

We asked ChatGPT 50 questions about the Supreme Court. Here are its answers.

Green = correct

Red = incorrect

Yellow = incomplete / potentially misleading

	Question	2023 ChatGPT's Response	Notes	2025 ChatGPT's Response	Notes
1	Who was the first chief justice of the United States?	John Jay was the first chief justice of the United States. He served from 1789 to 1795.		<p>4o: "The first Chief Justice of the United States was John Jay. He served from 1789 to 1795, having been appointed by President George Washington."</p> <p>o3-mini: Added that Justice Jay was "appointed by President George Washington in 1789 and served until 1795."</p> <p>o1: Substantially the same output.</p>	
2	Who was the longest serving Supreme Court justice in history?	William O. Douglas served on the Supreme Court for the longest period in history, from 1939 to 1975.		<p>4o: "The longest-serving Supreme Court justice in U.S. history was William O. Douglas, who served for 36 years and 211 days (from April 17, 1939, to November 12, 1975)."</p> <p>o3-mini: Added that Justice Douglas was "[a]ppointed by President Franklin D. Roosevelt in 1939, Douglas served on the Court until 1975—a total of 36 years. His tenure is noted not only for its length but also for his influential opinions on constitutional rights, environmental law, and civil liberties."</p> <p>o1: Thought that Justice Douglas "served from April 15, 1939, until November 12, 1975—a span of over 36 years."</p>	<p>4o: Justice Douglas served for 36 years and 209 days, not 211. However, 4o quickly cured this negligible mistake when asked to double check its answer: "...I double-checked, and the exact duration of William O. Douglas's tenure was 36 years and 209 days, from April 17, 1939, to November 12, 1975."</p> <p>o1: Another slight discrepancy: Justice Douglas assumed office on April 17, 1939, not April 15. When asked to double check its answer, o1 rectified the mistake, noting that, "[a]ccording to most historical sources, William O.</p>

					Douglas was sworn in on April 17, 1939, rather than April 15.”
3	When does each new Supreme Court term begin?	The Supreme Court's term begins on the first Monday in October.		<p>4o: “Each new Supreme Court term begins on the first Monday in October every year. This is established by 28 U.S. Code § 2, which states that the Court's annual term starts on that day and generally runs until late June or early July.”</p> <p>o3-mini: Substantially the same output, except that the U.S.C. provision was not cited.</p> <p>o1: Mentioned that “[t]his date [first Monday in October] is specifically set by federal statute. The Court remains in session (with breaks for recesses) typically until late June or early July of the following year.”</p>	
4	How does the Supreme Court decide whether to grant a petition for certiorari?	<p>The Supreme Court decides whether to grant a petition for certiorari (review) through a process called "the cert pool." The Justices meet in conference every Friday during the Court's term to discuss pending cases. The Justices are each given a certiorari petition and any opposition or amicus briefs that have been filed. They then vote on whether to grant certiorari. Typically, four Justices must vote in favor of granting certiorari in order for the Court to hear a case. However, there are no set rules and there is no set number of votes required to grant certiorari. The decision to grant certiorari is discretionary, which means the Court can choose to hear a case or not hear a case for any reason.</p>	<p>The justices hold conferences on many Fridays during the term, but not every Friday. While the four-vote threshold to grant review is not established by any statute or any published rule of the court, the court in the modern era has rigorously adhered to this threshold, so four votes can be considered a “set number of votes required to grant certiorari.”</p> <p>The answer also omits any discussion of the substantive factors that lead the court to grant review, such as the existence of a circuit split.</p>	<p>4o: ChatGPT noted that “[a]t least four justices must vote to grant certiorari for a case to be heard.” Among factors considered in granting certiorari, the AI mentioned “circuit split,” “significant federal question,” “lower court conflict with Supreme Court precedent,” “impact and importance,” and “U.S. government involvement” (capitalization removed). “Most justices participate in a cert pool, where law clerks review petitions and summarize them in memos” which are then used by justices “to decide which cases merit further discussion in conference.” During a conference, “[j]ustices meet privately to discuss petitions.” “If four justices agree, the case is granted certiorari”; “[i]f cert is denied, the lower court’s decision stands,” which,</p>	As regards the factors considered whether to grant certiorari, the AI’s output seems fairly acceptable for the most part, even though it does not follow the exact wording of the Supreme Court Rule 10. However, “impact and importance”—found, according to ChatGPT, in “[c]ases with widespread legal, political, or societal consequences are more likely to be reviewed”—does not appear in Rule 10 and is too vague to be equated with “important federal question,” especially given that the AI already mention that factor previously as a separate consideration. “Important federal question” itself, as a factor, is potentially misleading, given that ChatGPT did not add, like Rule 10 does, that “certiorari is rarely granted when the asserted error consists of . . . misapplication of a

				<p>however, “does not mean the justices agree with the lower court—it simply means they chose not to review the case.” Lastly, the AI noted that “[o]nly about 1-2% of the thousands of petitions filed each year are granted certiorari.”</p> <p>o3-mini: Added that the four-of-the-nine-justices requirement is known as the “rule of four” and that, in making the decision, “[t]he justices review the petition, responses, and any amici curiae briefs before making their decision in a private conference.”</p> <p>o1: Substantially the same result; also mentioned the “rule of four.”</p>	properly stated rule of law.” It is also “important,” not “significant,” federal question. And, without a doubt, “U.S. government involvement” is not a factor that is considered.
5	What types of cases fall under the Supreme Court's original jurisdiction?	<p>The Supreme Court of the United States has original jurisdiction in cases involving ambassadors, public ministers, consuls, and those in which a state is a party. It also has original jurisdiction in cases that arise under the Constitution, laws, or treaties of the United States. This means that the Supreme Court can hear these types of cases directly, rather than having to hear them on appeal from a lower court.</p>	<p>Under Article III of the Constitution and 28 U.S.C. § 1251, the court has original jurisdiction over disputes between states; disputes between the U.S. and a state; disputes brought by a state against citizens of another state; and cases involving ambassadors, public ministers, and consuls. Its original jurisdiction does not extend to all cases arising under the federal Constitution, laws, and treaties; those cases fall under the court's appellate jurisdiction.</p>	<p>4o: “The Supreme Court’s original jurisdiction is limited and applies to specific types of cases as outlined in Article III, Section 2 of the U.S. Constitution and 28 U.S. Code § 1251. These cases can be filed directly in the Supreme Court, rather than being appealed from lower courts.” ChatGPT identified four categories of such cases: (i) “cases between states” (citing <i>New Jersey v. New York</i> (1998) as an example); (ii) “cases involving ambassadors and public ministers”; (iii) “cases where the U.S. is a party against a state” (pointing to <i>U.S. v. Texas</i> (1892) as an example); and (iv) “cases between a state and citizens of another state (limited by the 11th Amendment)” (capitalization removed). The AI went on to add that “[w]hile the Court has exclusive original jurisdiction over state-versus-state disputes, it</p>	

				<p>shares original jurisdiction with lower federal courts in some other cases.” ChatGPT also noted that “[t]he Court often appoints a special master (a legal expert) to gather evidence and recommend a ruling before making a final decision.” In conclusion, it observed that “[o]riginal jurisdiction cases are and make up a very small fraction of the Supreme Court’s docket[.]”</p> <p>o3-mini: “Under the U.S. Constitution, the Supreme Court’s original jurisdiction is quite limited. It generally applies to cases where the Court serves as the trial court, rather than as an appellate body.” Among the original jurisdiction cases, the AI mentioned “disputes between states,” “cases involving . . . ambassadors, public ministers, and consuls,” and other cases designated as original jurisdiction cases by Congress.</p> <p>o1: “Under Article III of the U.S. Constitution, the Supreme Court has ‘original jurisdiction’ over certain categories of cases—meaning those cases can start (or ‘originate’) directly in the Supreme Court rather than reaching it on appeal.” Among such cases, o1 mentioned “[c]ases involving ambassadors, other public ministers, and consuls” and “[c]ontroversies in which a U.S. state is a party.”</p>	<p>o3-mini: Technically, o3-mini did not name all the original jurisdiction categories (e.g., did not mention disputes between the U.S. and a state).</p> <p>o1: While “[c]ontroversies in which a U.S. state is a party” (o1) is undoubtedly more encompassing than “disputes between states” (o3-mini), it is somewhat misleading, for this phrase does not explain what these cases could be and the limitations imposed by the Eleventh Amendment.</p>
6	Roughly how many cases does the Supreme Court hear for argument each term?	The Supreme Court typically hears oral arguments in about 80 to 100 cases per term. However, the exact number can vary from term to term.	The answer is outdated. Over the past decade, the court has typically heard between 56 and 70 cases for argument each term.	<p>4o: “Each Supreme Court term, the Court typically hears oral arguments in about 60 to 80 cases. This is a small fraction of the 7,000 to 8,000 petitions for</p>	

				<p>certiorari it receives each year. The number has declined over time—earlier in the 20th century, the Court would hear well over 100 cases per term.”</p> <p>o3-mini: “The Supreme Court typically hears oral arguments in about 70 to 80 cases each term.”</p> <p>o1: “In a typical term, the Supreme Court hears oral arguments in around 60 to 80 cases. The number has gradually decreased over several decades; in earlier eras, the Court often heard over 100 cases per term.”</p>	
7	What is the “shadow docket”?	<p>The "shadow docket" refers to the large number of cases that are pending before the Supreme Court of the United States but are not on the Court's official docket. These cases are not officially scheduled for oral argument or for a decision on the merits, but they are still pending before the Court and could be acted upon at any time. The term "shadow docket" is often used to refer to cases that are being held in abeyance or that are being considered for potential review in the future.</p>	<p>The shadow docket most commonly refers to emergency requests for the Supreme Court's intervention in litigation that has not yet concluded in the lower courts. The court generally acts on these requests without the benefit of full briefing and oral arguments, and its decisions commonly take the form of brief, unexplained orders rather than lengthy, signed opinions. The shadow docket may also refer to other decisions the court makes without full briefing and without a formal opinion, such as summary reversals of lower-court judgments. The shadow docket does not refer to cases that are being “held in abeyance.”</p>	<p>4o: “The ‘shadow docket’ refers to the Supreme Court’s decisions made without full briefing, oral argument, or written opinions. These rulings are typically issued in emergency requests, procedural matters, or cases requiring immediate action.” ChatGPT listed four “key features” of the shadow docket: (i) that “[t]he Court rules quickly, often within days or even hours” (which is “[c]ommon in cases involving emergency stays, injunctions, or death penalty appeals”); (ii) “[u]nlike the merits docket . . . shadow docket cases are decided without full judicial deliberation”; (iii) “[m]any orders are one-sentence rulings, often with no explanation or reasoning”; and (iv) “[t]ypes of cases typically decided on the shadow docket” include emergency requests, election law disputes, immigration policy, COVID-19 restrictions, and death penalty appeals. Among the recent shadow docket controversies,</p>	<p>4o: Everything seems accurate, except that the examples of shadow docket cases provided by ChatGPT were described by the nature of the dispute and the date rather than by case names. Given that many of these cases involved multiple opinions, this approach could be somewhat confusing. The orders referenced are, respectively, Roman Catholic Diocese of Brooklyn v. Cuomo, 592 U.S. ____ (2020); Wolf v. Innovation Law Lab, 140 S. Ct. 1564 (Mar. 11, 2020); and Biden v. Texas, No. 21A21 (Aug. 20, 2021).</p>

				<p>ChatGPT mentioned: (i) Texas Abortion Law (2021), when “the Court refused to block Texas’s restrictive abortion law without full briefing or argument”; (ii) COVID-19 Restrictions (2020-2021), when “[t]he Court issued emergency rulings on religious gathering limits”; and (iii) Trump’s “Remain in Mexico” Policy (2021), where “[t]he Court reinstated the policy without a full hearing.”</p> <p>o3-mini: “The ‘shadow docket’ refers to the range of decisions and orders issued by the Supreme Court without full briefing or oral argument. These decisions often come in the form of emergency orders, summary judgments, and other non-merits rulings. Unlike cases on the Court’s regular docket—which typically involve detailed opinions and extensive legal analysis—the shadow docket deals with expedited or urgent matters and usually lacks comprehensive explanations. This process has attracted scrutiny because its decisions can have significant consequences, yet they are rendered with less transparency and public input compared to the Court’s full opinions.”</p> <p>o1: “The ‘shadow docket’ is an informal term used to describe the Supreme Court’s decisions and orders made outside its regular merits docket (the set of cases that receive full briefing, oral argument, and a lengthy written opinion). These ‘shadow docket’ decisions often involve</p>	
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				emergency applications—such as requests for injunctions or stays—and are typically issued quickly, sometimes with little or no written explanation. Because these rulings can have immediate and broad legal consequences, some scholars and observers have expressed concern over the transparency and rationale behind them.”	
8	What is a “per curiam” opinion?	A "per curiam" opinion is a decision issued by an appellate court in which the authorship of the opinion is not attributed to a specific judge or group of judges. The term "per curiam" is Latin for "by the court," and such opinions are typically issued when the court reaches a unanimous decision on a relatively straightforward legal issue. In the United States Supreme Court, per curiam opinions are usually brief and do not have dissenting or concurring opinions.	The first sentence is accurate. In the second and third sentences, the words “typically” and “usually” save the answer from being incorrect, but it's important to note that per curiam opinions do sometimes involve issues that are not “straightforward” and do sometimes draw dissenting or concurring opinions. Bush v. Gore, for instance, was a per curiam opinion, and it drew multiple concurrences and dissents.	4o: “A ‘per curiam’ opinion is a ruling issued by the Supreme Court (or another appellate court) as an unsigned, collective decision of the Court rather than being attributed to a specific justice. The phrase ‘per curiam’ is Latin for ‘by the court.’” Key features of these opinions are as follows. First, there is “no named author. The opinion represents the collective view fo the Court rather than a single justice’s perspective. Individual justices may still write concurring or dissenting opinions.” Second, per curiam opinions are “typically used for uncontroversial or routine cases. [They are o]ften used for cases where the Court believes the ruling is clear and does not require extensive reasoning. Many per curiam opinions are unanimous, though not always.” Third, these opinions “can be used for high-profile cases. While many per curiam decisions deal with minor procedural matters, some landmark cases have been decided per curiam” (cleaned up; capitalization removed). Among the “notable per curiam Supreme Court cases,” ChatGPT listed Bush v. Gore, New York Times Co. v. U.S., and what it called	4o: The way ChatGPT referred to Diocese of Brooklyn v. Cuomo, 592 U.S. ____ (2020) is confusing, especially given that the AI erred by one year.

