

DAVID N. ATKINSON

LEAVING *the* BENCH

SUPREME COURT JUSTICES AT THE END



Leaving The Bench Supreme Court Justices At The End

Brian McGinty



Leaving The Bench Supreme Court Justices At The End:

Leaving the Bench David N. Atkinson, 1998-12-31 Suffering from a bad heart emphysema glaucoma and deafness Thurgood Marshall finally retired from the Supreme Court at the age of 82 in spite of having always claimed I was appointed to a life term and I intend to serve it Many observers felt he should have left much earlier Life appointments make Supreme Court justices among the most powerful officials in government and allow even dysfunctional judges to stay on long after they should have departed For that reason when a justice leaves the bench is often as controversial as when he s appointed This first comprehensive historical treatment of their deaths resignations and retirements explains when and why justices do step down It considers the diverse circumstances under which they leave office and clarifies why they often are reluctant to showing how factors like pensions party loyalty or personal pride come into play It also relates physical ailments to mental faculties offering examples of how a justice s disability sometimes affects Court decisions David Atkinson examines each of the nearly 100 men who have left the bench and provides anecdotal glimpses into the lives of famous and obscure justices alike He reveals how men like Salmon Chase and William O Douglas determinedly continued to serve after suffering strokes how Joseph McKenna persevered despite knowing he was professionally unqualified and how long before Thurgood Marshall the ailing octogenarian Gabriel Duvall finally retired after struggling to protect another ideological position on the Court Ultimately Atkinson shows just how human these people are and enhances our understanding of how the Court conducts its business He also suggests specific ways to improve the present situation weighing the pros and cons of mandatory retirement and calling for reform in the delegation of duties to law clerks who in recent years have dominated the actual writing of many justices decisions As the current Court ages how long might we expect justices to remain on the bench Because our next president will likely make several appointments now is the time to consider what shape the Supreme Court will take in the next century Offering a wealth of information never before collected *Leaving the Bench* provides substantial grist for that debate and will serve as an unimpeachable reference on the Court *Supreme Court Confirmation Hearings and Constitutional Change* Paul M. Collins, Lori A. Ringhand, 2013-06-24 This book demonstrates that the hearings to confirm Supreme Court nominees are in fact a democratic forum for the discussion and ratification of constitutional change **The Oxford Handbook of the U.S. Constitution** Mark V. Tushnet, Mark A. Graber, Sanford Levinson, 2015 The Oxford Handbook of the U S Constitution offers a comprehensive overview and introduction to the U S Constitution from the perspectives of history political science law rights and constitutional themes while focusing on its development structures rights and role in the U S political system and culture This Handbook enables readers within and beyond the U S to develop a critical comprehension of the literature on the Constitution along with accessible and up to date analysis Whether a return to the pristine constitutional institutions of the founding or a translation of these constitutional norms in the present is possible remains the central challenge of U S constitutionalism today *Judicial Process in America* Robert A. Carp, Kenneth L.

Manning, Lisa M. Holmes, Ronald Stidham, 2019-02-20 Known for shedding light on the link between the courts public policy and the political environment *Judicial Process in America* offers students a clear but comprehensive overview of today's American judiciary Considering the courts from every level the authors thoroughly cover judges lawyers litigants and the variables at play in judicial decision making The highly anticipated Eleventh Edition offers updated coverage of recent Supreme Court rulings including same sex marriage and health care subsidies the effect of three women justices on the Court's patterns of decision and the policy making role of state tribunals as they consider an increasing number of state programs and policies New to this Edition Discussions of recent judicial appointments take a critical look at how President Trump's victory has set the stage for moving the ideological direction of the Supreme Court and of the lower federal judiciary in a distinctly more conservative direction An analysis of recent controversial Supreme Court decisions help students to identify with the content by exploring issues such as citizenship rights for immigrants gay and lesbian rights and freedom of speech and religion Additional tables and graphs illustrate the patterns and trends that are occurring in today's judicial process New coverage of current topics help students see how the judicial process is applied These topics include the legality of Congress feeble attempts to repeal and replace the Affordable Care Act that affects millions of people how to address the issues of immigration and deportations including what to do about so called Dreamers children brought illegally to the United States by their parents without the children's knowledge and who have spent much or all of their lives here the status of abortion rights in America as more and more conservative states have sought to further restrict a woman's right to such a procedure the legal status of transgender persons in the armed forces the degree to which severely gerrymandered legislative districts pass constitutional muster and the great changes in the issue of same sex marriage both among average Americans and within the state and federal court systems including all the ancillary issues such as whether same sex couples can adopt children and obtain government fringe benefits *The Most Powerful Court in the World* Stuart

