



THE SUPREME COURT  
HISTORICAL SOCIETY

# Quarterly

VOLUME XXXIXXL

NUMBER 3, 2018

## 43rd Annual Meeting: Highlight of the Society's Year

Annual Meeting events on June 4, 2018, began with a discussion between **Christopher J. Scalia** and **Edward Whelan**, moderated by Society Trustee **Paul D. Clement**. The topic for the discussion was the book edited by Messrs. Scalia and Whelan, **Scalia Speaks: Reflections on Law, Faith and Life Well Lived**.

While the title provides a good indication of the contents of the book, the publisher offers a short summary: "This definitive collection of beloved Supreme Court Justice Antonin Scalia's finest speeches covers topics as varied as the law, faith, virtue, pastimes, and his heroes and friends. Featuring a foreword by longtime friend Justice Ruth Bader Ginsburg and an intimate introduction by his youngest son, this volume includes dozens of speeches, some deeply personal, that have never before been published." Christopher Scalia is the Justice's son and Edward Whelan clerked for the Justice, and the material contained in the book reflects careful and thoughtful research. The close personal association of the editors with the Justice was evident in their presentation on June 4. This was enhanced by Mr. Paul Clement's questions and comments which helped to shape the conversation. His personal familiarity with the Court and its operation and his

experience as Solicitor General and later in private practice as a frequent advocate before the Court provided additional insight. The program was presented in the Court Room before a large audience and provided a wonderful beginning for the day's activities.

That evening, Board Chair **Ralph I. Lancaster, Jr.**, and

President **Chilton Varner** convened the Annual Meeting of the Board of Trustees at 6:30 PM in the Supreme Court Chamber. Joining President Varner and Mr. Lancaster were Vice Presidents **Dorothy T. Goldman** and **Robert Giuffra**, Treasurer **Carter G. Phillips**, Secretary **Philip Kessler**, and General Counsel **Robert Juceam**. Mrs. Varner presented a summary of Society activities.

One of the primary objectives of the Society has been to provide scholars and members of the public at large with publications and programs that help

elucidate the history of the Supreme Court by examining the Justices that have served there, key officers of the Court's staff, famous advocates before the Court, and other topics such as landmark cases and their effect on the American legal system. To that end, many of the Society's efforts have focused on the production of quality publications to help tell the story. The original one-volume per year tradition



(left to right) Editors Christopher Scalia and Edward Whelan were joined by Chilton Varner and Moderator Paul Clement following the Annual Lecture presentation. Photographs by Fred Schilling, 2018.

## A Letter from the President



The fall season brings a sense of renewal and new beginnings for the Society and its activities. One change is in the makeup of the Court itself. Justice Brett M. Kavanaugh was nominated by President Trump on July 10, 2018 to succeed retired Justice Anthony M. Kennedy. Justice Kavanaugh was confirmed by the Senate and took his seat on the bench early in October, 2018. He is the 102<sup>nd</sup> person to serve as

an Associate Justice of the Court. Justice Kavanaugh had clerked for Justice Kennedy during the 1993 Term. Chief Justice Roberts, and Justices Elena Kagan and Neil M. Gorsuch also clerked at the Court earlier in their careers. This is the first time in the history of the Court that four previous clerks have served on the Supreme Court Bench simultaneously. A brief biographical note about Justice Kavanaugh appears on the back page of this issue. We look forward to working with the newest Justice.

After a break for the summer, the Society has resumed programs and activities again. The topic of the 2018 Leon Silverman Lecture Series correlates with the Centennial of the end of “The War to End All Wars,” as World War I was optimistically called. Armistice Day, Nov. 11, 1918 brought the conclusion of a war that involved unprecedented military and civilian casualties and extensive devastation. John McCrae in the evocative opening lines of his poem *In Flanders Fields* famously described the sobering realities: “In Flanders fields the poppies blow, between the crosses row on row . . . .” A number of legal issues arose from the War that involved the Supreme Court, such as draft law, war powers under the Constitution, and the exercise of free speech. Experience tells us that each scholar presenting in the series will provide a thoroughly well-researched and thought-provoking discussion. C-Span will record some of these programs and a link to the programs will be available through our website. Each scholar will also contribute to the **Journal of Supreme Court History** an expanded version of his/her lecture, thereby making the material available to all Society members. On November 30, 2018 the Society will also co-sponsor a lecture with Georgetown’s Center for the Constitution. This has been an annual joint presentation. The topic for 2018 is Thomas Cooley, and his influential book, **A Treatise on the Constitutional Limitations Which Rest Upon the Legislative Power of the United States of America**. The lecture precedes a one-day conference held at Georgetown University Law Center.

Other projects being pursued include updating and expanding two short videos that were created utilizing flashart—a technology that is now obsolete. As part of the Society’s outreach, these programs will be formatted with new technology, revitalized and expanded to 12 minute presentations available on the website. The first concerns President Franklin Roosevelt’s attempt to “pack the court” with additional Justices he hoped might better support his New Deal Programs that had been struck down with some regularity. The second discusses the Court’s role in the disputed Hayes-Tilden Election. Both topics are fascinating.

Society publications continue to garner critical praise for the Society. The Society also supports the efforts of the Curator of the Supreme Court, working closely with that office to identify and acquire historical items related to the Court and its Justices.

None of these achievements would be possible without the support of our faithful members and the public-minded organizations that provide the financial resources necessary to undertake this work. As President of the Society, I express not only my gratitude but also that of the other officers and trustees. As an example, I call your attention to a short article that appears on page 11 of this issue about one of our faithful long-term members, Lucius B. Dabney, Jr. His enthusiasm for the Society has extended over forty years of membership. He recently wrote us to share a piece of his family history, providing a photograph of his father and uncle in World War I. Members like you and Mr. Dabney help to make the Society the unique and effective organization that it is. Together we have accomplished much. We will strive to do even more.

*Chilton D. Varner*

## Quarterly

Published four times yearly in Spring, Summer, Fall, and Winter by the Supreme Court Historical Society, 224 E. Capitol Street, N.E., Washington, D.C. 20003. Tel. (202) 543-0400, <http://www.supremecourthistory.org>. Distributed to members of the Society, law libraries, interested individuals, and professional associations.

Managing Editor Kathleen Shurtleff  
Advisory Editor James B. O’Hara  
Copy Editor Stephen L. Wasby



transitioned to three issues per year and articles in the **Journal of Supreme Court History** have contributed significantly to scholarship on the Court. **Donald B. Ayer**, the Chair of the Publications Committee, is charged with oversight for these publications. Beyond producing the issues of the **Journal**, the Society also produces special publications. In December 2017, the newest stand-alone work was published with the title **Table for 9**. This charming historical Supreme Court cookbook contains recipes favored by Justices and their families throughout the Court's history. The recipes were kitchen-tested and in a few cases, some ingredients were substituted to account for modern tastes, but they are all true to the character of the original recipes. But this volume is far more than a series of recipes—it provides unique anecdotal commentary on the food traditions at the Court and how they have helped to foster collegiality and perpetuate traditions dating from the early years of the institution.