				<p>“Roe v. Wade’s Shadow Docket Decision (2021)” (where “[t]he Court declined to block Texas’s restrictive abortion law (SB8) through a per curiam order”).</p> <p>o3-mini: “A ‘per curiam’ opinion is a decision issued by the court as a whole, without identifying a specific justice as the author. These opinions are typically brief and are used when the Court finds that the legal issues do not require a detailed explanation or when the decision is seen as straightforward. While many per curiam opinions are unanimous, they can sometimes be issued in cases that are controversial or split, yet the opinion itself remains unsigned, reflecting the collective judgment of the Court.”</p> <p>o1: “A ‘per curiam’ opinion is an unsigned court opinion that speaks on behalf of the entire court rather than being authored by a single justice. In the Supreme Court, per curiam opinions are typically brief and deal with relatively straightforward issues or emergency applications, though occasionally they address significant legal questions. Because these opinions do not identify an individual justice as the author, they represent the collective ruling of the Court.”</p>	<p>o3-mini: Like with ChatGPT’s 2023 output, the word “typically” saves the answer from being incorrect, but it is important to note that per curiam opinions do sometimes involve issues that are not “straightforward.”</p> <p>o1: This output omits the important fact that some per curiam opinions have concurrences and dissents, as in <i>Bush v. Gore</i>.</p>
9	Provide three notable examples of cases in which the Supreme Court overturned its own precedent.	1. In the 1954 case " <i>Brown v. Board of Education</i> ," the Supreme Court overturned the "separate but equal" doctrine established in the 1896 case " <i>Plessy v. Ferguson</i> ." This decision declared that segregation in public schools was unconstitutional.	While it is true that <i>Roe v. Wade</i> struck down state laws restricting abortion, <i>Roe</i> did not overturn any precedent of the Supreme Court.	<p>4o: The AI picked and accurately described (descriptions omitted here):</p> <ul style="list-style-type: none"> • <i>Brown v. Board of Education</i> (1954), which overturned <i>Plessy v. Ferguson</i> (1896); 	

		<p>2. In the 1967 case "Loving v. Virginia," the Supreme Court overturned the precedent set in the 1883 case "Pace v. Alabama" which upheld state laws that banned interracial marriage. This decision declared that such laws were unconstitutional.</p> <p>3. In the 1973 case "Roe v. Wade," the Supreme Court overturned state laws that banned or heavily restricted access to abortion. This decision established the constitutional right to have an abortion.</p>		<ul style="list-style-type: none"> • <i>Gideon v. Wainwright</i> (1963), which overturned <i>Betts v. Brady</i> (1942); • <i>Dobbs v. Jackson Women's Health Organization</i> (2022), which overturned <i>Roe v. Wade</i> (1973) and <i>Planned Parenthood v. Casey</i> (1992). <p>o3-mini: "1. <i>Brown v. Board of Education</i> (1954) In a landmark ruling, the Court declared that racially segregated public schools are inherently unequal, thereby overturning <i>Plessy v. Ferguson</i> (1896), which had upheld "separate but equal" facilities. This decision was a major step forward for civil rights, signaling that state-sponsored segregation violated the Equal Protection Clause of the Fourteenth Amendment.</p> <p>2. <i>Lawrence v. Texas</i> (2003) The Supreme Court struck down a Texas sodomy law in this case, holding that the criminalization of private, consensual sexual conduct between adults violates the Due Process Clause of the Fourteenth Amendment. This ruling explicitly overruled <i>Bowers v. Hardwick</i> (1986), which had upheld the constitutionality of laws criminalizing homosexual conduct.</p> <p>3. <i>Dobbs v. Jackson Women's Health Organization</i> (2022) In a decision that reshaped abortion rights in the United States, the Court ruled that the Constitution does not confer a right to abortion, thereby overturning both <i>Roe v. Wade</i> (1973) and <i>Planned Parenthood v. Casey</i> (1992). This decision</p>	
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				<p>returned the authority to regulate abortion to the individual states.”</p> <p>ol: “1. Brown v. Board of Education (1954) overturning Plessy v. Ferguson (1896)</p> <p>In Plessy, the Court had upheld state racial segregation laws under the “separate but equal” doctrine. Nearly six decades later, Brown declared that racially segregated public schools were “inherently unequal” and violated the Equal Protection Clause of the Fourteenth Amendment, thereby rejecting Plessy’s doctrine.</p> <p>2. West Virginia State Board of Education v. Barnette (1943) overturning Minersville School District v. Gobitis (1940)</p> <p>Gobitis upheld mandatory flag salutes in public schools, even when students had religious objections. Just three years later in Barnette, the Court reversed course, holding that forcing students to salute the flag violated the First Amendment’s guarantee of freedom of speech.</p> <p>3. Lawrence v. Texas (2003) overturning Bowers v. Hardwick (1986)</p> <p>In Bowers, the Court ruled that states could criminalize private consensual sexual conduct between adults of the same sex. Lawrence reversed that stance, determining that such laws violated the Due Process Clause and that adults have a constitutionally protected liberty interest in private sexual conduct.”</p>	
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10	Tell me about the jurisprudence of Clarence Thomas.	<p>Clarence Thomas is an Associate Justice of the Supreme Court of the United States. He was nominated by President George H. W. Bush and has been serving on the Court since 1991. Thomas is generally considered to be a conservative justice, and his jurisprudence is often characterized as originalist, meaning that he interprets the Constitution based on its original meaning at the time it was written. He is known for his strict adherence to the text of the Constitution and statutes, and for his skepticism of judicial activism. Thomas is also known for his strong support of individual liberty and property rights, and for his skepticism of government regulation. He has also been a strong advocate for religious freedom and has been a vocal critic of affirmative action.</p>		<p>40: “Justice Clarence Thomas, who has served on the U.S. Supreme Court since 1991, is known for his originalist and textualist approach to constitutional interpretation. His jurisprudence is marked by a strong commitment to limited government, federalism, and a strict reading of the Constitution’s text and history. Below are key aspects of his judicial philosophy:</p> <p>1. Originalism & Textualism Thomas is one of the Court’s strongest originalists, meaning he interprets the Constitution according to its original meaning at the time it was ratified. He is also a textualist, emphasizing the plain text of statutes rather than legislative history or intent. Example: <i>New York State Rifle & Pistol Association v. Bruen</i> (2022). Thomas authored the majority opinion, holding that modern gun regulations must align with historical firearm regulations at the time of the Second Amendment’s adoption.</p> <p>2. Stare Decisis Skepticism (Willingness to Overturn Precedent) Thomas has expressed a strong willingness to overturn past decisions if he believes they were wrongly decided, even if they are well-established precedents. He has explicitly called for revisiting cases such as <i>Griswold v. Connecticut</i> (right to contraception) and <i>Obergefell v. Hodges</i> (same-sex marriage). Example: <i>Dobbs v. Jackson Women’s Health Organization</i> (2022). Thomas joined the majority in overturning <i>Roe v.</i></p>	<p>40: Got everything right, except that modern regulations must be evaluated against the “historical tradition of firearm regulation,” not historical regulations themselves.</p>
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				<p>Wade and separately wrote that the Court should reconsider other substantive due process precedents.</p> <p>3. Federalism & States' Rights</p> <p>Thomas believes in a limited role for the federal government and greater autonomy for states. He has consistently opposed broad interpretations of federal power, particularly under the Commerce Clause.</p> <p>Example: United States v. Lopez (1995). Thomas joined the majority in striking down the federal Gun-Free School Zones Act, arguing that Congress overstepped its power under the Commerce Clause.</p> <p>4. Strong Views on the Establishment Clause & Free Exercise Clause</p> <p>Thomas has argued for greater protection of religious liberty and believes the Establishment Clause should not prevent public religious expression.</p> <p>Example: Elk Grove Unified School District v. Newdow (2004). He suggested that states should not be bound by the Establishment Clause, an extremely narrow reading of the First Amendment.</p> <p>5. Criminal Procedure & Rights of the Accused</p> <p>Thomas often takes a pro-law enforcement stance, limiting the expansion of defendants' rights. He opposes broad readings of the Due Process Clause and Exclusionary Rule.</p> <p>Example: Hudson v. Michigan (2006). Thomas wrote the majority opinion, holding that violations of the</p>	
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				<p>knock-and-announce rule do not necessarily require courts to exclude evidence obtained in a police search.</p> <p>6. Opposition to Affirmative Action</p> <p>Thomas strongly opposes race-based affirmative action policies, arguing they undermine equal protection and are inconsistent with the Constitution. Example: Students for Fair Admissions v. Harvard (2023)</p> <p>Thomas joined the majority in striking down race-based affirmative action in college admissions, writing a separate concurrence rejecting racial classifications entirely.</p> <p>7. Second Amendment Defender</p> <p>Thomas has been a leading advocate for expanding gun rights, often criticizing the Court for failing to take up gun-related cases.</p> <p>Example: McDonald v. City of Chicago (2010). He concurred in the decision incorporating the Second Amendment against the states, arguing that the Privileges or Immunities Clause (rather than the Due Process Clause) should be the basis for the ruling.”</p> <p>o3-mini: “Justice Clarence Thomas is widely known for his originalist and textualist approach to constitutional interpretation. He believes that the Constitution should be understood based on its original public meaning at the time it was ratified, and he is often critical of judicial activism or approaches that expand constitutional rights beyond what the text and historical context</p>	
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				<p>support. Thomas has consistently argued that the role of the judiciary is to apply the Constitution's clear language, not to create new rights or reinterpret the document based on modern values.</p> <p>His opinions frequently call for judicial restraint, emphasizing that many contentious social or policy issues should be decided by the legislative process rather than by the courts. For example, in cases involving affirmative action, Thomas has voiced strong skepticism, arguing that race-based policies undermine the principle of treating all citizens equally under the law. He also has taken positions that favor a limited federal government and robust protection of individual property rights, reflecting his broader conservative philosophy.</p> <p>In his writing, Thomas is known for his pointed and sometimes solitary dissents that challenge both long-standing precedents and more moderate interpretations of the Constitution. While he rarely joins with other justices on sweeping decisions, his opinions are influential for their rigor in applying his originalist framework. Over the years, his jurisprudence has contributed significantly to shaping the Court's conservative wing, reinforcing a commitment to interpreting the Constitution in light of its historical foundations rather than contemporary societal shifts."</p> <p>o1: "Justice Clarence Thomas is widely recognized as one of the</p>	
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				<p>most consistently conservative and originalist members of the modern Supreme Court. Appointed by President George H. W. Bush in 1991, he succeeded Thurgood Marshall and has since built a robust body of jurisprudence characterized by several key themes:</p> <p>1. Originalism and Textualism Thomas generally interprets the Constitution based on its original public meaning at the time of its ratification. This approach often leads him to question or reject existing precedents that, in his view, stray from the text or from the original understanding of the framers.</p> <p>He also embraces textualism when interpreting statutes, focusing closely on the statute's language rather than legislative history or other external sources.</p> <p>2. Views on Stare Decisis Compared to some of his colleagues, Justice Thomas is more inclined to revisit and overturn precedents he believes were wrongly decided. He has argued in multiple opinions that adherence to an erroneous precedent can perpetuate constitutional mistakes and should give way to the original meaning.</p> <p>3. Federalism and the Role of States Thomas tends to favor a more constrained view of federal power and a more robust role for states. For instance, in Commerce Clause cases, he has repeatedly indicated that Congress's power should be interpreted narrowly, keeping</p>	
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				<p>more regulatory authority at the state level.</p> <p>Individual Rights and Liberties</p> <p>4. Second Amendment: Thomas has been a strong proponent of robust gun rights, often advocating for a clear, historically based understanding of the right to keep and bear arms.</p> <p>First Amendment: He typically endorses broad free speech rights, though, consistent with his historical approach, he sometimes parts ways with others on questions such as campaign finance.</p> <p>Criminal Procedure: He often takes a position favoring law enforcement or traditional practices, shaped by his originalist viewpoint on the Fourth, Fifth, and Sixth Amendments.</p> <p>5. Equality and Race</p> <p>Thomas strongly opposes racial classifications by government, including affirmative action programs. He has argued that the Constitution requires colorblind policies and that race-conscious laws or programs undermine principles of individual dignity and equality.</p> <p>6. Separate Opinions and Intellectual Influence</p> <p>While Thomas writes fewer majority opinions than some justices, he frequently authors concurrences or dissents laying out his broad constitutional philosophy. Over time, these writings have influenced the Court's conservative wing, gradually shaping the broader conversation on constitutional interpretation."</p>	
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11	<p>Name three noteworthy opinions written by Ruth Bader Ginsburg, and summarize them.</p>	<p>1. <i>United States v. Virginia</i> (1996): Ginsburg wrote the majority opinion in this case, in which the Supreme Court struck down the Virginia Military Institute's male-only admissions policy. Ginsburg argued that the policy violated the equal protection clause of the 14th Amendment, as there was no "exceedingly persuasive justification" for the gender discrimination.</p> <p>2. <i>Ledbetter v. Goodyear Tire & Rubber Co.</i> (2007): Ginsburg wrote a dissenting opinion in this case, in which the Supreme Court ruled against a woman who had filed a pay discrimination lawsuit. Ginsburg argued that the Court's decision would make it harder for victims of pay discrimination to seek justice, as it would require them to file a complaint within 180 days of the initial discriminatory pay decision, rather than within 180 days of the most recent paycheck affected by that discrimination.</p> <p>3. <i>Obergefell v. Hodges</i> (2015): Ginsburg wrote a dissenting opinion in this case, in which the Supreme Court ruled that same-sex couples have a constitutional right to marry. Ginsburg argued that the Court should have left the issue of same-sex marriage to the states, and that the majority's decision was premature and could have negative consequences in the long term.</p>	<p>Ginsburg did not dissent in <i>Obergefell</i>. She joined Justice Anthony Kennedy's majority opinion.</p>	<p>40: *1. <i>United States v. Virginia</i> (1996). Issue: Whether the Virginia Military Institute (VMI) could continue its male-only admissions policy. Ruling: Ginsburg, writing for the 7-1 majority, held that VMI's exclusion of women violated the Equal Protection Clause of the 14th Amendment. The Court ruled that sex-based classifications require "exceedingly persuasive justification" and that Virginia's proposed separate women's program was not truly equal. Impact: This decision reinforced heightened scrutiny for gender discrimination under the Equal Protection Clause. It opened the door for greater inclusion of women in traditionally male-dominated institutions.</p> <p>2. <i>Olmstead v. L.C.</i> (1999). Issue: Whether the Americans with Disabilities Act (ADA) required states to provide community-based treatment for people with disabilities rather than institutionalizing them. Ruling: Ginsburg, writing for the majority, ruled that the ADA prohibits the unjustified segregation of individuals with disabilities. She emphasized that people with disabilities have the right to receive care in the least restrictive environment if medically appropriate. Impact: This decision strengthened disability rights, promoting community integration rather than institutionalization. It was a major step in enforcing equal rights and accessibility for individuals with disabilities.</p>	<p>40: <i>Olmstead</i> specifically addressed individuals with mental disabilities. Summarizing the opinion as "[individuals with disabilities] have the right to receive care in the least restrictive environment if medically appropriate" is not entirely accurate. As the Court stated, such a right exists only when "the State's treatment professionals have determined that community placement is appropriate, the transfer from institutional care to a less restrictive setting is not opposed by the affected individual, and the placement can be reasonably accommodated, taking into account the resources available to the State and the needs of others with mental disabilities."</p> <p>As for <i>Friends</i>, "harm to public interest" was not deemed by the Court to constitute sufficient basis for standing. Conversely, the Court held that "[t]he relevant showing for Article III standing is not injury to the environment but injury to the plaintiff."</p>
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				<p>interpretation of the statutory deadline for filing pay discrimination claims was too restrictive. She contended that discrimination—often hidden in each paycheck—can be cumulative over time and that workers should be allowed to challenge disparate pay practices even if initial claims are not filed immediately.</p> <p>3. <i>Shelby County v. Holder</i> (2013). In her dissent, Justice Ginsburg warned that striking down key provisions of the Voting Rights Act would undermine hard-won protections against racial discrimination in voting. She stressed that the historical evidence of persistent discrimination justified the preclearance mechanism, arguing that the Court’s decision risked eroding the federal safeguards that ensure fair electoral practices.</p> <p>o1: 1. <i>United States v. Virginia</i> (1996) – Majority Opinion. In this landmark case, the Court struck down the male-only admissions policy of the Virginia Military Institute (VMI). Ginsburg’s opinion emphasized that VMI’s exclusion of women violated the Equal Protection Clause. She stated that government-funded institutions cannot exclude qualified women who wish to attend simply on the basis of sex, establishing a high level of judicial scrutiny for gender-based classifications.</p> <p>2. <i>Ledbetter v. Goodyear Tire & Rubber Co.</i> (2007) – Dissent. Lily Ledbetter sued her employer for pay discrimination, but the</p>	
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				<p>majority held that because she had not filed her claim within the strict 180-day statutory deadline, she could not recover damages. Ginsburg's dissent argued that wage discrimination often happens in small increments over long periods, making it difficult for employees to notice and bring suit within such a short timeframe. Her dissent inspired the passage of the Lilly Ledbetter Fair Pay Act of 2009, which effectively overruled the Court's decision and reset the filing deadline for each new discriminatory paycheck.</p> <p>3. <i>Shelby County v. Holder</i> (2013) – Dissent. The majority in <i>Shelby County</i> struck down a key provision (the coverage formula) of the Voting Rights Act of 1965, effectively lifting federal oversight requirements for certain jurisdictions with a history of discriminatory voting practices. In her dissent, Ginsburg argued that the success of the Voting Rights Act—particularly in preventing discriminatory changes to voting procedures—demonstrated its ongoing necessity and that removing the “preclearance” requirement risked a resurgence of voter suppression.</p>	
12	Compare and contrast the Supreme Court's decision-making under Chief Justice Earl Warren vs. Chief Justice Warren Burger.	Chief Justice Earl Warren, who served from 1953 to 1969, led the Supreme Court during a period of significant social and legal change. The Warren Court, as it was known, issued a number of landmark decisions that expanded individual rights and liberties, such as <i>Brown v. Board of Education</i> , which declared segregation in public schools to be		<p>4o: Beyond what appears below, ChatGPT also came up with two comparative tables (omitted).</p> <p>“A. Civil Rights & Civil Liberties</p> <p>Warren Court:</p> <p><i>Brown v. Board of Education</i> (1954) – Ended racial segregation in public schools.</p> <p><i>Loving v. Virginia</i> (1967) – Struck down bans on interracial marriage.</p>	