Banner, 2025-02-04 Stuart Banner's *The Most Powerful Court in the World* is an authoritative history of the United States Supreme Court from the Founding era to the present Not merely a history of the Court's opinions and jurisprudence it is also a rich account of the Court in the broadest sense of the sorts of people who become justices and the methods by which they are chosen of how the Court does its work and of its relationship with other branches of government Rather than praising or criticizing the Court's decisions Banner makes the case that one cannot fully understand the decisions without knowing about the institution that produced them **The Supreme Court** Peter Charles Hoffer, William James Hoffer, N. E. H. Hull, 2007

For more than two centuries the U S Supreme Court has provided a battleground for nearly every controversial issue in our nation's history This veteran team of talented historians produces the most readable astute and up to date single volume history of this venerated institution *The Judicial Branch* Kermit L. Hall, Kevin T. McGuire, 2005-10-27 Edited by Kermit L. Hall and Kevin T. McGuire this collection of essays examines the role of the judicial branch in American democracy and the

dynamic between the other branches of government compares international models and discusses possible measures for reform The contributors consider the impact of courts on American life and address such central questions as Is the Supreme Court an institution of social justice Is there a case for judicially created and protected social rights Have the courts become sovereign when interpreting the Constitution **The Oxford Companion to the Supreme Court of the United States** ,

The Oxford Companion to the Supreme Court of the United States Kermit L. Hall, 2005-05-19 A superb one volume resource on the United States Supreme Court this second edition includes new entries on key cases and fully updated treatment of hot button issues of constitutional law such as abortion freedom of religion school desegregation freedom of speech voting rights military tribunals and the rights of the accused These developments make the second edition of this accessible and authoritative guide essential for judges lawyers academics journalists and anyone interested in the impact of the Court's decisions on American society *Tracings of Gerald Le Dain's Life in the Law* G. Blaine Baker, Richard Janda, 2019-05-30 Gerald Le Dain 1924-2007 was appointed to the Supreme Court of Canada in 1984 This collectively written biography traces fifty years of his steady creative and conciliatory involvement with military service the legal academy legislative reform university administration and judicial decision making This book assembles contributions from the in house historian of the law firm where Le Dain first practised from students and colleagues in the law schools where he taught from a research associate in his Commission of Inquiry into the non medical use of drugs from two of his successors on the Federal Court of Appeal and from three judicial clerks to Le Dain at the Supreme Court of Canada Also reproduced here is a transcript of a recent CBC documentary about his 1988 forced resignation from the Supreme Court following a short term depressive illness with commentary from Le Dain's family and co workers Gerald Le Dain was a tireless worker and a highly respected judge In a series of essays that cover the different periods and dimensions of his career *Tracings of Gerald Le Dain's Life in the Law* is an important and compassionate account of one man's commitment to the law in Canada Contributors include Harry W Arthurs G Blaine Baker Bonnie Brown Rosemary Cairns Way John M Evans Melvyn Green Bernard J Hibbitts Peter W Hogg Richard A Janda C Ian Kyer Andree Lajoie Gerald E Le Dain Allen M Linden Roderick A Macdonald Louise Rolland and Stephen A Scott *Routledge Handbook of Judicial Behavior* Robert M. Howard, Kirk A. Randazzo, 2017-10-02 Interest in social science and empirical analyses of law courts and specifically the politics of judges has never been higher or more salient Consequently there is a strong need for theoretical work on the research that focuses on courts judges and the judicial process The *Routledge Handbook of Judicial Behavior* provides the most up to date examination of scholarship across the entire spectrum of judicial politics and behavior written by a combination of currently prominent scholars and the emergent next generation of researchers Unlike almost all other volumes this Handbook examines judicial behavior from both an American and Comparative perspective Part 1 provides a broad overview of the dominant Theoretical and Methodological perspectives used to examine and understand judicial behavior Part 2 offers an in depth analysis of the

various current scholarly areas examining the U S Supreme Court Part 3 moves from the Supreme Court to examining other U S federal and state courts and Part 4 presents a comprehensive overview of Comparative Judicial Politics and Transnational Courts Each author in this volume provides perspectives on the most current methodological and substantive approaches in their respective areas along with suggestions for future research The chapters contained within will generate additional scholarly and public interest by focusing on topics most salient to the academic legal and policy communities