Lectures and educational programs have also increased in number and variety since the Society was created. Trustee **Christopher Landau** assumed the role of Chair of the Program Committee in the summer of 2017 and has been engaged in planning events that will have interest beyond the scholarly community. These programs include the Leon Silverman Lecture Series, the Frank C. Jones Supreme Court Reenactments, the Summer Institute for Teachers, and the National Heritage Lecture as well as cooperative programs given in conjunction with other organizations. Mr. Landau not only provides oversight for these programs, but he has also served as a resource instructor in the Summer Institute sessions. His specific role in the program helped to provide teachers a first-hand understanding of the role of an advocate before the Supreme Court, what is required, how it differs from arguing before other courts, and other specific information.

The Society also provides support for the Supreme Court Fellows Program founded by Chief Justice Burger. Administered by the Office of the Counselor to the Chief Justice, **Jeffrey Minear**, and members of his staff, this program has given many mid-career professionals an opportunity to participate in the operations of the federal judicial system in a unique way. Mr. Minear provides



**Chilton Varner** presided over the meeting of the Board of Trustees, joined by **Ralph I. Lancaster, Jr.** (left) Chair of the Board, and **Philip Kessler**, Secretary (right).

important support to the Society throughout the year for many of the Society's activities and the Society is grateful for his help.

The Society also enjoys a very supportive and collegial working relationship with the Office of the Curator of the Court under the direction of Curator **Catherine Fitts**. She and members of her staff work closely with Vice President **Dorothy Goldman**, Chair of the Society's Acquisitions Committee, to identify and acquire items of significance to the history of the Court. The items are part of the permanent collection, which is often utilized in exhibits in the Supreme Court Building for the enrichment of hundreds of thousands of visitors to the Court. Other items are used in the building in areas such as the Justices' Dining Room. Ms. Goldman is a knowledgeable and experienced collector and brings great expertise to the work. She has also been a generous contributor to the Acquisitions Fund and to the collection itself. Beyond that, she has provided items from her personal collection for use in displays on special occasions such as the Galas held in New York City.

The New York Gala, which has become an important part of the Society's fundraising efforts, was instituted by President Emeritus **Gregory P. Joseph** during his six years as President. He continues to play an important role in Society activities and provided significant assistance to Vice President and Development Committee Chair **Robert Giuffra** for the event held in March. Much of Mr. Giuffra's time this year was spent on fundraising for the Gala, but he and his Committee are also responsible for obtaining grants and other financial support to provide critical funding for the activities of the Society. Mr. Giuffra's experience and success spearheading fundraising for the previous Gala

was again evidenced for the 2018 Gala and was another outstanding event.

The creation of an endowment fund for the Society in the mid 1980s, directed by then-President Justin Stanley, provided an important foundation for the financial well-being of the organization. Through careful management and additional gifts, the initial \$2.5 million fund has grown. The proceeds of the minting and sales of the John Marshall Commemorative Coin resulted in a substantial boost to the fund. That undertaking involved an enormous amount of time and attention, and that effort was spearheaded by Chair of the Board **Ralph Lancaster**. His significant, and as some of those he worked with would characterize them “unrelenting” efforts, resulted in the Society’s obtaining the required support in Congress to authorize the minting of the coin. A number of other Trustees were also involved in this endeavor which ultimately produced an additional \$2.6 million for the endowment fund.

In years of surplus, smaller additions have been transferred to the endowment account from operating funds, and careful investment has helped to increase the balance. The fund today approaches \$11 million. The financial affairs of the Society are carefully supervised by Treasurer **Carter Phillips** and Investment Committee Chair **George Adams**, both of whom carefully review and monitor



**Trustee Mark S. Cohen was recognized for his support of the Society.**



**Justice Sotomayor assisted in presenting an award to Katie Rekker recognizing Ms. Rekker’s assistance with membership in Pennsylvania.**



**Professor Przbyszewski was awarded the 2018 Hughes-Gossett Award for Best Journal Article for her article *Scarlet Fever, Stanley Matthews and the Cincinnati Bible Wars*.**

the performance of the investment accounts.

The Society’s Gift Shop on the ground floor of the Supreme Court Building is perhaps a surprising, but important aspect of the Society’s work. Vice President **Vincent C. Burke III** has overseen these operations for many years and was involved in the design and relocation of the shop to its present location. The beautifully-detailed space the store occupies was renovated to blend with the architectural fabric and décor of the building, and

Mr. Burke played a large role in obtaining funding for the project and to bringing the renovation to fruition.

One of the Society’s goals in operating the shop is to provide a variety of relevant and interesting items that meet the needs and interests of visitors to the Court. As visitors range from young students to foreign judges, this can be a challenge. Items sold include books about, and authored by, members of the Supreme Court. The shop provides an important service to the hundreds of thousands of visitors to the building each year.

Membership recruitment and retention is another important focal point of the Society’s efforts. Each year an annual membership campaign is conducted under the direction of a National Chair. **Robert Anello** spearheaded this important work for the third year in a row. To fulfill that role, he enlisted leading lawyers from across the country to introduce the Society to colleagues in their home areas and states.



Their efforts greatly increase the outreach of the Society throughout the country.

Following the overview of Society activities, Mrs. Varner introduced **Philip Kessler**, Secretary and Chair of the Nominating Committee, who presented the names of candidates nominated for election. The first nominees were candidates for election to an initial three-year Term as a Trustee of the Society: **Donald P. Rosenberg**.

Mr. Kessler then presented a slate of persons nominated to serve an additional three-year term on the Board of Trustees: **Bijan Amini, Peter Angelos, Rudy Aragon, Max W. Berger, Beth Brinkmann, Vincent C. Burke, III, Paul Clement, Robert A. Clifford, Mark Cohen, Harlan Crow, Charles**

**W. Douglas, Miguel Estrada, Gregory S. Gallopoulos, Kenneth S. Geller, Dorothy Goldman, Brad S. Karp, August Klein, Christopher Landau, Jerome Libin, Thurgood Marshall, Jr., Lee I. Miller, Patricia Millett, Michael Mone, James Morris, III, James B. O'Hara, R. Hewitt Pate, James W. Quinn, Jay Sekulow, Kelly J. Shackelford, John Siffert, Chilton Davis Varner, Dan K. Webb, Foster Wollen, and Bruce Yannett.**

An additional group of candidates was nominated to serve as Officers and as At-Large Members of the Executive Committee for terms as specified: Nominated to serve as Chair of the Board of Trustees, **Gregory P. Joseph**. Nominated to serve as Chair of the Board Emeritus: **Ralph I. Lancaster, Jr., Carter Phillips** was nominated to serve an additional three-year term as Treasurer. Nominated for election to serve a one-year appointment as At-large members of the Executive Committee were: **Robert Anello, David Leitch, Teri McClure, James Morris, John Nannes, James B. O'Hara, Theodore Olson, Michael Park, Leon Polsky, Richard (Doc) Schneider, and Seth P. Waxman.**

Before calling for a vote on the slate of candidates, Philip J. Kessler commented on the change of leadership they contemplate. Our current Chair, Ralph Lancaster, has been a stalwart supporter of the Society and a frequent participant in the work of the Supreme Court as well. He has the distinction of being a Court-appointed Special Master an unprecedented four times. Prior to becoming President of the Society, he spearheaded the very successful coin bill campaign. He

also assisted in raising funds for the construction of our Gift Shop located on the ground floor of the Supreme Court Building. In sum, it is fair to say that he has had a hand in the operation of almost every important program the Society has conducted over the last twenty years. We are grateful for all he has done, and are comforted by his willingness to continue to serve as Chair of the Board Emeritus.