		<p>unconstitutional, and <i>Miranda v. Arizona</i>, which established the right to remain silent and the right to counsel during police interrogations.</p> <p>In contrast, Chief Justice Warren Burger, who served from 1969 to 1986, led the Court during a period of more conservative decision-making. The Burger Court generally took a more narrow interpretation of individual rights and liberties, and often sided with the government in cases involving issues such as criminal justice and national security. For example, the Burger Court upheld the constitutionality of the death penalty in a number of cases, and also upheld the government's right to conduct warrantless searches in certain circumstances.</p> <p>In general, the Warren Court is considered to have been more liberal and activist in its approach to interpreting the Constitution, while the Burger Court is considered to have been more conservative and deferential to the government.</p>		<p><i>Reynolds v. Sims</i> (1964) – One person, one vote principle for legislative districts.</p> <p>Burger Court:</p> <p><i>Swann v. Charlotte-Mecklenburg</i> (1971) – Upheld school busing to desegregate schools.</p> <p><i>Regents of the Univ. of California v. Bakke</i> (1978) – Allowed affirmative action but banned racial quotas.</p> <p>B. Criminal Procedure & Rights of the Accused</p> <p>Warren Court:</p> <p><i>Miranda v. Arizona</i> (1966) – Required Miranda warnings before police interrogations.</p> <p><i>Gideon v. Wainwright</i> (1963) – Guaranteed right to a public defender.</p> <p><i>Mapp v. Ohio</i> (1961) – Exclusionary rule applied to state searches.</p> <p>Burger Court:</p> <p><i>United States v. Leon</i> (1984) – Created the “good faith” exception to the exclusionary rule.</p> <p><i>Stone v. Powell</i> (1976) – Limited habeas corpus appeals for state prisoners.</p> <p>C. Abortion & Privacy</p> <p>Warren Court:</p> <p>Did not rule on abortion but laid groundwork for privacy rights (e.g., <i>Griswold v. Connecticut</i> (1965) recognized a right to privacy in contraception cases).</p> <p>Burger Court:</p> <p><i>Roe v. Wade</i> (1973) – Legalized abortion based on the right to privacy.</p> <p><i>Planned Parenthood v. Danforth</i> (1976) – Struck down spousal consent requirements for abortion.</p> <p>D. Executive Power & Federalism</p>	
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				<p>Warren Court: <i>Cooper v. Aaron</i> (1958) – Declared that states must obey Supreme Court rulings. <i>Engel v. Vitale</i> (1962) – Banned school-sponsored prayer, strengthening separation of church and state.</p> <p>Burger Court: <i>United States v. Nixon</i> (1974) – Limited presidential power, ruling Nixon must turn over Watergate tapes. <i>National League of Cities v. Usery</i> (1976) – Limited federal power over states, later overturned.”</p> <p>o3-mini: “Under Chief Justice Earl Warren and Chief Justice Warren Burger, the Supreme Court’s decision-making reflected markedly different judicial philosophies and historical contexts.</p> <p>Warren Court (1953–1969) Judicial Activism: The Warren Court is renowned for its activist approach. It issued sweeping decisions that expanded civil rights, civil liberties, and the rights of the accused. Transformative Rulings: Landmark cases such as <i>Brown v. Board of Education</i> (desegregation), <i>Gideon v. Wainwright</i> (right to counsel), <i>Miranda v. Arizona</i> (rights during police interrogations), and others reshaped American society. Broad Interpretation: The Court embraced a broad reading of the Constitution to promote social justice and equality, often moving decisively on issues that affected the everyday lives of Americans.</p>	
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				<p>Ideological Cohesion: Although not unanimous on every issue, the Warren Court generally reflected a strong liberal consensus, with a willingness to revisit and overturn long-standing precedents.</p> <p>Burger Court (1969–1986) Judicial Restraint and Pragmatism: The Burger Court took a more conservative and pragmatic approach. While it still issued landmark rulings, it generally showed greater deference to the political branches and state legislatures.</p> <p>Incremental Change: Decisions such as <i>Roe v. Wade</i> (abortion rights) were transformative, but the Court under Burger often sought to balance individual rights with societal and governmental interests. In cases like <i>United States v. Nixon</i>, the Court underscored limits on executive power in a measured way.</p> <p>Consensus Building: Burger's tenure was marked by a more consensus-driven process and sometimes narrower opinions, reflecting a shift toward stability and incremental evolution rather than radical overhaul.</p> <p>Mixed Legacy: Although the Burger Court maintained some progressive rulings, it also reversed or tempered some of the expansive doctrines of the Warren era, emphasizing a more restrained view of judicial power.”</p> <p>o1: Substantially the same output.</p>	
13	How long do Supreme Court justices serve?	Supreme Court Justices serve for life or until they choose to retire.	The answer omits the possibility that justices can be impeached by the House and removed from office by the Senate.	<p>4o: “Supreme Court justices serve for life, meaning they hold their positions until they choose to retire, pass away, or are</p>	<p>4o: Yes, that’s a super minor mistake, but Justice Byrnes served for 1 year, 2 months and 26 days, not 25.</p>

				<p>impeached and removed. This is established by Article III, Section 1 of the U.S. Constitution, which states that federal judges “shall hold their Offices during good Behavior”—essentially granting lifetime tenure unless they resign, retire, or are removed for misconduct.</p> <p>Key Facts About Supreme Court Tenure:</p> <ul style="list-style-type: none">- No Fixed Term: Unlike elected officials, justices do not serve for a set number of years.- Retirement or Resignation: Many justices step down voluntarily, often due to age or health concerns.- Impeachment is Rare: Only one Supreme Court justice (Samuel Chase in 1804) has ever been impeached, and he was acquitted.- Average Tenure Length: Justices typically serve for 25–30 years, but some serve much longer. <p>Longest and Shortest Tenures in History:</p> <ul style="list-style-type: none">- Longest: William O. Douglas (1939–1975) – 36 years, 209 days.- Shortest: James F. Byrnes (1941–1942) – 1 year, 2 months, 25 days.” <p>o3-mini: “Supreme Court justices serve ‘during good behavior,’ which effectively means they have lifetime appointments. They remain on the Court until they choose to retire or resign, pass away, or are removed through impeachment and conviction. This lifetime tenure is designed to help insulate the justices from political pressures, ensuring judicial independence.”</p>	<p>o3-mini: To be completely pedantic, the Constitution states “during good Behaviour,” which o1, unlike o3-mini, correctly captured.</p>
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				<p>o1: “Under the Constitution, Supreme Court justices hold their offices ‘during good Behaviour,’ which effectively means they are appointed for life unless they choose to retire, resign, pass away, or are removed by impeachment. This lifetime tenure is intended to insulate justices from political pressures, ensuring judicial independence.”</p>	
14	<p>What ethics rules govern the Supreme Court?</p>	<p>The Supreme Court of the United States is governed by the Code of Conduct for United States Judges, which sets ethical guidelines for federal judges, including Supreme Court justices. This code covers issues such as impartiality, integrity, and conduct in and outside of the courtroom. Additionally, the Supreme Court has its own rules and procedures, such as the rules of procedure for the Court, which govern how the Court operates and how cases are heard and decided.</p>	<p>The Supreme Court does not have a binding ethics code. The justices may consult the Code of Conduct for United States Judges, but that code is binding only on lower-court judges.</p>	<p>4o: “The ethics rules governing the Supreme Court have historically been less defined compared to lower federal courts, but recent developments have led to more formal guidelines. Here’s an overview of the key aspects of Supreme Court ethics rules:</p> <ol style="list-style-type: none"> 1. The Supreme Court’s Unique Position on Ethics Unlike lower federal courts, Supreme Court justices are not bound by the Code of Conduct for U.S. Judges, which applies to lower court judges. Justices cannot be removed except by impeachment, meaning enforcement of ethical standards relies heavily on self-regulation. 2. Key Sources of Ethical Guidance <ol style="list-style-type: none"> A. The Supreme Court’s Own Ethics Code (Adopted in 2023) In November 2023, the Supreme Court voluntarily adopted its first-ever formal ethics code in response to increasing concerns about judicial ethics. This non-binding code is similar to the one for lower federal courts but does not include an enforcement mechanism. B. Federal Recusal Laws (28 U.S.C. § 455) 	<p>4o: The section highlighted in yellow is too vague, particularly regarding the exceptions. The AI could have been more precise—for instance, by explicitly mentioning the personal hospitality exception.</p>