Habeas Corpus Eric M. Freedman, 2003-05 Habeas Corpus is the process by which state prisoners particularly those on death row appeal to federal courts to have their convictions overturned Its proper role in our criminal justice system has always been hotly contested especially in the wake of 1996 legislation curtailing the ability of prisoners to appeal their sentences In this timely volume Eric M Freedman reexamines four of the Supreme Court's most important habeas corpus rulings one by Chief Justice John Marshall in 1807 concerning Aaron Burr's conspiracy two arising from the traumatic national events of the 1915 Leo Frank case and the 1923 cases growing out of murderous race riots in Elaine County Arkansas and one case from 1953 that dramatized some of the ugliest features of the Southern justice of the period In each instance Freeman uncovers new original sources and tells the stories of the cases through such documents as the Justices' draft opinions and the memos of law clerk William H Rehnquist In bracing and accessible language Freedman then presents an interpretation that rewrites the conventional view Building on these results he challenges legalistic limits on habeas corpus and demonstrates how a vigorous writ is central to implementing the fundamental conceptions of individual liberty and constrained government power that underlie the Constitution

The Judicial Process Christopher P. Banks, David M. O'Brien, 2015-02-19 The Judicial Process Law Courts and Judicial Politics is an all new concise yet comprehensive core text that introduces students to the nature and significance of the judicial process in the United States and across the globe It is social scientific in its approach situating the role of the courts and their impact on public policy within a strong foundation in legal theory or political jurisprudence as well as legal scholarship Authors Christopher P Banks and David M O'Brien do not shy away from the politics of the judicial process and offer unique insight into cutting edge and highly relevant issues In its distinctive boxes Contemporary Controversies over Courts and In Comparative Perspective the text examines topics such as the dispute pyramid the law and morality of same sex marriages the hardball politics of judicial selection plea bargaining trends the right to counsel and pay as you go justice judicial decisions limiting the availability of class actions constitutional courts in Europe the judicial role in creating major social change and the role lawyers juries and alternative dispute resolution techniques play in the U S and throughout the world Photos cartoons charts and graphs are used throughout the text to facilitate student learning and highlight key aspects of the judicial process

Institutions of American Democracy: The Judicial Branch Kermit L. Hall, Kevin T. McGuire, 2005-10-27 Presents a collection of essays that provide an examination of the judicial branch of the American government including its history its impact and its future

The Waite Court Donald

Grier Stephenson, 2003-11-12 An extensive exploration of the major decisions and personalities of the Supreme Court during the 14 year tenure of Chief Justice Morrison Remick Waite The Waite Court Justices Rulings and Legacy presents a fresh interpretation of the Supreme Court under the tenure of Chief Justice Morrison Remick Waite 1874 1888 An in depth analysis of key decisions demonstrates how the Waite Court confronted such profound issues as the post Civil War rights of African Americans and state regulations intended to cope with rampant industrialization Highlighting the Court s most famous decision Munn v Illinois which upheld legislation regulating railroad and grain elevator rates this careful analysis also reviews the Court s unique involvement in the 1876 presidential election electoral predicament Profiles of the 15 justices who served on the Waite Court include extensive descriptions of the five that rank among the most outstanding justices ever to serve on the Supreme Court *Jews and American Public Life* David G. Dalin, 2022-05-24 Over a career spanning forty years David G Dalin has written extensively about the role of American Jews in public life from the nation s founding to presidential appointments of Jews to lobbying for the welfare of Jews abroad to Jewish prominence in government philanthropy intellectual life and sports and their one time prominence in the Republican Party His work on the separation of Church and State and a prescient 1980 essay about the limits of free speech and the goal of Neo Nazis to stage a march in Skokie Illinois are especially noteworthy Here for the first time are a collection of sixteen of his essays which portray American Jews who have left their mark on American public life and politics **American Constitutional History** Jack Fruchtman, 2022-01-12 Reveals how the Constitution has evolved over the past 235 years featuring updated coverage of the 2020 presidential election and constitutional changes made by the Supreme Court up to June 2021 American Constitutional History A Brief Introduction Second Edition presents a concise and accessible history of the 235 year development of the Constitution since its ratification The book is organized around five distinct periods in U S history the New Republic the Slave Republic the Free Market Republic the Social Welfare Republic and the Contemporary Republic to demonstrate the evolution of the American republic and its founding document over time With an engaging narrative approach author Jack Fruchtman describes how constitutional changes have occurred through both formal amendments and informal decisions by the president Congress and the Supreme Court Updated to cover the period from 2015 to 2021 the second edition examines the controversial presidential election of 2020 in which Donald Trump despite losing the electoral and popular vote claimed victory and espoused charges of widespread election fraud New coverage of the addition of Neil Gorsuch Brett Kavanaugh and Amy Coney Barrett to the Supreme Court is complemented by discussion of important decisions made after 2015 including affirming same sex marriage a woman s right to abortion under certain circumstances the right to own and carry a firearm and the central place of religious liberty in American society This book also Highlights the Constitution s evolution through government regulation of the economy individual and civil rights and executive power Reflects the evolution of constitutional changes made by the Supreme Court up to June 2021 Discusses topics such as the ideological origins of the U