Mrs. Varner then called for a motion to elect those nominated to the offices and for the terms as presented. A motion was made to elect all nominees to the positions as proposed by the Nominating Committee. The motion was seconded. A vote was taken and the Motion was carried. Mrs. Varner congratulated those who had been elected.



Guests at the 43rd Annual Dinner dined in the Great Hall which was lined with state flags for the evening.

President Varner again thanked Mr. Lancaster for the outstanding leadership he has provided to the Society over the span of many years. His election to the serve as Chair of the Board Emeritus means that he will continue to be involved in the work. Mr. Joseph will now follow in his footsteps as Chair of the Board and his important and wise counsel will continue to provide important leadership and support to the Society.

Following the election of Officers and Trustees, Mrs. Varner asked **Justice Sonia Sotomayor** to join her to assist in recognizing many persons who have made important contributions to the work of the Society during the past year. She thanked her for the generous support she has provided the Society since joining the Supreme Court Bench. She also pointed out that her attendance that evening was particularly meaningful as the Justice was recovering from shoulder surgery.

Turning to the presentation of awards, the first award was made to the 2018 recipient of the Hughes-Gossett Literary Prize. This prize is awarded for the article chosen by a panel as the most outstanding article published in the **Journal of Supreme Court History** during the past year. Professor Linda Przybyzewski is the recipient of the 2018 prize. She is an Associate Professor of History at the University of Notre Dame. Her prize-winning article is titled "*Scarlet Fever; Stanley Matthews, and the Cincinnati Bible War.*" Professor Przybyzewski presented a lecture in the Leon Silverman Lecture Series previously, and we are happy to recognize her accomplishment this year.

Mrs. Varner then asked Mr. Anello to come to the podium to assist in recognizing the work of the State Chairs. After thanking him for his work as National Chair, she noted that the role of the National Membership Chair is in many ways the most demanding Committee assignment as it requires that person to build a network of assistants. On behalf of the Society, she thanked him for his willingness to undertake that rather daunting task for the past three years. Only two state chairs were present to be recognized at the meeting on June 4, although seven chairs had met their objectives. Those recognized at the meeting were: **John**

**Houlihan**, Connecticut Chair, and **Katie Recker**, Pennsylvania Chair and 3<sup>rd</sup> Circuit Chair.

Mrs. Varner was assisted by Justice Sotomayor in the presentation of awards recognizing some of the most important supporters of the Society during the year. Those recognized were: **Robert J. Anello**, **Morvillo Abramowitz Grand Iason and Anello**; **Benjamin Bull**, **First Liberty**; **Paul Clement**, **Kirkland**

and **Ellis**; **Richard Cullen**, **McGuire Woods**; **Laurie Webb Daniel**; **Samuel H. Franklin**, **American College of Trial Lawyers** and individual gift; **David Frederick**; **Greg Garre**; **Robert J. Giuffra, Jr.**, **Sullivan Cromwell**; **Dorothy Tapper Goldman**; **James L. Goldman**; **William J. Haynes, II**; **Robert Juceam**; **Philip J. Kessler**; **Thomas Leighton**, **Thomson Reuters**; **Deanne Maynard**; **William McGuinness**, **Fried Frank**; **Gary P. Naftalis**, **Kramer Levin Naftalis and Frankel**; **John Nannes**; **Michael H. Park**; **Carter G. Phillips**, **Sidley Austin Foundation**; **Teresa Roseborough**; **Richard Schneider**; **Michael W. Smith**; **Tal M. Weberg**; and **Gayle Wright**.

President Varner thanked all those who have given so generously of their time and funds. Prior to adjournment, Justice Sotomayor made very gracious remarks commending the Society for its contributions to support of the Court. After thanking the Justice, Mrs. Varner adjourned the meeting.

In the now time-honored tradition, the 43<sup>rd</sup> Annual Reception was held in the East and West Conference Rooms, with dinner in the Great Hall of the Court. President Chilton

Varner welcomed all present and thanked Chief Justice Roberts, the Honorary Chair of the Society for sponsoring the event. She thanked the members of the Court who were present that evening, expressing gratitude for their support of the Society. They were: **Chief Justice John G. Roberts, Jr.**, **Justice Clarence Thomas**, **Justice Ruth Bader Ginsburg**, and **Justice Sonia Sotomayor**. Following the welcome, the Chief Justice proposed the traditional toast to the President of the United States.

At the conclusion of dinner service, Annual Meeting Chair **Michael H.**

**Park** expressed thanks to **Marshal Pamela Talkin** and the members of her staff who facilitated the events of the day. He observed that the members of the Marshal's staff provide vital assistance for every event the Society holds in the Supreme Court, and expressed thanks for all that is done to make the events successful.

Mr. Park then introduced the after-dinner concert. Entertainment for the evening was provided by a Special Ensemble of the Children's Choir



The Chamber Ensemble of the Children's Choir of Washington performed the concert for the Annual Dinner. This invitation-only ensemble performs advanced music for unchanged voices.

of Washington (CCW). The Choir completed its 22<sup>nd</sup> season with the concert performed at the Court that night. CCW provides the best choral music experience for young people in the Nation's Capital through its exceptional educational programs, performance opportunities, and community partnerships.

Music was performed by a group of the most advanced singers for unchanged voices, the Chamber Ensemble. This group is an invitation-only subset of the larger Concert Chorus. Participation in this Ensemble requires additional rehearsals to learn and perform more challenging music. It also provides more performance opportunities and the group tours internationally. The Ensemble was under the direction of its artistic director Margaret Nomura Clark and was accompanied by pianist Edward Kim. They performed a selection of some of their most interesting and challenging pieces and presented an outstanding performance.

The concert provided a wonderful conclusion to the day's events.



## A Look Back at Justice Thurgood Marshall

### 2018 National Heritage Lecture



Panelists discussed the career of Justice Thurgood Marshall at the National Heritage Lecture. The panelists were: (left to right) Judge Douglas Ginsburg, Associate Justice Elena Kagan, Professor Randal Kennedy, and Judge Paul Engelmayer.

Thurgood Marshall was nominated to the Supreme Court of the United States on June 13, 1967 by President Lyndon B. Johnson. The Senate confirmed his nomination on August 30, 1967 thus approving the appointment of the first African-American to the Court. The National Heritage Lecture, cosponsored by the Society, the U.S. Capitol Historical Society and the White House Historical Association, was planned to recognize the 50th anniversary of his first term on the Supreme Court, and to consider his extraordinary career. The panelists for the program were four of his former law clerks: Justice Elena Kagan, Judge Paul Engelmayer, Judge Douglas Ginsburg and Professor Randal Kennedy.

Justice Marshall came to the Court with a rich history of legal service as a lawyer for the NAACP Legal Defense Fund. The NAACP pursued an overarching plan to expand civil rights through the use of existing law. Marshall was chosen to be the advocate in a series of cases wherein individual favorable judgments helped to achieve far-reaching results. With the decision in *Brown v. Board of Education*, Marshall and his colleagues achieved one of their primary goals, the creation of legal precedent to end educational segregation.