				<p>Justices must recuse themselves from cases where they have: personal bias or conflict of interest; financial interests in a party involved in a case; previous involvement in the case as a lawyer or judge.</p> <p>However, each justice decides for themselves whether to recuse, as there is no higher authority to enforce recusals.</p> <p>C. Financial Disclosure Laws (Ethics in Government Act of 1978)</p> <p>Justices must file annual financial disclosures, including: investments and assets; outside income and gifts above a certain threshold; reimbursements for travel and events.</p> <p>However, recent controversies have raised concerns over gaps in enforcement and undisclosed gifts or travel.</p> <p>D. Gift and Travel Regulations</p> <p>Justices must disclose certain gifts and reimbursements but can accept expensive trips or gifts under certain conditions. Recent scrutiny, particularly regarding Justice Clarence Thomas's luxury trips funded by a billionaire, has led to calls for stronger disclosure rules.</p> <p>3. Notable Ethical Concerns & Criticism</p> <p>Lack of enforcement: Unlike lower court judges, Supreme Court justices are not subject to disciplinary review for ethical violations.</p> <p>Recusal controversies: Justices have been criticized for not recusing themselves in cases where they had perceived conflicts of interest.</p>	
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				<p>ol: “Unlike lower federal court judges, who are explicitly bound by the Code of Conduct for United States Judges, Supreme Court justices are not formally subject to that same code. Instead, their ethical obligations come from a combination of statutes, constitutional principles, and traditions. Here are the main sources and guidelines:</p> <ul style="list-style-type: none"> • Federal Statutory Requirements: <ul style="list-style-type: none"> – Recusal Statutes (28 U.S.C. § 455): Require justices to recuse themselves from cases in which their impartiality might reasonably be questioned (such as personal financial interests or close familial involvement). – Ethics in Government Act: Mandates that justices (as with many high-ranking federal officials) file annual financial disclosures. • Historical Practice and Self-Governance: <ul style="list-style-type: none"> – Justices frequently refer to the Code of Conduct for United States Judges for guidance, even though it does not formally bind them. – By longstanding tradition, they also confer among themselves regarding recusal issues and other ethical questions. • Lack of a Single, Binding Code: <ul style="list-style-type: none"> – Unlike lower federal courts, the Supreme Court has not adopted its own formal ethics code. Critics argue this leaves enforcement and interpretation of ethical standards to the justices themselves, fueling debate about transparency and accountability. – Some members of Congress and judicial-reform advocates 	
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				<p>periodically propose legislation to impose a clear ethics code on the Court, though no such legislation has yet become law.</p> <p>Thus, while justices do adhere to federal ethics statutes and have internal norms guiding their conduct, they do not operate under a single, formally binding code of ethics in the same way as other federal judges.”</p>	
15	<p>Why doesn't the Supreme Court allow cameras in the courtroom?</p>	<p>The Supreme Court of the United States does not allow cameras in the courtroom due to concerns about the effect that television coverage might have on the proceedings. The Court has expressed concern that cameras could distract participants and change the dynamics of the courtroom, potentially influencing the outcome of cases.</p> <p>Additionally, the Court has stated that it wants to protect the privacy and dignity of those involved in the cases it hears.</p>	<p>We could not locate any evidence that the court has invoked the “privacy and dignity” of litigants as a reason for its ban on cameras.</p>	<p>4o: “The Supreme Court does not allow cameras in the courtroom primarily due to concerns about maintaining the dignity, impartiality, and integrity of its proceedings. Here are the main reasons justices have cited for keeping cameras out:</p> <p>1. Concern Over Changing Courtroom Dynamics</p> <p>Justices worry that lawyers and even justices themselves might alter their behavior if they knew they were being broadcast. The fear is that oral arguments could become more theatrical, with attorneys and justices playing to the audience rather than focusing on legal reasoning.</p> <p>Chief Justice John Roberts (2006):</p> <p>“We’re not there to provide entertainment. We’re there to decide cases.”</p> <p>2. Potential for Soundbites & Misuse</p> <p>In a media-driven world, justices are concerned that short clips from oral arguments could be taken out of context.</p> <p>Unlike Congress, which is political by nature, the Supreme Court relies on deliberation and legal reasoning rather than public persuasion.</p>	<p>4o: In reality, Kennedy said, “We teach that our branch has a different dynamic” and “We teach that we are judged by what we write.” The second part of the misattributed quote seems to have come from Justice Scalia, who admitted, “I have come to the conclusion that it will misinform the public rather than inform the public to have [Supreme Court] proceedings televised.”</p> <p>Chief Justice Roberts never made the statement attributed to him.</p>

				<p>Justice Anthony Kennedy (2007): "We teach that our branch is different... televising our proceedings would misinform the public rather than inform it."</p> <p>3. Maintaining Judicial Anonymity & Independence Justices serve for life and do not have to face elections, so they aim to stay above political pressures. Some justices believe that public exposure through cameras could make them targets for political attacks or lobbying. Justice David Souter (1996): "The day you see a camera come into our courtroom, it's going to roll over my dead body."</p> <p>4. Tradition & Institutional Integrity The Court values tradition and has operated without cameras for over 200 years. The justices worry that introducing cameras might erode public respect for the Court's role as a serious legal institution.</p> <p>5. Alternative Transparency Measures While the Court does not allow cameras, it has taken steps to increase transparency: Live audio of oral arguments (since 2020). Same-day transcripts of proceedings. Public release of audio recordings at the end of the week (now sometimes on the same day)."</p> <p>o3-mini: "The Supreme Court has maintained a long-standing policy of not allowing cameras in the courtroom, and there are several reasons behind this decision:</p>	
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				<p>Preservation of Decorum: The Court believes that the absence of cameras helps maintain a solemn and respectful atmosphere. Without the presence of recording devices, justices and lawyers can focus on the arguments and the legal issues without concern for public performance or media scrutiny.</p> <p>Protection of the Deliberative Process: The justices are able to discuss cases candidly and work through complex issues without the pressure of being televised. This helps protect the integrity of their internal decision-making process.</p> <p>Avoidance of Grandstanding: Cameras can sometimes encourage litigants, lawyers, and even justices to engage in theatrical or self-promotional behavior. By keeping the proceedings off-camera, the Court aims to prevent such distractions and ensure that the focus remains on legal analysis.</p> <p>Tradition and Institutional Independence: The Supreme Court has a long history and established traditions that contribute to its authority. Its current policy reflects a desire to preserve that institutional independence from media influence and political pressure.</p> <p>While other courts have experimented with allowing cameras, the Supreme Court has held firm on this policy, believing that the benefits of an untelevised courtroom outweigh the potential advantages of live media coverage.”</p>	
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				<p>o1: “The Supreme Court has long resisted allowing cameras into its courtroom, citing several core concerns and traditions: Preserving the Dignity of Proceedings Justices fear that television coverage might reduce oral arguments to soundbites or encourage lawyers and the justices themselves to engage in grandstanding, potentially undermining the seriousness of the Court’s deliberative process. Avoiding Misinterpretation The justices have expressed concern that snippets of video might be taken out of context or sensationalized in the media, risking confusion about the substance of cases and the justices’ actual positions. Maintaining Historical Practice The Court has a longstanding tradition of not allowing cameras, and there is an institutional reluctance to disrupt this custom. Despite growing calls for greater transparency, the justices have consistently declined to allow live video broadcasting. Alternative Access Instead of video coverage, the Court provides audio recordings and written transcripts of oral arguments. These measures, in the justices’ view, offer access to proceedings while guarding against the potential drawbacks they associate with cameras.”</p>	
16	Who decides which justice will write each opinion of the Supreme Court?	The Chief Justice of the United States typically assigns the writing of opinions for the Supreme Court. However, any justice has the right to assign an	If the chief is not in the majority, the most senior justice in the majority assigns the opinion.	<p>4o: “1. When the Chief Justice is in the Majority If the Chief Justice is part of the majority, they decide which justice will write the opinion.</p>	

		<p>opinion if they are in the majority and the Chief Justice is not.</p>		<p>The Chief Justice can assign the opinion to themselves or any other justice in the majority. Example: In <i>United States v. Nixon</i> (1974), Chief Justice Warren Burger was in the majority and assigned the opinion to Justice Burger himself.</p> <p>2. When the Chief Justice is in the Minority If the Chief Justice is in the dissent, the most senior justice in the majority makes the assignment. Seniority is based on the length of time a justice has served on the Court. Example: In <i>Obergefell v. Hodges</i> (2015), Chief Justice John Roberts dissented, so Justice Anthony Kennedy (the senior-most justice in the majority) assigned the majority opinion—to himself.</p> <p>3. Factors in Opinion Assignments When deciding who writes the opinion, the assigning justice considers: Expertise on the subject – A justice with prior rulings in a related area may be assigned. Coalition-building – Assigning the opinion to a justice who can keep the majority intact. Workload balance – Ensuring justices have roughly equal writing duties across the term. Public Perception – Some opinions may be assigned to a justice to make the ruling more broadly accepted.</p> <p>4. Dissenting Opinions If a justice disagrees with the ruling, they may write a dissenting opinion.</p>	
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				<p>The most senior justice in the dissent decides who writes the main dissenting opinion. Example: In <i>Dobbs v. Jackson Women's Health Organization</i> (2022), Justice Stephen Breyer (the senior-most justice in the dissent) assigned the dissent—which he co-wrote with Justices Sotomayor and Kagan.</p> <p>5. Per Curiam Opinions Sometimes, the Court issues an unsigned "per curiam" opinion, meaning it represents the Court as a whole. These are usually for uncontroversial or procedural cases, but occasionally for major rulings (e.g., <i>Bush v. Gore</i> (2000))."</p> <p>o3-mini: "The process works as follows: After the Court reaches a decision in a case, the justices meet in a private conference. If the Chief Justice is in the majority, he has the power to assign who will write the majority opinion. If the Chief is not in the majority, then the most senior justice among the majority members makes that assignment. Other justices may choose to write their own concurring or dissenting opinions. This system reflects both the Court's emphasis on collegial decision-making and the role of seniority in opinion assignments."</p> <p>o1: "In the Supreme Court, the process of assigning the writing of the majority opinion proceeds as follows:</p> <ul style="list-style-type: none"> • If the Chief Justice is in the majority, they choose who will 	
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				<p>write the opinion for that majority.</p> <ul style="list-style-type: none"> • If the Chief Justice is not in the majority, the most senior justice in the majority decides who will write the opinion. <p>This system applies to the majority opinion only. Justices who concur or dissent can write (or assign) their own separate opinions independently.”</p>	
17	Do justices ever change their votes before an opinion is released?	Yes, justices sometimes change their votes before an opinion is released. This can happen during the process of drafting and circulating opinions among the members of the Court. Justices may also change their votes after hearing oral arguments or after further consideration of the case. It is not uncommon for a justice to change their vote, but it doesn't happen frequently.		<p>4o: “Yes, Supreme Court justices can and sometimes do change their votes before an opinion is officially released. This flexibility is a fundamental aspect of the Court's deliberative process, allowing justices to reconsider their positions after initial conferences and during the drafting and circulation of opinions.</p> <p>Deliberation and Drafting Process</p> <p>Initial Conference: After oral arguments, the justices convene in a private conference to discuss the case and take a preliminary vote.</p> <p>Opinion Assignment: Based on the preliminary majority, the Chief Justice (if in the majority) assigns a justice to write the majority opinion. If the Chief Justice is in the minority, the most senior justice in the majority makes the assignment.</p> <p>Draft Circulation: The assigned justice drafts the opinion and circulates it among the other justices. Concurrently, justices in the minority may draft and circulate dissenting opinions.</p> <p>Changing Votes</p> <p>During this period, justices may reassess their positions for several reasons:</p> <p>Persuasive Drafts: Reading compelling arguments in draft</p>	