S Constitution the Civil War and Reconstruction the civil rights movement and growth of executive power Includes chapter overviews summaries and descriptions of formal constitutional amendments ratified by the states American Constitutional History A Brief Introduction Second Edition is an excellent introductory textbook for upper level undergraduate and graduate courses in American history and political science and a must read for general readers seeking insights into the origins and evolution of the U S Constitution Liberty and Union Edgar J. McManus,Tara Helfman,2013-12-04 This the second of two volumes of Liberty and Union is a comprehensive constitutional history of the United States from the Progressive Era of the early twentieth century to the most recent decisions of the Supreme Court on contemporary constitutional issues Written in a clear and engaging narrative style it successfully unites thorough chronological coverage with a thematic approach offering critical analysis of core constitutional history topics set in the political social and economic context that made them constitutional issues in the first place Combining a thoughtful and balanced narrative with an authoritative stance on key issues the authors deliberately explain the past in the light of the past without imposing upon it the standards of later generations Authored by two experienced professors in the field this textbook has been thoughtfully constructed to offer an accessible alternative to dense scholarly works avoiding unnecessary technical jargon defining legal terms and historical personalities where appropriate and making explicit connections between constitutional themes and historical events For students in an undergraduate or postgraduate constitutional history course or anyone with a general interest in constitutional developments this book will be essential reading Useful features include Full glossary of legal terminology Recommended reading A table of cases Extracts from primary documents Companion website Useful documents provided Declaration of Independence Articles of Confederation Constitution of the United States of America Chronological list of Supreme Court justices Lincoln and the Court Brian McGinty,2009-07-01 This meticulously researched and engagingly written narrative rescues the story of Abraham Lincoln and the Supreme Court from long and undeserved neglect recounting the compelling history of the Civil War president s relations with the nation s highest tribunal and the role it played in resolving the agonizing issues raised by the conflict Research Handbook on Judicial Politics Michael P. Fix,Matthew D. Montgomery,2024-09-06 This timely Research Handbook offers a comprehensive examination of judicial politics both in the US and across the globe Taking a broad view of the judiciary in all levels of the court it examines the present state of the field and raises new questions for future scholarly exploration

The Top Books of the Year Leaving The Bench Supreme Court Justices At The End The year 2023 has witnessed a remarkable surge in literary brilliance, with numerous engrossing novels captivating the hearts of readers worldwide. Lets delve into the realm of popular books, exploring the fascinating narratives that have captivated audiences this year. The Must-Read : Colleen Hoover's "It Ends with Us" This poignant tale of love, loss, and resilience has gripped readers with its raw and emotional exploration of domestic abuse. Hoover masterfully weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can prevail. Uncover the Best : Taylor Jenkins Reid's "The Seven Husbands of Evelyn Hugo" This intriguing historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reid's absorbing storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Discover the Magic : Delia Owens' "Where the Crawdads Sing" This captivating coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens weaves a tale of resilience, survival, and the transformative power of nature, entrancing readers with its evocative prose and mesmerizing setting. These top-selling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of engaging stories waiting to be discovered. The novel begins with Richard Papen, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is a masterful and thrilling novel that will keep you guessing until the very end. The novel is a cautionary tale about the dangers of obsession and the power of evil.

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