His “second” career commenced with his appointment to the Bench of the United States Court of Appeals for the Second Circuit in 1961. In 1965 he was nominated to serve as Solicitor General of the United States. He was the first African-

American to be so honored. In 1967 he was appointed to the Supreme Court, where he served until retirement in 1991.

The Supreme Court Chamber was the site of the discussion on March 6, 2018. Panelists commented on his extraordinary career, his service on the Supreme Court Bench in particular, and his impact on American jurisprudence. Judge Ginsburg served as a moderator and facilitated the conversation. Each panelist spoke of their experience with Justice Marshall, the impact he made on their personal lives and legal careers. The



The panelists met with Mrs. Thurgood Marshall following their presentation. (left to right) Judge Paul Engelmayer, Judge Douglas Ginsburg, Mrs. Thurgood Marshall, Justice Elena Kagan and Professor Randal Kennedy.



At the reception, guests sampled some of the items featured in the cookbook *Table for 9*. Mrs. Marshall is shown here sampling the mango cake made to her recipe.

conversation was rich in personal anecdotes and remembrances of Marshall “the boss.” Mrs. Thurgood Marshall, joined by her two sons John and Thurgood, Jr., and other family members, attended the program.

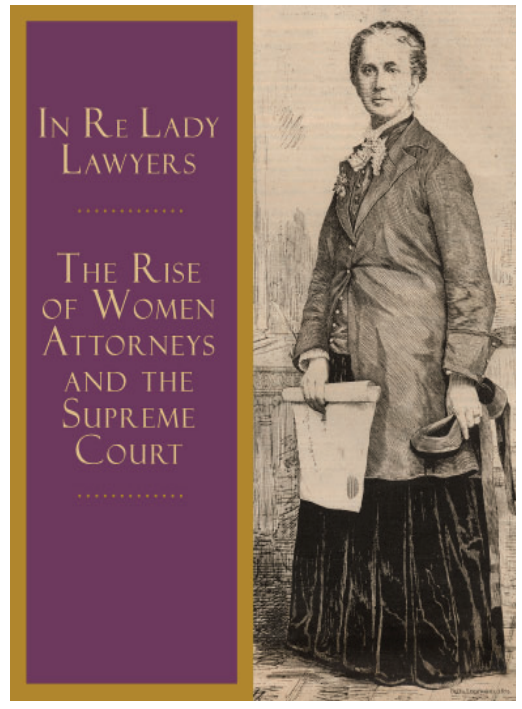
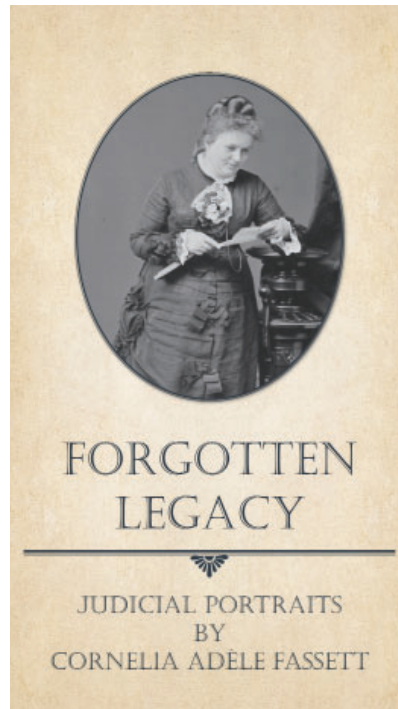
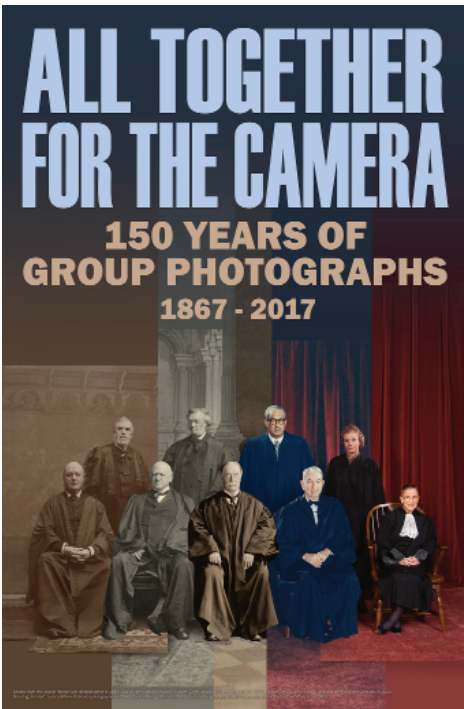
At a reception following the program, many guests had the opportunity to meet and talk with members of the Marshall family. The reception food included Mrs. Thurgood Marshall’s mango cake, the recipe for which is featured in the Society’s new volume, *Table for 9*, providing a very personal end to the evening.

The program was recorded by C-Span. It can be found at: <https://www.c-span.org/video/?442141-1/justice-thurgood-marshall>



## New Exhibits at the Supreme Court

by Franz Jantzen, Devon Westerberg, and Maya Foo



Since December 2017, three new exhibits have opened on the ground floor of the *Supreme Court Building*: *All Together for the Camera: 150 Years of Group Photographs*; *Forgotten Legacy: Judicial Portraits* by *Cornelia Adèle Fassett*; and *In Re Lady Lawyers: The Rise of Women Attorneys and the Supreme Court*. These exhibits, which draw mostly from the permanent collection, include many objects acquired through the Society and cover a wide range of topics and media — from group court photographs to painted portraits by a female artist and objects from the personal collections of the current women Justices.

### *All Together for the Camera: 150 Years of Group Photographs*



General view of *All Together For The Camera*.

*All Together for the Camera* traces the 150-year history of the Supreme Court's group photograph from the first one, taken in 1867, to the most recent in 2017. Its development is seen through the work of 19 different photographers and studios, including those of Alexander Gardner, Mathew Brady, Napoleon Sarony, and Fabian Bachrach.



The Chase Court, photographed by Alexander Gardner on February 23, 1867.

In the winter of 1867, an informal request by Alexander Gardner to Chief Justice Salmon P. Chase led the Justices to gather on the top floor of Gardner's Washington studio a few weeks later. For the next 75 years, the Justices gathered with increasing frequency at the studios of various photographers in Washington, D.C. These sittings almost certainly occurred at the request of the photographers, who were primarily interested in selling large, mounted prints to the general



public. As the Justices faced the prospect of posing more frequently, they settled on some ground rules, such as posing only after a change in membership and creating a seating arrangement based on seniority. In the mid-1880s, they began adding their autographs, and in the early 20th century, ornate Victorian backgrounds gave way to austere velvet drapery. In 1941, the setting moved into the Supreme Court Building, where the picture has been taken ever since.

The 19th century group photographs, seen on one wall of the exhibit, would typically have been seen in person by viewers of the day, in the form of framed prints on display. The prints on the opposite wall of the exhibit are from the 20th century to the present, and all have reached far wider audiences in the form of published images and television. The last and most recent photograph, taken after the arrival of Justice Neil M. Gorsuch, will be seen primarily online or in publication and few will ever see an actual original print.