				<p>opinions can prompt a justice to reconsider their stance.</p> <p>Legal Reasoning: Further reflection on the legal issues may lead to a change in perspective.</p> <p>Coalition Dynamics: To achieve a consensus or a more robust majority, justices might adjust their views.</p> <p>It's not uncommon for a dissenting opinion to become the majority opinion if one or more justices switch their votes after reviewing the drafts. No opinion is considered the official opinion of the Court until it is delivered in open Court or made available to the public.</p> <p>Historical Examples</p> <p>Planned Parenthood v. Casey (1992): Justice Anthony Kennedy reportedly shifted his position during the deliberation process, moving from a tentative vote to overturn Roe v. Wade to ultimately upholding it.</p> <p>National Federation of Independent Business v. Sebelius (2012): Chief Justice John Roberts initially leaned toward striking down the Affordable Care Act but changed his vote to uphold it after extensive deliberation.</p> <p>This fluidity underscores the collaborative nature of the Court's decision-making process, where justices engage deeply with each other's reasoning before finalizing their positions.”</p> <p>o3-mini: “Yes, the decision-making process is quite dynamic. After oral arguments, the justices meet in private conferences where they discuss</p>	
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				<p>the case at length. During these discussions, votes can shift as they deliberate over the legal issues and assess each other's perspectives. Even after an initial vote is taken, changes can occur while drafting or revising the majority, concurring, or dissenting opinions. Once the opinions are finalized and released, however, the votes are set."</p> <p>o1: "Yes. Although justices typically reach an initial vote in conference shortly after oral arguments, these votes are not final. Before the opinion is officially released, draft opinions circulate among the justices, and additional discussions or revisions may occur. During this process, a justice may choose to switch sides—moving from the majority to a dissent or vice versa—if persuaded by the reasoning in a draft opinion or by further internal deliberation. This fluidity sometimes results in significant changes to the Court's decisions and rationales before the final opinion is published."</p>	
18	At the Supreme Court, what does the abbreviation "CVSG" mean?	CVSG stands for "Call for the Views of the Solicitor General." This is a procedure by which the Supreme Court invites the United States Solicitor General, who represents the United States government before the Court, to file a brief expressing the views of the Executive Branch on a particular case that is pending before the Court. This is often done in cases where the government is a party or has a significant interest in the outcome of the case. The Solicitor	The court would not issue a CVSG in a case where the federal government is a party. In such cases, the government would simply file normal briefing. CVSGs occur only in cases in which the government is not a party but the court nonetheless feels the government's views are important.	<p>4o: "At the Supreme Court, the abbreviation "CVSG" stands for "Call for the Views of the Solicitor General." This occurs when the Court asks the U.S. Solicitor General (who represents the federal government before the Court) to submit a brief expressing the government's position on whether the Court should grant certiorari (review the case)."</p> <p>Why Does the Court Issue a CVSG?</p>	

		<p>General's brief is not binding on the Court, but it is considered to be an important and persuasive source of information and analysis.</p>		<p>The Court often issues a CVSG in cases where the federal government is not a party but has a strong interest in the legal issues involved. The Solicitor General's opinion can help the justices decide whether to take up a case. The Court is not bound by the Solicitor General's recommendation, but it frequently follows the advice given.</p> <p>What Happens After a CVSG?</p> <p>The Court requests a brief from the Solicitor General.</p> <p>The Solicitor General conducts an independent review and submits a recommendation.</p> <p>The brief will typically recommend: granting certiorari (the Court should hear the case); denying certiorari (the Court should not hear the case); or taking no position (rare).</p> <p>The Court considers the recommendation before deciding whether to grant or deny review.</p> <p>How Often Does the Court Follow a CVSG Recommendation?</p> <p>Historically, the Court follows the Solicitor General's recommendation about 80% of the time. If the Solicitor General suggests granting certiorari, the case is more likely to be heard. If the Solicitor General advises against certiorari, the case is often denied.</p> <p>Example of a CVSG in Action</p> <p>In cases involving international law, business regulations, or major federal questions, the Court often calls for the views of the Solicitor General before proceeding."</p> <p>o3-mini: "CVSG' isn't an official Supreme Court term found</p>	
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				<p>in its rules or opinions. Rather, it's an informal shorthand sometimes used by observers or on SCOTUS-related websites to refer to a visual display—a grid or table—that summarizes how each justice voted on a case. In other words, it stands for something like the “Consolidated (or Current) Vote Summary Grid,” a tool that quickly shows the breakdown of votes in a decision.</p> <p>Because it's not an officially sanctioned abbreviation, you might encounter "CVSG" mainly in blogs, academic articles, or commentary about the Court's voting patterns rather than in the Court's formal documents.”</p> <p>o1: ““CVSG” stands for “Call for the Views of the Solicitor General.” When the Supreme Court issues a CVSG, it is asking the U.S. Solicitor General to file a brief expressing the federal government's position on a case—for example, to advise whether the Court should grant certiorari. This brief can carry significant weight in the justices' decision-making on whether to hear a case.”</p>	
19	What is the significance of Marbury v. Madison?	<p>Marbury v. Madison is a significant case in United States Supreme Court history because it established the principle of judicial review, which gives the Court the power to review and potentially strike down federal and state laws that conflict with the Constitution. This decision, handed down in 1803, established the Court as a co-equal branch of government and solidified the</p>		<p>4o: “Marbury v. Madison is one of the most important Supreme Court cases in U.S. history because it established the principle of judicial review, which allows the Supreme Court to strike down laws and government actions that violate the Constitution. This case cemented the Court's role as a coequal branch of government.</p> <p>Key Facts of the Case</p>	

		<p>principle of the separation of powers.</p>		<p>In the final days of John Adams' presidency, he appointed several judges (the "Midnight Judges"), including William Marbury. When Thomas Jefferson took office, his Secretary of State, James Madison, refused to deliver Marbury's judicial commission. Marbury sued, asking the Supreme Court to issue a writ of mandamus (an order compelling Madison to deliver the commission).</p> <p>The Supreme Court's Ruling Chief Justice John Marshall wrote the unanimous opinion. The Court ruled that: Marbury had a right to his commission. Madison's refusal to deliver it was illegal. However, the law that gave the Supreme Court the power to issue writs of mandamus (Section 13 of the Judiciary Act of 1789) was unconstitutional. Therefore, the Court could not force Madison to deliver the commission because the law granting that power was invalid.</p> <p>Why Marbury v. Madison Matters Established Judicial Review. The Supreme Court asserted its power to declare laws unconstitutional, strengthening the judiciary as a coequal branch of government. Defined Separation of Powers. The ruling reinforced the idea that Congress cannot expand or limit the Court's constitutional powers. Limited Government Power. By striking down a congressional law for the first time, the Court</p>	
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				<p>demonstrated its ability to check legislative and executive actions. Foundation for Future Cases. The precedent of judicial review was used in later landmark cases like: Brown v. Board of Education (1954) – Struck down segregation laws.</p> <p>Roe v. Wade (1973) – Overturned state abortion restrictions.</p> <p>United States v. Nixon (1974) – Limited presidential power.”</p> <p>o3-mini: “Marbury v. Madison (1803) is one of the most important decisions in U.S. constitutional law for several reasons:</p> <p>Establishment of Judicial Review: The case established the principle that the Supreme Court has the authority to review laws passed by Congress and determine whether they are in accordance with the Constitution. This power of judicial review ensures that the legislative and executive branches do not exceed their constitutional limits.</p> <p>Balance of Power: By asserting the Court's role in interpreting the Constitution, Marbury v. Madison helped solidify the judiciary as an equal branch of government alongside the executive and legislative branches. This decision laid the foundation for the system of checks and balances that is central to the American constitutional framework.</p> <p>Legal Precedent: The ruling set a precedent for how future cases would be evaluated regarding the constitutionality of governmental actions, thus shaping the course of American jurisprudence and the</p>	
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				<p>interpretation of the Constitution for over two centuries.”</p> <p>o1: “<i>Marbury v. Madison</i> (1803) is a landmark Supreme Court case that established the principle of judicial review in U.S. constitutional law. In his opinion, Chief Justice John Marshall held that it is the duty of the judicial branch to say what the law is and to invalidate laws that conflict with the Constitution. This precedent gave the judiciary the final authority to interpret the Constitution and cemented the Court’s role as a co-equal branch of government.”</p>	
20	<p>What was the holding of <i>Brown v. Board of Education</i>?</p>	<p>The holding of the landmark Supreme Court case <i>Brown v. Board of Education</i> was that segregation in public schools was unconstitutional. The Court declared that “separate educational facilities are inherently unequal,” and that the segregation of black and white students violated the 14th Amendment’s guarantee of equal protection under the law. This decision effectively overturned the Court’s previous ruling in <i>Plessy v. Ferguson</i>, which had upheld the constitutionality of “separate but equal” facilities for different races.</p>		<p>4o: “The Supreme Court in <i>Brown v. Board of Education</i> unanimously held (9-0) that racial segregation in public schools violates the Equal Protection Clause of the 14th Amendment. The Court ruled that “separate but equal” educational facilities are inherently unequal, overturning <i>Plessy v. Ferguson</i> (1896).</p> <p>Key Takeaways from the Decision:</p> <p>Segregation Violates Equal Protection. The Court ruled that racial segregation in public schools denies Black children equal educational opportunities, violating the Equal Protection Clause of the 14th Amendment. Overturned <i>Plessy v. Ferguson</i>. The Court rejected the “separate but equal” doctrine established in <i>Plessy v. Ferguson</i> (1896), which had upheld segregation in public facilities.</p> <p>Psychological & Social Harm of Segregation. The Court cited</p>	<p>4o: In <i>Brown v. Board</i>, the Supreme Court did not recognize a fundamental right to education. Instead, it acknowledged that “[t]oday, education is perhaps the most important function of state and local governments.”</p>

				<p>social science studies (such as the Clark doll experiments) showing that segregation harms children's development, reinforcing feelings of inferiority.</p> <p>Education as a Fundamental Right. The Court emphasized that education is crucial for success in American life, and denying it on the basis of race is unconstitutional.</p> <p>Chief Justice Earl Warren's Famous Statement</p> <p>"In the field of public education, the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal."</p> <p>Impact of the Decision</p> <p>Led to School Desegregation: Though met with resistance (e.g., Southern states' massive resistance), Brown paved the way for integration.</p> <p>Foundation for the Civil Rights Movement: Inspired legal challenges and activism leading to the Civil Rights Act of 1964.</p> <p>Set the Stage for Further Anti-Discrimination Cases: Influenced later rulings on gender, LGBTQ+ rights, and disability discrimination."</p> <p>o3-mini: "Brown v. Board of Education (1954) held that racial segregation in public schools is inherently unequal and thus unconstitutional under the Equal Protection Clause of the Fourteenth Amendment. This decision effectively overturned the "separate but equal" doctrine established in Plessy v. Ferguson, recognizing that segregated</p>	
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				<p>schools create a sense of inferiority among minority children and hinder their educational opportunities.”</p> <p>o1: “In <i>Brown v. Board of Education</i> (1954), the Supreme Court held that laws establishing racial segregation in public schools violated the Equal Protection Clause of the Fourteenth Amendment. The Court concluded that “separate educational facilities are inherently unequal,” overturning the “separate but equal” doctrine of <i>Plessy v. Ferguson</i> in the context of public education.”</p>	
21	<p>What was the holding of <i>Obergefell v. Hodges</i>?</p>	<p>In <i>Obergefell v. Hodges</i>, the Supreme Court of the United States held that the 14th Amendment requires states to issue marriage licenses to same-sex couples and to recognize same-sex marriages performed in other states. The 5-4 decision was issued on June 26, 2015 and is widely considered a landmark case in the fight for marriage equality in the United States.</p>		<p>4o: “The Supreme Court in <i>Obergefell v. Hodges</i> held (5-4) that same-sex couples have a constitutional right to marry under the Due Process and Equal Protection Clauses of the 14th Amendment. This decision legalized same-sex marriage nationwide, overturning state bans.</p> <p>Key Takeaways from the Decision Same-Sex Marriage is a Fundamental Right. The Court ruled that the right to marry is a fundamental liberty protected by the Due Process Clause of the 14th Amendment. State Marriage Bans Violate Equal Protection. Laws prohibiting same-sex marriage discriminate against same-sex couples, violating the Equal Protection Clause. Marriage Provides Dignity and Legal Protections. The majority emphasized that marriage is</p>	<p>4o: While <i>Baker v. Nelson</i> was indeed overturned, the correct year of the opinion by the Minnesota Supreme Court is 1971. The U.S. Supreme Court declined to review the case in 1972, which makes GPT’s mistake less severe—but still misleading.</p>

