴ *Id.* at 850.

⁴⁵ Unless they change their mind, in which case they can still opt for admission on written motion. *Id.* Before 1970, an attorney could *only* be admitted upon motion by a member of the Court's Bar in open court. *Id.* at 849. In the 1970 Term, the Court revised its Rule 5 to allow applicants to be admitted upon written motion. See 1970 Journal at 50.

thing but official business that the Court is not authorized to conduct without a quorum.

So what about all those attorneys? During the Roberts Court alone, the Court has admitted 1,394 attorneys⁴⁶ to its Bar on oral motions presented to non-quorum assemblies of Justices that were unauthorized to transact the Court's business. Were they truly admitted at all? As a technical matter, I think they were not. The Court requires that attorneys be admitted by motion but the motions to admit these attorneys were presented to a set of Justices who could not – under 28 U.S.C. § 1 and the Court's own rules – grant them.⁴⁷

But again, little consequence appears to follow from that conclusion. The main difference between an attorney admitted to the Supreme Court Bar and one who is not is that members of the Bar may appear as counsel of record in Supreme Court cases and argue cases in the Court.⁴⁸ That is to say, a person's membership *vel non* in the Supreme Court Bar only really matters to the Court itself. And since the Court has been purporting to admit attorneys in open Court without a quorum for over 25 years, it appears that the Court has no problem with the procedure and treats the attorneys "admitted" on those days as ordinary members of its Bar. And that's all that matters.

CONCLUSION

When the clock in the Supreme Court chamber reaches 10:00 a.m. on a day that the Court is scheduled to convene, the Justices file in and remain standing while the Marshal says:

The Honorable, the Chief Justice and the Associate Justices of the Supreme Court of the United States. Oyez! Oyez! Oyez! All persons having business before the Honorable, the Supreme Court of

⁴⁶ I counted.

⁴⁷ The Court has adopted a standing rule that permits a single Justice to grant written motions for admission during the Court's summer recess, *see* 1970 Journal 581, but I have not discovered any rule that allows a non-quorum assembly of the Court to grant oral motions for admission during the Term.

⁴⁸ Sup. Ct. R. 9.1. Bar members also get a handsome certificate and may use the Court's library. *See* Sup. Ct. R. 2.1.

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the United States, are admonished to draw near and give their attention, for the Court is now sitting. God save the United States and this Honorable Court.

For more than 25 years, the Court has regularly convened after that announcement when it had no authority to do so. By convening with too few Justices present to form a quorum, the Court has been violating the requirements of the United States Code and its own rules. Although I've argued above that the violations do not have any real consequence, confidence in the judiciary requires courts – and especially the Supreme Court – to obey the law. The lack of consequences does not excuse the Court from following the law or its own rules. The Court should cut it out.

APPENDIX

PUBLIC SESSIONS OF THE SUPREME COURT
WITH FEWER THAN SIX JUSTICES, 1960-2019

Term	Date	Justices	Journal page
2019	Monday, December 16, 2019	4	337
2017	Monday, January 22, 2018	5	437
2016	Monday, April 3, 2017	5	621
	Monday, October 3, 2016	5	1
2015	Monday, March 7, 2016	5	573
	Monday, January 25, 2016	5	465
2014	Monday, January 26, 2015	5	477
	Monday, December 15, 2014	5	373
2013	Monday, December 16, 2013	5	401
	Monday, November 18, 2013	5	299
2012	Tuesday, November 13, 2012	5	297
2009	Monday, May 3, 2010	5	807
2008	Monday, April 6, 2009	5	711
	Monday, November 17, 2008	5	295
	Monday, October 20, 2008	5	213
2007	Monday, March 31, 2008	3	747
	Monday, December 10, 2007	5	397
	Tuesday, November 13, 2007	5	303
2006	Monday, April 2, 2007	5	797
2005	Monday, May 22, 2006	4	985
	Monday, April 3, 2006	4	815
	Monday, December 12, 2005	5	453
2004	Monday, April 4, 2005	5	767
	Monday, March 7, 2005	5	663
	Monday, January 24, 2005	4	457
	Monday, December 13, 2004	4	353
	Monday, November 15, 2004	5	269

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Term	Date	Justices	Journal page
2003	Monday, December 15, 2003	5	391
	Monday, October 20, 2003	4	213
	Monday, November 17, 2003	4	293
2002	Monday, December 16, 2002	4	447
	Monday, October 21, 2002	5	241
2001	Tuesday, November 13, 2001	5	321
2000	Monday, May 14, 2001	5	865
	Monday, April 30, 2001	5	845
	Monday, April 2, 2001	4	753
	Monday, November 13, 2000	4	289
1999	Monday, May 1, 2000	5	815
	Monday, March 6, 2000	5	643
	Monday, January 24, 2000	4	527
1998	Monday, April 5, 1999	4	689
1997	Monday, May 4, 1998	4	765
	Monday, April 6, 1998	3	675
1996	Monday, March 3, 1997	5	589
1995	Monday, April 1, 1996	5	659
	Monday, March 4, 1996	5	581
	Monday, December 11, 1995	5	357
1994	Monday, April 3, 1995	5	699
	Monday, December 12, 1994	5	389
1985	Monday, June 9, 1986	5	703
1983	Thursday, May 31, 1984	5	635