### ***Forgotten Legacy: Judicial Portraits by Cornelia Adèle Fassett***



**General view of *Forgotten Legacy*.**

*Forgotten Legacy* explores the work of Cornelia Adèle Fassett (1831-1898), one of the first female portrait artists of the 19<sup>th</sup> century to portray American presidents, politicians, and Supreme Court Justices. During her distinguished career, Fassett captured the likeness of nine Justices. She sought to depict the Justices as lifelike as possible, and her attention to detail would later assist her in executing one of her most well-known works, *The Florida Case before the Electoral Commission*.

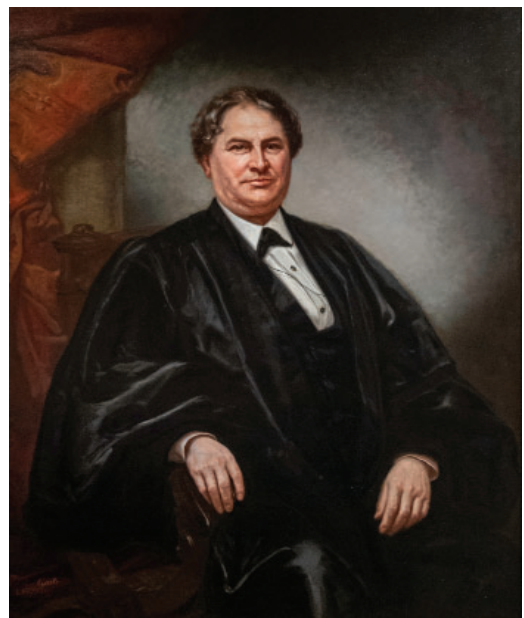
The exhibition features several works from the Supreme Court's collection, including oil portraiture and a large conté crayon drawing of the Waite Court inspired by several photographs taken by Fassett's husband, Samuel Montague Fassett. Close comparison of the photographs with the



**The Justices of the Supreme Court of the United States, 1876. Conté crayon by Cornelia Adèle Fassett, after photographs by Samuel Montague Fassett.**

final work shows that the artist selected poses as she saw fit, and when none suited her taste, she created a new one. Small copy prints of the drawing were sold as souvenirs and mounted on colored boards, featuring printed facsimiles of all the Justices' signatures, one of which is featured in the exhibit.

Fassett's exposure to art movements of the time is reflected in her realistic rendering of Chief Justice Morrison R. Waite and Justice Samuel F. Miller, both of whom are featured prominently in the exhibit. The texturing of flesh and facial hair received much attention in Fassett's depictions of both Justices, who are shown with meticulously modeled faces, penetrating gazes, and strongly-drawn mouths. Equally expressive are Miller's hands, which show age and muscle strain in his pink knuckles and blue veins. Fassett was conscious of the status of her sitters, and she imparted upon them a dignified pride while still realistically capturing their unique characteristics.



**Associate Justice Samuel F. Miller, by Cornelia Adèle Fassett, oil on canvas, 1876.**

The exhibit concludes with an in-depth look at Fassett's depiction of the *Florida Case before the Electoral Commission*, which she painted in the Supreme Court Chamber in the U.S. Capitol Building during the summer recesses of 1877 and 1878. Completed in the grand manner of history painting, the composition includes more than 250 individual portraits painted from life and photographs. Despite her generally well-regarded reputation, this painting by Fassett was not initially well received but was finally acquired in 1886 by the government and displayed in the U.S. Capitol, where it remains today. Fassett's persistence in persuading the government to purchase her painting is a testament to her commitment to her art and her determination to help pave the way for future female artists.

### ***In Re Lady Lawyers: The Rise of Women Attorneys and the Supreme Court***

*In Re Lady Lawyers* looks at part of the history of women attorneys in the United States, beginning with Myra Bradwell and Belva Lockwood and continuing with those serving on the Supreme Court today. The exhibit opens with a typed and handwritten list of women members of the Supreme Court Bar. The list dates from the early 20th century and shows a growing network of prominent female attorneys and suffragists from 1879, when Lockwood became the first woman admitted to the Supreme Court Bar, through June 1920, the same year the 19th Amendment was ratified and women won the right to vote.

The exhibit includes historic photographs as well as several objects being exhibited for the first time, including Justice Noah Swayne's 1880 Docket Book open to the entry showing Lockwood's first case before the Supreme Court. Memorabilia and personal effects from Justices Sandra Day O'Connor, Ruth Bader Ginsburg, Sonia Sotomayor, and Elena Kagan are featured, including the pink suit worn by then-Judge O'Connor when her nomination was

announced in 1981. Also on view, as loans from the Daughters of the American Revolution Museum, are a brooch and a woman's suit from c. 1905 that are similar to ones that Lockwood would have worn when she argued her second case, *United States v. Cherokee Nation* (1906). To complete the exhibit, a timeline of female trailblazers in the law highlights some of the accomplishments women have made in the legal field, starting when Arabelle "Belle" Babb Mansfield of Iowa became the first woman in the country to pass the bar exam in any state in 1869.

Unless otherwise noted, all images are in the Collection of the Supreme Court of the United States.



**Among the objects included in the exhibit is the pink suit shown above worn by Judge Sandra Day O'Connor. Here, she stands alongside Chief Justice Warren E. Burger at a White House reception on September 24, 1981, as President Ronald Reagan addresses the crowd from the podium. Credit: The Ronald Reagan Presidential Library.**



**View of *In Re Lady Lawyers*.**



# Governors and Justices Trivia Quiz

By James B. O'Hara

Ten Justices have served as State Governors. How many of them can you name? Answers can be found on the following page (12).

---

---

## A Reader's Contribution: Lucius B. Dabney, Jr.

When Lucius Brian Dabney, Jr., received the invitation announcing the 2018 Leon Silverman Lecture Series focusing on the Supreme Court and World War I, he contacted the Society's office to offer to share a photograph of his father and uncle. Both his ancestors were lawyers and both served in the Army during World War I. They were photographed in Paris dressed in their uniforms. Happily, both of them survived the War. His father, Lucius Dabney, Jr., is shown seated in the photograph, and his uncle, the elder Mr. Dabney's brother, Frederick Yeamans Dabney, is standing beside him in the picture. The photograph was taken in mid-October 1918.

Mr. Dabney, Jr., practices law in Vicksburg, Mississippi, in what is now a solo practice. According to an article printed in the *Mississippi Business Journal*, "There has been a Dabney law firm in Mississippi since before the Civil War." His ancestor Benjamin King Dabney founded the firm at Gloucester Court House in Tidewater Virginia in 1794. His son relocated to Fredericksburg, VA. in 1830. In 1835, Marye Dabney, the grandson of Benjamin King Dabney, moved the firm from Raymond, MS to Vicksburg, MS where it has been operating since 1885.

Lucius Dabney clearly descends from a long line of lawyers; he is the sixth generation of his family to

practice law and his daughter is also a lawyer. He may, in fact, be the longest-practicing lawyer in Mississippi, having been licensed to practice in 1949 and still practicing in 2018. In 1971 he was admitted to the Supreme Court Bar and he joined the Historical Society in 1976.

By being admitted to the Supreme Court Bar, Mr. Dabney was also following in the footsteps of his father, who was also admitted to the Supreme Court Bar. In fact, there are many parallels in the lives of the father and son beyond the practice of law. Mr. Dabney, Jr., also served in a World War, in his case World War II, and he was photographed wearing his Army uniform in Paris in the year 1944. Lucius Dabney, Jr., spent two semesters at VMI before serving in the Army for 26 months during World War II. He was part of the advance into western Germany in 1945 when the war was reaching its conclusion. He later transferred his commission to the Corps of Engineers and spent 16 months in Korea and Japan before being released from active duty. He has pursued the practice of law since leaving the military.