				<p>central to individual dignity, autonomy, and family stability. Denying same-sex couples the right to marry harms their children and families.</p> <p>Overtured Baker v. Nelson (1972). The ruling overturned the 1972 case Baker v. Nelson, which had dismissed a same-sex marriage claim.</p> <p>Justice Anthony Kennedy's Majority Opinion</p> <p>Kennedy wrote that marriage is a fundamental right that applies to all couples, regardless of gender.</p> <p>Famous statement:</p> <p>"The Constitution promises liberty to all within its reach, a liberty that includes certain specific rights that allow persons, within a lawful realm, to define and express their identity."</p> <p>Dissenting Opinions (4 Justices Dissented)</p> <p>Chief Justice Roberts & Justices Scalia, Thomas, and Alito dissented.</p> <p>Their arguments:</p> <p>The Court should not override state marriage laws.</p> <p>The decision lacked a firm constitutional basis.</p> <p>The ruling should have been left to democratic processes rather than judicial intervention."</p> <p>o3-mini: "Obergefell v. Hodges (2015) held that state bans on same-sex marriage are unconstitutional because they violate the Equal Protection and Due Process Clauses of the Fourteenth Amendment. In essence, the decision guarantees</p>	
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				<p>that same-sex couples have the fundamental right to marry and that states must recognize marriages performed in other states.”</p> <p>o1: “In <i>Obergefell v. Hodges</i> (2015), the Supreme Court held that the Fourteenth Amendment requires states to license and recognize marriages between two people of the same sex. The majority opinion concluded that the fundamental right to marry is guaranteed to same-sex couples under both the Due Process and Equal Protection Clauses of the Fourteenth Amendment, thereby legalizing same-sex marriage nationwide.”</p>	
22	<p>What did the Supreme Court decide in <i>Georgia v. Public.Resource.Org?</i></p>	<p>In the case of <i>Georgia v. Public.Resource.org, Inc.</i> the Supreme Court of the United States held that annotations in the Official Code of Georgia Annotated (OCGA) are protected by copyright, and that the state of Georgia cannot claim copyright ownership over them. The court held that the annotations are not "government edicts" and therefore not in the public domain. The case was remanded back to the lower court for further proceedings consistent with the Supreme Court's ruling.</p>	<p>The answer mostly gets the decision backward. The court held that annotations in the Georgia code are “government edicts” and therefore are not eligible for copyright protection.</p>	<p>4o: “The Supreme Court held (5-4) that the annotated versions of Georgia’s official laws (the "Official Code of Georgia Annotated" or OCGA) are not protected by copyright and must be freely available to the public. Key Takeaways from the Decision Government Edicts Doctrine Applies. The Court ruled that government-authored legal texts, including annotations created by legislators, cannot be copyrighted. This is based on the long-standing "government edicts doctrine", which holds that public laws belong to the people. Annotations Are Official Government Work. The annotations in the Official Code of Georgia Annotated (OCGA) were created by the Georgia Code Revision Commission, a body controlled by the state legislature. Since the legislature had control over the content, the Court ruled</p>	

				<p>that these annotations were official government work, making them public domain. Public Access to Law is Essential. The Court emphasized that laws and legal materials must be freely accessible to all people. If states could copyright their official laws and annotations, it would limit public access to essential legal information.</p> <p>Justice Roberts' Majority Opinion.</p> <p>Chief Justice John Roberts wrote for the majority (5-4). He ruled that the annotations, although not legally binding, were part of the official lawmaking process and could not be copyrighted.</p> <p>Dissenting Opinion. Justices Thomas, Alito, Breyer, and Ginsburg dissented. They argued that annotations are not "the law" itself but commentary, meaning they should be copyrightable. They warned that this decision could disincentivize states from creating high-quality annotated legal codes."</p> <p>o3-mini: "In Georgia v. Public.Resource.Org, Inc. (2020), the Supreme Court held that the annotations in Georgia's Official Code of Georgia Annotated are not eligible for copyright protection. The Court reasoned that these annotations, although not having the force of law themselves, are created by the Code Revision Commission—an arm of the state legislature—in the course of its legislative duties. Under the government edicts doctrine, works produced by officials exercising lawmaking</p>	
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				<p>authority (whether judicial or legislative) are considered the constructive authorship of the people and therefore belong to the public domain. As a result, the state of Georgia cannot assert copyright over its official annotated code.”</p> <p>o1: “In <i>Georgia v. Public.Resource.Org</i> (2020), the Supreme Court held that the official, annotated version of the Georgia state code could not be copyrighted by the state, because it fell under the “government edicts” doctrine. Writing for the majority, Chief Justice Roberts explained that government-authored statutes, regulations, and official legal annotations must remain in the public domain to ensure citizens have free access to the law. Consequently, Georgia could not assert copyright over its annotated code, which meant Public.Resource.Org was free to reproduce and share it.”</p>	
23	<p>What was the holding of NCAA v. Alston?</p>	<p>In NCAA v. Alston, the United States Supreme Court held that the National Collegiate Athletic Association (NCAA) did not violate antitrust law by limiting the compensation that college athletes could receive for the use of their names, images, and likenesses (NIL).</p> <p>The case arose after a group of college athletes sued the NCAA, alleging that its rules limiting their ability to receive compensation for the use of their NIL were anticompetitive and violated antitrust law. The athletes argued</p>	<p>The answer is both confused and wrong. NCAA v. Alston did not directly involve compensation to college athletes based on their names, images, and likenesses. Rather, the case was about education-related benefits like paid internships and free laptops. And the athletes, not the NCAA, won the case: The court unanimously held that the NCAA’s restrictions on education-related benefits violated antitrust law.</p>	<p>4o: “Holding of NCAA v. Alston (2021)</p> <p>The Supreme Court unanimously held (9-0) that the NCAA’s restrictions on education-related benefits for student-athletes violate federal antitrust law. The ruling allowed colleges and universities to provide student-athletes with additional educational benefits, such as graduate school scholarships, paid internships, and free laptops.</p> <p>Key Takeaways from the Decision NCAA Rules Are Subject to Antitrust Laws. The Court ruled</p>	

		<p>that the NCAA's rules restrained competition and unfairly prevented them from earning money from their own NIL.</p> <p>The Court rejected the athletes' argument, holding that the NCAA's rules were necessary to preserve the amateur nature of college athletics and that they did not violate antitrust law. The Court noted that the NCAA's rules were related to a legitimate procompetitive goal – maintaining the balance between education and athletics – and that they did not impose an undue restraint on competition.</p> <p>As a result of the Court's holding, the NCAA's rules limiting the compensation that college athletes can receive for the use of their NIL remain in effect. The decision has significant implications for the NCAA and for the rights of college athletes to earn money from their NIL.</p>		<p>that the NCAA is not exempt from federal antitrust scrutiny. The Sherman Antitrust Act applies to NCAA regulations that unreasonably restrain competition. Education-Related Compensation Can't Be Restricted. The NCAA cannot limit benefits related to education, such as: graduate school scholarships; paid post-college internships; study abroad opportunities; free laptops or other academic tools. However, the ruling did not directly address direct salaries or other forms of compensation.</p> <p>Potential Implications for Future NCAA Regulations. Though the decision was narrowly focused on educational benefits, it signaled that broader NCAA compensation limits could be vulnerable to legal challenges. It paved the way for further discussions on name, image, and likeness (NIL) rights, which were later addressed through new NCAA policies and state laws.</p> <p>Justice Neil Gorsuch's Majority Opinion. Gorsuch wrote that the NCAA's rules capping education-related benefits were anticompetitive. He applied the "rule of reason" antitrust standard, which assesses whether a business practice unreasonably restrains competition.</p> <p>Justice Brett Kavanaugh's Concurring Opinion. Kavanaugh strongly criticized the NCAA's overall compensation model, writing: "The NCAA's business model would be flatly illegal in almost any other industry in</p>	
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				<p>America." He suggested that other NCAA compensation limits could also violate antitrust laws, foreshadowing future challenges."</p> <p>o3-mini: "In <i>NCAA v. Alston</i> (2021), the Court held that the NCAA's restrictions on education-related benefits for student-athletes—such as scholarships, tutoring, computers, and other academic support—violate federal antitrust law. The decision unanimously rejected the NCAA's argument that these limits were essential to preserving amateurism and competitive balance in college sports. Instead, the Court determined that such restrictions imposed an unreasonable restraint on trade, affirming that student-athletes are entitled to receive education-related benefits without antitrust sanctions. The ruling was remanded for further proceedings consistent with this holding."</p> <p>o1: "In <i>NCAA v. Alston</i> (2021), the Supreme Court unanimously held that the NCAA's limits on education-related benefits for college athletes violated antitrust laws. Specifically, the Court ruled that the NCAA could not prohibit schools from offering certain education-related compensation (such as graduate scholarships, tutoring, and paid internships), concluding that these restrictions unlawfully restrained trade under the Sherman Act. The decision did not address all forms of student-athlete compensation but marked a significant recognition</p>	
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				of athletes' rights within the college sports system."	
24	<p>What are some of the most important Supreme Court decisions interpreting the Constitution's commerce clause?</p>	<p>Some of the most important Supreme Court decisions interpreting the Constitution's commerce clause include:</p> <ol style="list-style-type: none"> 1. <i>Gibbons v. Ogden</i> (1824): This case established that the commerce clause grants Congress the authority to regulate interstate commerce. 2. <i>Wickard v. Filburn</i> (1942): This case established that Congress has the authority to regulate activities that have a substantial effect on interstate commerce, even if those activities occur entirely within a single state. 3. <i>United States v. Lopez</i> (1995): This case limited the federal government's commerce clause authority by striking down a federal law that prohibited the possession of a firearm in a school zone, on the grounds that it exceeded Congress's authority to regulate commerce. 4. <i>Gonzales v. Raich</i> (2005): This case upheld the federal government's authority to regulate marijuana under the commerce clause, even if the marijuana was grown and consumed within a single state. 5. <i>NFIB v. Sebelius</i> (2012): This case upheld the constitutionality of the Affordable Care Act, also known as Obamacare, under Congress's power to regulate interstate commerce and its authority to impose taxes. 	<p>In <i>NFIB v. Sebelius</i>, the court did not uphold the key provision of the Affordable Care Act – the individual insurance mandate – under Congress's power to regulate commerce. The court upheld that provision under the taxing power, but five justices believed the provision exceeded Congress's power under the commerce clause.</p>	<p>40: "The Commerce Clause (Article I, Section 8, Clause 3) of the U.S. Constitution gives Congress the power "to regulate commerce with foreign nations, and among the several states, and with the Indian tribes." Over time, the Supreme Court has shaped the scope of federal power under the Commerce Clause through landmark decisions. Here are some of the most important rulings:</p> <p>1. <i>Gibbons v. Ogden</i> (1824) – First Major Interpretation Holding: The Court, led by Chief Justice John Marshall, ruled that Congress has broad power to regulate interstate commerce. The Commerce Clause gives Congress power over all commercial activity crossing state lines. This case struck down New York's monopoly on steamboat licenses, asserting federal supremacy over state laws in commerce. Impact: First major expansion of federal power under the Commerce Clause. Established that states cannot interfere with interstate commerce.</p> <p>2. <i>Wickard v. Filburn</i> (1942) – Expanding Federal Power Holding: The Court ruled that Congress can regulate even private, local activities if they have a "substantial effect" on interstate commerce. A farmer (Filburn)</p>	

				<p>growing wheat for personal use was still subject to federal agricultural quotas because his actions affected the overall wheat market.</p> <p>Impact:</p> <p>Greatly expanded federal power, allowing regulation of local, non-commercial activities.</p> <p>Set the stage for broad New Deal-era economic regulations.</p> <p>3. Heart of Atlanta Motel v. United States (1964) – Civil Rights and Commerce</p> <p>Holding:</p> <p>The Court upheld the Civil Rights Act of 1964, ruling that Congress could prohibit racial discrimination in public accommodations under the Commerce Clause. The motel served interstate travelers, bringing it under federal regulation.</p> <p>Impact:</p> <p>Used the Commerce Clause to enforce civil rights laws.</p> <p>Showed that business practices affecting interstate commerce can be federally regulated.</p> <p>4. United States v. Lopez (1995) – Limiting Federal Power</p> <p>Holding:</p> <p>The Court struck down the Gun-Free School Zones Act, ruling that Congress exceeded its Commerce Clause authority. Carrying a gun near a school is not an economic activity and does not have a substantial effect on interstate commerce.</p> <p>Impact:</p> <p>First case in decades to limit Commerce Clause power.</p>	
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				<p>Marked the beginning of the Rehnquist Court's federalism revival.</p> <p>5. <i>Gonzales v. Raich</i> (2005) – Federal Power Over Marijuana Holding: The Court upheld the federal Controlled Substances Act, ruling that Congress can regulate locally grown marijuana, even if used for personal medical purposes under state law. The decision relied on <i>Wickard v. Filburn</i>'s reasoning that local activity can affect the broader market. Impact: Reinforced broad federal control over drug laws. Highlighted tensions between federal and state power on marijuana regulation.”</p> <p>o3-mini: Picked same cases, adding <i>United States v. Morrison</i>: “<i>United States v. Morrison</i> (2000) Similarly, the Court ruled that portions of the Violence Against Women Act were beyond the scope of Congress's commerce power. The decision emphasized that not every activity with a potential economic impact is subject to federal regulation under the Commerce Clause.”</p> <p>o1: Picked same cases as 4o, adding <i>NLRB</i> and <i>Sebelius</i>: “2. <i>NLRB v. Jones & Laughlin Steel Corp.</i> (1937)</p> <p>Marked a turning point in New Deal-era jurisprudence by upholding the National Labor Relations Act. The Court ruled that even local activities that have</p>	
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				<p>a “close and substantial relation” to interstate commerce could be regulated by Congress.</p> <p>... 7. National Federation of Independent Business v. Sebelius (2012). Addressed the Affordable Care Act’s individual mandate, concluding that while Congress could not compel individuals to buy health insurance under the Commerce Clause, the mandate could be upheld as a valid exercise of Congress’s taxing power.”</p>	
25	What has the Supreme Court said about the Second Amendment?	<p>The Supreme Court of the United States has issued several decisions interpreting the Second Amendment to the United States Constitution, which protects the right to keep and bear arms. In 2008, the Court held in District of Columbia v. Heller that the Second Amendment protects an individual's right to possess a firearm, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home. In 2010, in McDonald v. City of Chicago, the Court held that the Second Amendment limits state and local governments to the same extent that it limits the federal government. These cases, and others, have established that the Second Amendment guarantees an individual right to keep and bear arms, but that this right is not unlimited and may be subject to reasonable regulation.</p>		<p>4o: “1. United States v. Miller (1939) – Early Limits on Gun Rights Holding: The Court ruled that the Second Amendment protects only firearms related to “a well-regulated militia”. It upheld federal restrictions on sawed-off shotguns, reasoning that such weapons were not “ordinary military equipment” necessary for militia service. Impact: Set a precedent that the Second Amendment was tied to militia service. Allowed federal gun regulations to stand for decades.</p> <p>2. District of Columbia v. Heller (2008) – Individual Right to Bear Arms Holding: The Second Amendment protects an individual’s right to own firearms, independent of militia service. Struck down Washington D.C.’s handgun ban, ruling that it violated the right to self-defense in the home.</p>	

				<p>Key Points:</p> <p>Recognized gun ownership as an individual right.</p> <p>Allowed some regulation but rejected handgun bans.</p> <p>Did not apply to state laws—only federal jurisdictions (like D.C.).</p> <p>3. McDonald v. City of Chicago (2010) – Second Amendment Applies to States</p> <p>Holding:</p> <p>The Second Amendment applies to state and local governments through the 14th Amendment's Due Process Clause. Struck down Chicago's handgun ban, reinforcing Heller's individual right to self-defense.</p> <p>Impact:</p> <p>Made gun rights enforceable against state and local laws.</p> <p>Limited the power of state and city governments to enact strict gun bans.</p> <p>4. New York State Rifle & Pistol Association v. Bruen (2022) – Expanding Gun Rights Outside the Home</p> <p>Holding:</p> <p>The Second Amendment protects the right to carry firearms in public for self-defense. Struck down New York's "may-issue" permit system, which required applicants to show a special need to carry a concealed firearm.</p> <p>Key Ruling:</p> <p>Gun restrictions must be rooted in historical tradition.</p> <p>States cannot require "special need" justifications for concealed carry.</p> <p>Current Legal Landscape</p>	
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				<p>Heller and McDonald established an individual right to own guns. Bruen expanded gun rights to public carry. The Court has not ruled on bans of assault weapons or high-capacity magazines, leaving room for future challenges.”</p> <p>o3-mini: “The Supreme Court has recognized that the Second Amendment protects an individual’s right to keep and bear arms for traditionally lawful purposes, particularly self-defense. In District of Columbia v. Heller (2008), the Court held that the Second Amendment guarantees an individual right to possess a functional firearm within the home for self-defense, striking down a handgun ban and a trigger-lock requirement in the District of Columbia. Two years later, in McDonald v. City of Chicago (2010), the Court incorporated this right against state and local governments through the Fourteenth Amendment.</p> <p>At the same time, the Court has acknowledged that this right is not unlimited. In both decisions, it noted that certain longstanding gun regulations may still be permissible, leaving open questions about how to balance individual rights with public safety. Subsequent cases have continued to shape the contours of permissible regulation under the Second Amendment, but Heller and McDonald remain the landmark decisions defining the</p>	
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				<p>constitutional protection of an individual's right to bear arms."</p> <p>o1: "The Supreme Court's interpretation of the Second Amendment has evolved significantly over time. Here are the key decisions:</p> <ul style="list-style-type: none"> • United States v. Miller (1939) The Court upheld a federal law regulating sawed-off shotguns, finding that the Second Amendment did not guarantee the right to own weapons that do not have a reasonable relationship to the preservation or efficiency of a "well regulated Militia." For many decades, Miller remained the primary precedent on the Second Amendment. • District of Columbia v. Heller (2008) The Court recognized, for the first time in a definitive way, that the Second Amendment protects an individual right to possess a firearm—specifically, to keep a handgun in the home for lawful purposes like self-defense. This decision struck down Washington, D.C.'s handgun ban and requirement that all firearms be disassembled or locked at home. • McDonald v. City of Chicago (2010) Building on Heller, the Court held that the Second Amendment right recognized in Heller is incorporated against the states through the Fourteenth Amendment. As a result, states and localities cannot enact laws that effectively ban the possession of handguns for self-defense in the home. • Caetano v. Massachusetts (2016) 	
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				<p>A short, unanimous decision reaffirming that the Second Amendment extends to “all instruments that constitute bearable arms,” which includes modern weapons such as stun guns. The Court vacated a Massachusetts Supreme Judicial Court decision upholding a ban on stun guns.</p> <ul style="list-style-type: none"> • New York State Rifle & Pistol Association v. Bruen (2022) <p>The Court clarified that the right recognized in Heller and McDonald also protects the right to carry a firearm outside the home for self-defense. It struck down a New York law that required applicants to show “proper cause” (beyond a general desire for self-defense) before obtaining a license to carry a concealed handgun in public. Overall, modern Second Amendment jurisprudence recognizes an individual right to possess and carry firearms for lawful purposes such as self-defense, both inside and (as of Bruen) outside the home. Courts may still uphold certain regulations, but those restrictions must be consistent with the “Nation’s historical tradition of firearm regulation.”</p>	
26	<p>What does the U.S. solicitor general do and why is the role important?</p>	<p>The U.S. Solicitor General is the third-ranking official in the U.S. Department of Justice and serves as the government's chief appellate lawyer. The Solicitor General represents the United States before the Supreme Court of the United States, and also supervises the work of the Assistant to the Solicitor General in the Office of the Solicitor</p>	<p>While most of the answer is accurate, the solicitor general is the fourth-ranking official at DOJ, not the third-ranking official. The associate attorney general is the third-ranking official.</p>	<p>40: “The U.S. Solicitor General is a key figure in the federal legal system, often called the “Tenth Justice” because of their influence at the Supreme Court. This official serves as the chief representative of the U.S. government before the Supreme Court and plays a crucial role in shaping federal legal policy.”</p>	

		<p>General. The role is important because the Solicitor General is responsible for representing the United States government in cases before the Supreme Court, which can have a significant impact on the interpretation of federal laws and the development of legal precedents. The Solicitor General also advises the Attorney General and other executive branch officials on legal matters, and is involved in the selection of cases for the government to appeal or seek review.</p>		<p>1. Responsibilities of the Solicitor General</p> <p>A. Represents the Federal Government in the Supreme Court The Solicitor General (SG) argues cases on behalf of the U.S. government before the Supreme Court. The SG handles both cases where the government is a party and those where it has a strong interest. The SG or their deputies personally argue the most significant cases.</p> <p>B. Decides When to Appeal Cases to the Supreme Court The SG reviews lower court decisions and decides whether the government should seek Supreme Court review. Not every case the U.S. government loses is appealed—the SG selects key cases to shape legal doctrine.</p> <p>C. Files Amicus Curiae ("Friend of the Court") Briefs When the U.S. is not a direct party to a case but has a major interest, the SG files an amicus brief to influence the Court's decision. These briefs provide the government's legal interpretation on critical issues.</p> <p>D. Responds to "Calls for the Views of the Solicitor General" (CVSG) The Supreme Court often asks the SG to weigh in on certiorari petitions (requests for the Court to hear a case). The Court follows the SG's recommendation about 80% of the time in deciding whether to take a case.</p> <p>2. Why the Solicitor General's Role is Important</p> <p>A. Major Influence on Supreme Court Decisions</p>	
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				<p>breakdown of what the role entails and why it's important: Representation Before the Supreme Court: The Solicitor General represents the United States in all cases in which the federal government is a party. This includes presenting oral arguments, submitting briefs, and determining the legal positions the government will take.</p> <p>Decision-Making on Appeals: The office plays a key role in deciding whether to request that the Supreme Court review a case (via a petition for a writ of certiorari). The "rule of four" often hinges on the government's assessment, which can help shape the Court's docket.</p> <p>Consistency and Uniformity: By articulating the government's positions consistently across cases, the Solicitor General helps ensure a uniform interpretation of federal law. This role is critical for maintaining legal stability and guiding how statutes are applied nationwide.</p> <p>Influence on Legal Precedent: Given that many decisions in the Supreme Court have far-reaching implications, the arguments presented by the Solicitor General can significantly influence the development of constitutional and statutory law."</p> <p>o1: Substantially the same output.</p>	
27	When an associate justice is nominated to become chief justice, does that nomination require the approval of the Senate?	Yes, a nomination for an associate justice to become chief justice requires the approval of the Senate. This process is the same as for any other presidential nomination for a federal judicial		<p>4o: "Yes, when an associate justice of the Supreme Court is nominated to become chief justice, that nomination requires Senate approval, just like any</p>	

		<p>position, which includes a hearing before the Senate Judiciary Committee and a vote by the full Senate. If a nominee is confirmed by the Senate, they will take the oath of office and assume the role of chief justice.</p>		<p>other Supreme Court appointment.</p> <p>Key Points:</p> <p>The President must nominate the associate justice for the new position as Chief Justice.</p> <p>The Senate must confirm the nomination through the standard advice and consent process.</p> <p>Even if the justice is already serving on the Court, they cannot automatically assume the chief justice role without a separate confirmation.</p> <p>Historical Examples:</p> <p>William Rehnquist (1986). Originally appointed as an associate justice in 1972. Nominated by President Ronald Reagan to become Chief Justice in 1986. Confirmed by the Senate (65-33).</p> <p>Edward Douglass White (1910). Served as an associate justice since 1894. Nominated by President William Howard Taft to be Chief Justice in 1910. Confirmed by the Senate.</p> <p>Harlan F. Stone (1941). Associate Justice since 1925. Nominated by President Franklin D. Roosevelt to be Chief Justice in 1941. Confirmed by the Senate.</p> <p>Bottom line: A separate nomination and confirmation process is required. The Senate must approve even if the justice is already on the Court. If rejected, the justice can remain an associate justice (unless they choose to step down)."</p>	
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				<p>o3-mini: “Yes. Even if an associate justice is nominated for the position of chief justice, the President must submit that nomination to the Senate, and the nominee must be confirmed by the Senate, just like any other federal judicial appointment.”</p> <p>o1: “Yes. Even if someone is already serving as an associate justice, a separate presidential nomination and a new Senate confirmation process are required for that justice to become chief justice. For example, in 1986, Associate Justice William Rehnquist needed to be nominated and confirmed again to serve as chief justice, despite already being on the Court.”</p>	
28	Who was the first woman to argue before the Supreme Court?	<p>Belva Ann Lockwood was the first woman to argue before the United States Supreme Court in 1879.</p>	<p>The answer is correct about Lockwood being the first woman to argue before the court, but she did it in 1880.</p>	<p>4o: “The first woman to argue before the U.S. Supreme Court was Belva Ann Lockwood in 1879.</p> <p>Key Facts About Lockwood’s Historic Argument Case: Kaiser v. Stickney (1880). Significance: Lockwood was the first woman admitted to practice before the Supreme Court after Congress passed a law in 1879 allowing women to appear before federal courts. Advocacy: She fought for women’s rights, equal access to the legal profession, and even ran for U.S. president twice (1884 and 1888). Challenges She Faced. Initially, the Supreme Court refused to admit her to the bar. She lobbied Congress to pass legislation allowing women to argue before</p>	4o: Same mistake as in 2023.

				<p>the Court. After the law passed, she became the first female Supreme Court advocate.</p> <p>Legacy</p> <p>Lockwood paved the way for future female lawyers, including Florence Allen, Sandra Day O'Connor, and Ruth Bader Ginsburg. Today, women regularly argue cases before the Supreme Court, continuing Lockwood's legacy."</p> <p>o3-mini: "Belva Ann Lockwood was the first woman to argue before the Supreme Court. Admitted to practice before the Court in 1879, Lockwood was not only a pioneering attorney but also an advocate for women's rights and suffrage. Her groundbreaking role helped open the door for future generations of women in the legal profession."</p> <p>o1: "The first woman to argue before the Supreme Court was Belva Ann Lockwood. In 1879, after successfully lobbying Congress to pass legislation permitting qualified female attorneys to practice in federal courts, Lockwood was admitted to the Supreme Court bar. She subsequently argued multiple cases before the Court, making her the first woman to do so."</p>	
29	Where has the Supreme Court been housed over the years?	The Supreme Court of the United States has been housed in several locations over the years. Initially, the Court met in the Merchants Exchange Building in New York City from 1790 to 1800, then in the Capitol Building in Washington, D.C. from 1800 to 1935. Since 1935, the Court has	The answer is correct about the court meeting in the Exchange Building in New York City when it first convened in 1790, but later that year it moved to Philadelphia because the nation's capital moved there. It remained in Philadelphia until 1800.	<p>4o: "The Supreme Court of the United States (SCOTUS) has been housed in multiple locations throughout its history before settling in its current home. Here's a timeline of where the Court has been located:</p> <p>1. New York City (1790–1791)</p>	4o: The Supreme Court was in Independence Hall only briefly before moving into Old City Hall, where it remained from 1791 to 1800.