We express congratulations to Mr. Dabney for his long career, and appreciation for his 42 years as a member of the Society. It is a pleasure to celebrate his accomplishments, and to share the photograph.



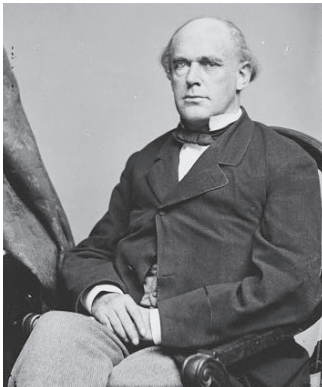
**Lucius Dabney was photographed with his brother Frederick Yeamans Dabney in Paris in October 1918, shortly before the end of World War I. Lucius Dabney was a member of the Supreme Court Bar, and his son, Lucius Dabney, Jr. followed in his footsteps. Mr. Dabney, Jr. has been a member of the Society since 1976.**

# Governors and Justices Trivia Quiz Answers

By James B. O'Hara

•The ten State Governors who served on the Supreme Court of the United States are:

•James F. Byrnes of South Carolina. James F. Byrnes was Governor of South Carolina for one term (1951-1955), after a life time of public service as a Congressman, Senator, Supreme Court Justice and Secretary of State. His time as Governor somewhat marred his reputation because of his fierce opposition to school integration and the Brown decision.



**Salmon P. Chase**

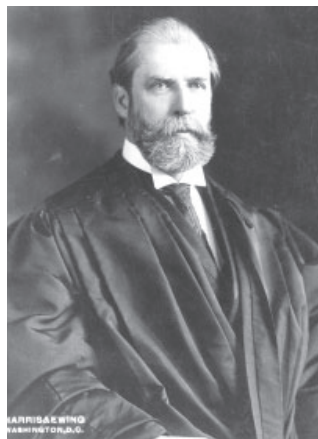
•Salmon P. Chase of Ohio. Salmon P. Chase was most heralded for his role as Treasury Secretary in Lincoln's Cabinet. Prior to the Civil War, he was both Governor and Senator from Ohio.

•Thomas Johnson of Maryland. Thomas Johnson was Governor of Maryland during the Revolutionary War. Johnson was appointed

to the Court by Washington in 1791 but served less than two years. He believed that the duties of the Court were ill suited to his health and age.

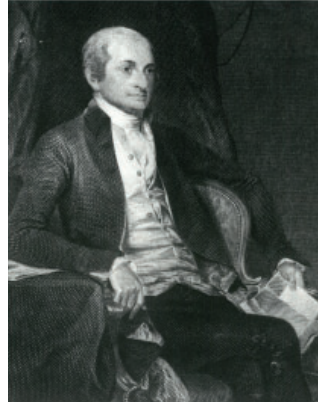
•Frank Murphy of Michigan. Frank Murphy, in his relatively short life was a trial judge, Mayor of Detroit, Governor General of the Philippines, Governor of Michigan and Attorney General before Franklin Roosevelt appointed him to serve on the Court.

•Charles Evans Hughes of New York. Charles Evans Hughes was a reform Governor New York prior to his appointment to the Supreme Court by President Taft. He resigned from the Court to run for President against Wilson in 1916, losing by a narrow margin. He was later reappointed Chief Justice in 1930.



**Charles Evans Hughes**

•William Paterson of New Jersey. William Paterson represented New Jersey as one of its first United States Senators in the very first US Congress. He left in 1790 to become Governor, and was appointed to the Supreme Court in 1793.



**John Jay**

•John Jay of New York. John Jay resigned as Chief Justice in 1795 because he was elected Governor of New York. After his time as Governor, John Adams offered him a reappointment as Chief Justice in 1800, but he declined to serve

•John Rutledge of South Carolina. John Rutledge was the governor of South Carolina during the perilous times of the Revolutionary War during which time the state had to cope with an invading army. Rutledge served on the Court twice; the first time as an Associate Justice before resigning after only two years. The second time he received an interim appointment and served as Chief Justice for only a few months. When Congress reconvened, the Senate refused to confirm his appointment to the Court and he stepped down.

•Earl Warren of California. Earl Warren was the enormously popular Governor of California at the time he was appointed Chief Justice by President Eisenhower. Warren was the Republican nominee for Vice President on the Presidential ticket with Thomas Dewey who lost to Harry Truman in 1948.



**Earl Warren**

•Levi Woodbury of New Hampshire. Levi Woodbury served as Governor of New Hampshire for a one-year term in 1823. Subsequently he served in the cabinets of both Andrew Johnson and Martin Van Buren. His first appointment was as Secretary of the Navy, and then he served as Secretary of the Treasury. He was appointed to the Court by President James A. Polk.



**Levi Woodbury**



# Street Law's 2018 Supreme Court Summer Institute for Teachers

By Erica Wang, Street Law, Inc., Program Coordinator

This past June, 60 eager social studies teachers from around the country gathered in Washington, D.C., for six days to learn about the Supreme Court of the United States,

of nationally-recognized resource people from the legal community, advocacy groups, and the media.

Each Institute began with workshops to familiarize teachers with the inner workings of the Court. Topics included the processes of nominating a Justice to the Court, granting *certiorari* (deciding to hear cases), and interpreting the Constitution. To cement the participants' knowledge of these complex procedures, legal experts Cate Stetson (Hogan Lovells) and Supreme Court Historical Society Trustee Chis Landau (Quinn Emmanuel) facilitated candid and thorough discussions with the participants. Subsequently, the teachers widened their breadth of knowledge on deliberation and constitutional interpretation with case study analyses led by experts including Erin Murphy (Kirkland & Ellis) and Danielle Lang and Paul Smith (Campaign Legal Center). Teachers were also able to gain insight into the media's perspective on Court proceedings when Nina Totenberg of NPR and BuzzFeed's Chris Geidner stopped by to talk about their experiences covering the Court.

The tools teachers acquired from these sessions prepared them to participate in one of the Institute's culminating experiences: a moot court for a case from this term—*Carpenter v. United States*. The simulation took place in Georgetown University Law Center's stunning moot courtroom. The

exchange professional development ideas, and explore the advantages of being in the nation's capital. These dedicated educators participated in the 24<sup>th</sup> Annual Supreme Court Summer Institute for Teachers and will take the knowledge and teaching methods they gained back to their respective schools to expand and improve instruction about the Court.

Since 1995, Street Law, Inc., and the Supreme Court Historical Society have worked together to produce this effective in-depth professional development seminar that gives teachers exemplary resources to educate their students about the history of the Supreme Court, current cases, and procedures. The Institute is divided into two six-day long sessions composed of experiences at the Supreme Court, hands-on teaching methods, and insightful sessions led by a network

of teachers were divided into three groups: justices, petitioners, and respondents and each group was trained separately by



A participant presents his argument in the Institute's Moot Court.





**Second session participants posed for their “class photograph” on the steps of the Supreme Court Building.**

expert resource people, including Supreme Court Historical Society Program Committee member Roy Englert (Robbins Russell) and Beth Brinkmann (Covington & Burling). Each group settled comfortably into their roles, with the advocates responding to a flurry of questions from our well-prepared “hot bench.” After the justices announced their decision, teachers discussed both the case and the activity and were provided with resources and strategies to replicate the simulation in their own classrooms. Teachers found the moot court experience to be “beyond excellent and utilizable,” as well as “one of the best days yet.”

The teachers were also given several opportunities to visit the Court and experience the exciting atmosphere there firsthand. During one visit, teachers participated in question and answer sessions with Mara

Silver, deputy clerk, and Michael Shenkman, special assistant to the Counsel for the Chief Justice. One teacher, drawing on both the personal and factual aspects of the discussion, recalled the meeting as one of “great insight and historical perspective.” The teachers were also present in the Courtroom when several opinions were announced (or handed down) by the Court, after which they enjoyed a private docent-led lecture. The highlight for each week was a meeting with a Justice—Chief Justice Roberts during the first week and Associate Samuel A. Alito, Jr., during the second week. One participant characterized their reaction to meeting a Justice as “an honor and a once-in-a-lifetime experience!”

Thanks to the indispensable efforts of the Supreme Court Historical Society and this summer’s expert resource people, the Supreme Court Institute was once again a resounding success. This year’s alumni will educate thousands of students as they employ both new teaching methods and content gained from the experience. With time and dedication, some of the teachers’ students may even become future Institute participants, furthering the missions of Street Law



**Lee Arbetman (left) talks with NPR reporter Nina Totenberg, who talked to the participants.**

and the Supreme Court Historical Society, both of which seek to foster a deeper understanding of the Supreme Court of the United States and its role in American society.



# NEW SUPREME COURT HISTORICAL SOCIETY MEMBERSHIPS

April 1, 2018 through June 31, 2018

## Alabama

George Allan Eyrich, Mobile  
Fred Marion Haston, Birmingham  
Ronald Bruce Barze, Birmingham  
Richard W. Franklin, Mobile  
Joseph M. Brown, Mobile  
A. Edwin Stuardi, Mobile  
Michael L. Bell, Birmingham  
Richard Raleigh, Huntsville  
Michael K. Wright, Birmingham  
Thomas M. Rockwell, Mobile  
Andrew J. Rutens, Mobile  
Kristy W. Dugan, Mobile  
Dennis R. Bailey, Montgomery  
Hope Marshall, Birmingham  
Russell C. Buflkin, Mobile  
Jarrod J. White, Mobile  
Lee L. Hale, Mobile  
Sam W. Irby, Fairhope  
Thomas Howard Keene, Montgomery  
Jennifer Foster, Auburn

## Alaska

Andrea Hattan, Anchorage  
Darrel Gardner, Anchorage  
Kevin Feldis, Anchorage  
Brewster Jamieson, Anchorage  
Morgan Christen, Anchorage

## Arizona

E. R. Stent, Prescott  
Scott Berren, Tempe  
Janelle Edmonds, Tucson

## Arkansas

Teresa Wineland, Little Rock  
Bob Edwards, Little Rock  
Paul Keith, Monticello  
Rebecca Kane, Little Rock  
Deborah Truby Riordan, Little Rock  
David R. Matthews, Rogers  
M. Chad Trammell, Texarkana  
Tim Cullen, Little Rock  
Leigh Sullivan, Paragould

## California

Bill O. Hing, San Francisco  
Susan Freiwald, San Francisco  
Jiarui Liu, San Francisco  
Blake Carter, San Francisco  
Dale Buurma, San Francisco  
Masoud Adina, Alameda  
David Ching, Alhambra  
Virginia Chan, Greenbrae  
Danielle Suh, San Francisco  
Hannah Chung, San Francisco  
Roger Cook, Sonoma  
Jaime Partida, Los Angeles  
Ivan Avila, Los Angeles  
Talik Hill, Los Angeles  
Malik Litrell, Los Angeles  
Ruben Rocha, Los Angeles  
Nathaniel Zelada, Los Angeles  
Jose Fraire, Los Angeles  
Michael H. Hewitt, San Francisco  
Joseph Guzzetta, San Francisco  
Isaac Webb, Berkeley  
Barry Goode, Richmond  
Kevin Mooney, Newport Beach  
Barbara Harris Chiang, San Francisco  
Yvonne E. Campos, San Diego  
Louisa Capp, Santa Clara  
Rocky Parker, Dana Point  
Erik Anderson, Los Angeles  
Julie Kuo, Ross  
Jaya Subrmanian, East Palo Alto

## Colorado

Laura McNabb, Denver  
Julian Ellis, Denver  
Jenna Brunett, Littleton  
Katherine Mercer - Lawson, Denver  
Matthew S. Van Hook, Colorado Springs  
Lester R. Woodward, Denver  
Cassie Dobbins Moore, Lakewood  
Zach Holmes, Colorado Springs

## Connecticut

Sergio C. Deganis, Cheshire

Brian Flood, Middletown  
Ernest F. Teitell, Stamford  
Michael Freeman, Farmington  
Nicholas H. Mancuso, Colcehster  
Michael P. Deneen, Windsor  
Paul A. Keily, West Hartford  
Eric S. Bartlett, East Hartford  
John F. Buckley, New Haven  
Richard A. Silver, Stamford  
Kelly Lange, East Hartford  
Jeffrey Sepko, Newington

## Delaware

Samuel Sachs, Wilmington

## Disctrict of Columbia

Julie Silverbrook  
Neil H. MacBride  
David C. Lashway  
Debora Lyon  
Renee Littleton  
Aisling O'Shea  
Ira Sherman  
McKenzie Miller  
Cameron Peek  
Jamila Cambridge  
Matthew Breen  
Max Hamilton  
Sohrab Hasarian  
Katherine HeiseStar Parker  
Nicholas S. McConnell

## Florida

Robert Lloyd, Port Orange  
David L. Shapiro, Fort Lauderdale  
David Dalin, Boca Raton  
Clifford C. Higby, Panama City  
Anne O'Renick, Orange Park  
Margo Rivera, Port Orange  
Julia Codner-Coke, Pembroke Pines  
Richard Small, Ocala

## Georgia

Robert S. Bexley, Lawrenceville  
Jennifer Wittich, Port Wentworth  
Henry D. Fellows, Atlanta  
Heather Riganti, Columbus

## Idaho

Walter H. Bithell, Boise  
David Goss, Boise  
Geoffrey Goss, Boise  
Matthew Gustavel, Boise  
David Hammerquist, Boise  
Francis Patrick Walker, Boise  
Robert E. Guyon, Pocatello

## Illinois

Michael Kick, Bourbonnais  
Charles C. Hughes, Decatur  
Benjamin Reiff, Oak Lawn  
Kim Ferraro, Lake Zurich

## Iowa

Michael A. Giudicessi, Des Moines

## Kansas

Amanda Sherraden, Overland Park  
Robyn Kelso, Eudora

## Kentucky

David L. Yewell, Owensboro  
Tony C. Coleman, Louisville  
Maggie Payne, Lexington

## Louisiana

Francis X. Neuner, Lafayette  
Micah J. Fincher, New Orleans  
Scott U. Schlegel, Gretna  
F. Rivers LeLong, New Orleans  
Miriam Childs, New Orleans  
James J. Davidson, Lafayette  
Karl Johnson, Baton Rouge  
Joseph L. Shea, Shreveport  
S. Guy deLaup, Metairie  
Val P. Exnicios, New Orleans  
M. Taylor Darden, New Orleans  
Charles D. Elliott, Alexandria  
William S. Dubois, Baton Rouge

## Maryland

Catherine B. Stetson, Bethesda  
Elizabeth Sadler, Pasadena  
Seth Price, Chevy Chase  
Oluwaremilekun O. Ojurongbe, Landover Hills  
Karen Jones, Olney  
Joshua Halpren, Silver Spring

## Massachusetts

Halley Evans, Brookline  
William F. Lee, Boston  
Thomas Oller, Stow  
Mary Bonavita, Agawam

## Michigan

Carrie Sampson, Lansing  
Brian Taylor, Holland  
Barbara Gazda, Hartland

## Minnesota

Stephen P. Astrup, Moorhead  
Samuel L. Hanson, Minneapolis  
Barbara R. Spannaus, Shorewood  
Alan H. Maclin, Minneapolis  
PJ Wiggin, St. Paul

## Mississippi

Pope S. Mallette, Oxford  
Paul B. Watkins, Oxford  
John D. Mayo, Oxford  
Kate Embry, Oxford  
J. Drew Mauldin, Oxford

## Montana

Josephine Ellerman, Kansas City  
Stacy Ray, Florissant

## Nebraska

Jordan Martin, Superior

## Nevada

Brian Backman, Las Vegas  
Amy Coombs, Reno

## New Jersey

Joseph J. & Linda Bell, Rockaway  
Elizabeth J. Sher, Parsippany  
Linda Dean, Plainsboro

## New York

Ben Parker, Bronx  
Curtis Leitner, New York  
Nicole Buseman, New York  
Rachel Recker, Bronx  
Kevin M. Casey, New York  
Brian Hunt, New York  
Devin M. Cain, New York  
Audrey S. Feldman, New York  
Christopher Brumwell, New York  
Konstantin Lantsman, New York  
Benjamin Phillis, New York  
Kavita Ramakrishnan, New York  
Miriam Glaser, New York  
Marina Indenbaum, New York  
Jane Bobet, New York  
Matthew A. Schwartz, New York  
Carlton Cain, Niagara Falls  
Catherine Hedgeman, Slingerlands  
Dina L. Hamerman, White Plains  
George C. Godfrey, White Plains  
Craig M. Cepler, White Plains  
Alicia A. Talbe, White Plains  
Scott Downs, Fresh Meadows  
David Maloof, Rye

## North Carolina

Heather Hahn, Walkertown  
Christian Borkowski, Pfafftown  
Emily Williams, Charlotte

## Ohio

Dean Hines, Dayton  
Matthew Slovin, Cincinnati  
Candice Chupek, Akron  
Samuel Herron, Cleveland

## Pennsylvania

Michael Rettig, Blandon  
Frank A. Chernak, Glensdale

Richard Simins, Philadelphia  
Douglas Rosenblum, Philadelphia  
Sonya Bishop, Philadelphia  
Kevin Kent, Philadelphia  
Ilana Eisenstein, Philadelphia  
Rachel Collins Clarke, Philadelphia  
Joseph Stapleton, Philadelphia  
Michael Schwartz, Philadelphia  
Jared Klein, Philadelphia  
Bruce Edwin Green, Philadelphia  
Timothy R. Lawn, Philadelphia  
Stephen Raynes, Philadelphia  
Ricardo Zayas, Warminster  
Charles P. Hehmeyer, Philadelphia  
Samuel W. Silver, Philadelphia  
Courtney Saleski, Philadelphia  
Felix Yerace, McDonald

## Rhode Island

Jonathan Cabot, Providence  
Daniella Dufault, Providence  
Nicholas Nybo, Providence  
Daniel Procaccini, Providence  
Derek Rocha, Providence  
Rich-Henry Schabowsky, Providence  
William Wray, Providence

## South Carolina

Thomas H. Pope, Newberry  
Luther J. Battiste, Columbia  
Caleb Brown, Columbia  
Zachariah Lowe, Sumter

## Tennessee

T. Barrett Lee, Lookout Mountain

## Texas

Alan Sager, Austin  
Michael V. Powell, Dallas  
Jennifer Cassanova, San Antonio  
Stacy Martin, Keller  
Amanda Peters, Frisco  
Kim Grosenbacher, Boerne  
Nancy Palmer, San Antonio  
Erin Tenczar, Sugar Land

## Utah

Cheryl Livingston, Salt Lake City  
Emily Glende, Murray

## Virginia

Heidi Daniel, Arlington  
Andrew Baker, Alexandria  
Elizabeth Ann Dickerhoof, Clifton  
Donald R. Morin, Charlottesville  
Caroline Kessler, Charlottesville  
John Bryan Callahan, Locust Grove  
Wesley Hedgepeth, Richmond  
Joshua Henry, McLean  
Randi Warren, Mokesville  
Angie Cosimano, Virginia Beach  
Marie Earnhart, Fairfax  
Gene Matthews, Ashland

## Washington

Shari Conditt, Woodland

## Wisconsin

Fred D. Hollenbeck, Mauston  
Reuben W. Peterson, Milwaukee  
Kelly Bauman, Mosinee

## Wyoming

Paul Hickey, Cheyenne  
Paula Volker, Casper

## Canada

John J.L. Hunter, British Columbia

## Puerto Rico

Nestor M. Mendez Gomez, San Juan

---

---

## Associate Justice Brett M. Kavanaugh joins the Court

Photograph by Fred Schilling, 2018.



Associate Justice Brett M. Kavanaugh.

Brett M. Kavanaugh, Associate Justice, was born in Washington, D.C., on February 12, 1965. He married Ashley Estes in 2004, and they have two daughters - Margaret and Liza. He received a B.A. from Yale College in 1987 and a J.D. from Yale Law School in 1990. He served as a law clerk for Judge Walter Stapleton of the U.S. Court of Appeals for the Third Circuit from 1990-1991, for Judge Alex Kozinski of the U.S. Court of Appeals for the Ninth Circuit from 1991-1992, and for Justice Anthony M. Kennedy of the U.S. Supreme Court during the 1993 Term. In 1992-1993, he was an attorney in the Office of the Solicitor General of the United States. From 1994 to 1997 and for a period in 1998, he was Associate Counsel in the Office of Independent Counsel. He was a partner at a Washington, D.C., law firm from 1997 to 1998 and again from 1999 to 2001. From 2001 to 2003, he was Associate Counsel and then Senior Associate Counsel to President George W. Bush. From 2003 to 2006, he was Assistant to the President and Staff Secretary for President Bush. He was appointed a Judge of the United States Court of Appeals for the District of Columbia Circuit in 2006. President Donald J. Trump nominated him as an Associate Justice of the Supreme Court, and he took his seat on October 6, 2018. Justice Kavanaugh is the 102nd individual to serve as an Associate Justice of the Court. A formal investiture ceremony for Associate Justice Brett M. Kavanaugh was held at a special sitting of the Supreme Court in the Courtroom at 10 a.m. on Thursday, November 8.