		<p>been housed in the Supreme Court Building on Capitol Hill.</p>		<p>Location: The Royal Exchange Building (also called the Merchants' Exchange) in New York City.</p> <p>Why: New York was the first capital of the U.S. under the Constitution.</p> <p>Significance: The first-ever session of the Supreme Court was held here on February 2, 1790.</p> <p>2. Philadelphia (1791–1800)</p> <p>Locations:</p> <p>Independence Hall (1791–1793)</p> <p>Old City Hall (1793–1800)</p> <p>Why: The U.S. capital moved to Philadelphia while Washington, D.C., was under construction.</p> <p>3. Washington, D.C. – U.S. Capitol (1801–1935)</p> <p>Locations within the Capitol Building:</p> <p>Various committee rooms in the early years.</p> <p>The Old Supreme Court Chamber (1810–1860) – located in the basement.</p> <p>The Old Senate Chamber (1860–1935) – after the Senate moved to a larger chamber.</p> <p>Why: The federal government permanently moved to Washington, D.C.</p> <p>Challenges: The Court had no dedicated building, sharing space with Congress.</p> <p>4. Supreme Court Building (1935–Present)</p> <p>Location: 1 First Street NE, Washington, D.C.</p> <p>Designed by: Architect Cass Gilbert (commissioned in 1929).</p> <p>Completed: 1935 (first time the Court had its own home).</p> <p>Why: Chief Justice William Howard Taft pushed for a permanent home to reinforce the</p>	
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				<p>Court's independence from Congress.</p> <p>Features:</p> <p>Grand courtroom, justices' chambers, library, and offices.</p> <p>Iconic marble columns and sculptures (e.g., "Equal Justice Under Law" inscription)."</p> <p>o3-mini: "In New York City (1791–1794):</p> <p>The Court initially convened in the Merchants' Exchange Building when New York was the nation's capital.</p> <p>In Philadelphia (1794–1800):</p> <p>When Philadelphia became the temporary national capital, the Court met in the Pennsylvania State House (now known as Independence Hall).</p> <p>In Washington, D.C. (1800–1935):</p> <p>After the capital moved to Washington, D.C., the Court held sessions in various locations within the Capitol building, including the Old Senate Chamber.</p> <p>In its own building (since 1935):</p> <p>In 1935, the Court moved into the dedicated Supreme Court Building on First Street NE in Washington, D.C., where it remains today."</p> <p>o1: "Key locations include:</p> <ul style="list-style-type: none"> • New York City (1790) <ul style="list-style-type: none"> – The Court held its very first session in February 1790 at the Royal Exchange (also known as the Merchants' Exchange) in Manhattan, when New York was the nation's capital. • Philadelphia (1791–1800) <ul style="list-style-type: none"> – When the capital moved to 	<p>o3-mini: The Supreme Court moved out of New York in 1791 and relocated to Philadelphia, where it almost immediately settled in Old City Hall.</p>
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				<p>Philadelphia, so did the Court. It met in Independence Hall and later City Hall.</p> <ul style="list-style-type: none"> • U.S. Capitol in Washington, D.C. (1801–1935) – After the government relocated to Washington, the justices convened in various rooms of the Capitol, including the Old Supreme Court Chamber (adjacent to the current Crypt) and, eventually, the Old Senate Chamber. • The Supreme Court Building (1935–Present) – Completed under the guidance of Chief Justice William Howard Taft (who advocated for the Court to have its own dedicated home), the current Supreme Court Building on First Street NE opened in 1935. It has housed the Court ever since.” 	
30	<p>What are some popular ideas for reforming the Supreme Court?</p>	<p>Some popular ideas for reforming the Supreme Court include:</p> <ol style="list-style-type: none"> 1. Expanding the number of justices on the Court: Supporters argue that this would reduce the power of individual justices and make the Court more representative of the country's population. 2. Implementing term limits for justices: This would ensure that a regular turnover of justices on the Court and would prevent justices from serving for decades. 3. Adding more diversity to the Court: Supporters argue that a more diverse Court would better reflect the country's population and lead to more representative decisions. 	<p>Items 5-7 are not popular proposals.</p>	<p>4o: “In recent years, there have been numerous proposals to reform the Supreme Court, driven by concerns over partisanship, lifetime tenure, and judicial legitimacy. Here are some of the most commonly discussed reforms:</p> <ol style="list-style-type: none"> 1. Term Limits for Justices <p>Proposal: Replace lifetime appointments with fixed terms (e.g., 18-year terms, staggered so each president gets two nominations per term). Justices could then serve in lower federal courts or as senior justices after their term ends.</p> <p>Pros:</p> <ul style="list-style-type: none"> ✓ Reduces partisan battles over appointments. ✓ Ensures regular turnover, preventing one president from shaping the Court for decades. 	<p>4o: Item 5 is unclear and misleading. There are proposals both to create a larger pool of justices and to have appellate court judges participate in a Supreme Court “lottery.” However, it is unclear which of these the AI is referring to in this case, and the origin of the number 30 is not specified.</p>

		<p>4. Depoliticizing the Court: Some people argue that the Court has become too politicized and that it should be insulated from political pressures.</p> <p>5. Implementing an "intermediate appellate court": The idea is to create a new court for appeals that would be between the lower courts and the Supreme Court.</p> <p>6. Implementing a "merit selection" process: This would involve a committee of legal experts to vet and choose Supreme Court nominees, rather than leaving it up to the President and Senate.</p> <p>7. Rotating judges: A system where the judges are rotated among different jurisdictions, federal and state, to ensure that they are exposed to a wide variety of legal issues.</p> <p>These are some of the most common ideas for reforming the Supreme Court, but there are many other proposals as well.</p>		<p>✓ Maintains judicial independence while limiting long-term influence.</p> <p>Cons:</p> <p>✗ Would likely require a constitutional amendment.</p> <p>✗ Could increase political pressure on justices nearing the end of their term.</p> <p>✗ Might lead to more frequent major shifts in constitutional interpretation.</p> <p>2. Expanding the Number of Justices ("Court Packing")</p> <p>Proposal: Increase the number of Supreme Court justices from 9 to a higher number (e.g., 13 or more). Supporters argue this would balance the Court ideologically.</p> <p>Pros:</p> <p>✓ Could counterbalance perceived ideological imbalances.</p> <p>✓ Historically, the Court's size has changed before (last set at 9 in 1869).</p> <p>✓ Could restore public trust if done in response to perceived unfair appointments.</p> <p>Cons:</p> <p>✗ Seen as a highly partisan move, potentially triggering tit-for-tat expansions.</p> <p>✗ Would damage the Court's legitimacy if viewed as purely political.</p> <p>✗ Could lead to a bloated and inefficient Court.</p> <p>3. Impose a Code of Ethics for Justices</p> <p>Proposal: Require justices to follow an official ethics code, like lower federal judges. Would include recusal rules, financial disclosures, and restrictions on gifts or outside influence.</p>	
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				<p>Pros:</p> <ul style="list-style-type: none"> ✓ Increases transparency and accountability. ✓ Addresses concerns over potential conflicts of interest. ✓ Would be easier to implement than other reforms (could be done via legislation or Court self-regulation). <p>Cons:</p> <ul style="list-style-type: none"> ✗ The Court currently self-regulates, so enforcement could be weak. ✗ Some argue it could be weaponized for political attacks. ✗ Justices might resist congressional attempts to regulate their conduct. <p>4. Require a Supermajority to Strike Down Laws</p> <p>Proposal: Instead of a simple majority (5-4), require a supermajority (e.g., 6-3 or 7-2) for the Court to strike down federal laws.</p> <p>Pros:</p> <ul style="list-style-type: none"> ✓ Encourages bipartisan consensus in major rulings. ✓ Makes it harder to overturn laws, preventing ideological swings. ✓ Would increase stability in constitutional interpretation. <p>Cons:</p> <ul style="list-style-type: none"> ✗ Could weaken the Court's power to check unconstitutional laws. ✗ Might give Congress too much leeway to pass questionable laws. ✗ Harder to implement without constitutional changes. <p>5. Random Justice Selection for Each Case</p> <p>Proposal: Instead of 9 permanent justices, create a larger pool (e.g.,</p>	
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				<p>30 justices), and select a random panel of 9 for each case.</p> <p>Pros:</p> <ul style="list-style-type: none">✓ Reduces long-term ideological dominance.✓ Ensures a mix of perspectives on each case.✓ Prevents predictable partisan rulings. <p>Cons:</p> <ul style="list-style-type: none">✗ Would dramatically alter Court stability.✗ Justices might have less institutional memory of previous rulings.✗ Could make major legal precedents more unpredictable. <p>Which Reform is Most Likely?</p> <ul style="list-style-type: none">💡 Ethics rules are the most politically feasible, as public concern over conflicts of interest is growing.💡 Term limits are widely popular but would likely require a constitutional amendment.💡 Court expansion is highly controversial and would likely cause political retaliation." <p>o3-mini: "Popular proposals for reforming the Supreme Court often focus on addressing concerns about its lifetime tenure, perceived ideological imbalance, and transparency. Here are a few of the frequently discussed ideas:</p> <p>Term Limits or Fixed Terms:</p> <p>Rather than lifetime appointments, some propose that justices serve for a set number of years (for example, 18 years). Proponents argue this would reduce the stakes of any single nomination and allow the Court to</p>	
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				<p>adapt more readily to evolving societal values.</p> <p>Expanding or Modifying the Court's Size:</p> <p>Some reform advocates suggest increasing the number of justices to create a broader balance that better reflects the political or demographic diversity of the country. Others argue for a more structured way to adjust the Court's composition over time.</p> <p>Enhanced Ethical Guidelines and Transparency:</p> <p>Proposals include adopting a binding code of conduct for Supreme Court justices (similar to the federal judges' Code of Conduct) and increasing transparency in the Court's internal processes—such as releasing more detailed information about recusal decisions or even allowing cameras in certain proceedings.</p> <p>Changes to the Nomination and Confirmation Process:</p> <p>Some reforms call for modifications to how justices are nominated and confirmed—for instance, altering Senate procedures to depoliticize the process, or even instituting nonpartisan commissions to screen and recommend nominees.”</p> <p>o1: “Over the years, various proposals have circulated to reform the Supreme Court, with the aim of addressing concerns about judicial independence, political polarization, and lifetime tenure. Here are a few of the most commonly discussed ideas:</p> <p>1. Term Limits</p>	
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				<p>Replacing lifetime appointments with fixed, staggered terms (e.g., 18 years) would ensure a more regular turnover and reduce concerns about justices serving well into advanced age.</p> <p>Proponents say this would help depoliticize the appointment process by giving each president a predictable number of nominations.</p> <p>2. Expanding (or “Packing”) the Court</p> <p>Proposals to increase the number of justices date back to President Franklin D. Roosevelt’s plan in the 1930s.</p> <p>Supporters argue that adding seats might rebalance the Court if it has become ideologically skewed; critics warn this could escalate into repeated expansions whenever political power shifts.</p> <p>3. Mandatory Code of Conduct</p> <p>Unlike lower federal judges, Supreme Court justices are not formally bound by the Code of Conduct for U.S. Judges.</p> <p>Reform advocates propose a clear, enforceable ethics code that applies to the Supreme Court specifically, potentially with more robust disclosure and recusal requirements.</p> <p>4. Rotation or Panel System</p> <p>Under this plan, justices might rotate off the Supreme Court to serve on lower federal courts for certain periods.</p> <p>The goal is to reduce the Court’s power concentration and increase exposure to diverse viewpoints.</p> <p>5. Jurisdiction Stripping / Supermajority Requirements</p> <p>Proposals include limiting certain types of cases the Supreme Court</p>	
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				can hear, or requiring a supermajority (e.g., a 6–3 vote) to strike down federal legislation. These are meant to curb the Court’s influence by making it harder to overturn laws or limiting categories of disputes.”	
31	What does it mean for a case to be “non-justiciable”?	A case is considered “non-justiciable” when a court determines that it is not able to hear and decide the case due to a lack of legal authority or jurisdiction. This can occur when the case involves a political question, when the parties lack standing to bring the case, or when the case is not ripe for review. In such cases, the court will typically dismiss the case without reaching the merits of the dispute.		<p>40: “A case may be non-justiciable for several reasons:</p> <ol style="list-style-type: none"> 1. Political Question Doctrine Courts will not decide issues that are inherently political, meaning they are meant to be resolved by the executive or legislative branches. Example: Nixon v. United States (1993) – The Supreme Court ruled that the Senate’s process for impeachment trials is a political question and not reviewable by courts. Baker v. Carr (1962) – The Court rejected Tennessee’s argument that legislative apportionment was a political question, making redistricting justiciable. 2. Standing (No Proper Plaintiff) A plaintiff must have legal standing to bring a case, meaning: they suffered a concrete injury; the injury is traceable to the defendant; a court ruling can redress the injury. Example: Lujan v. Defenders of Wildlife (1992) – The Court dismissed an environmental lawsuit, ruling that the plaintiffs lacked standing because their injury was too speculative. 3. Ripeness (Case is Premature) A case is not ripe if the legal issue has not fully developed or there is no real harm yet. Example: 	

				<p>If a person challenges a law that has not been enforced, the case might be dismissed as not yet ripe.</p> <p>4. Mootness (Case is No Longer Relevant)</p> <p>A case becomes moot if the issue has already been resolved or is no longer a live controversy.</p> <p>Exceptions:</p> <p>Capable of repetition, yet evading review (e.g., pregnancy-related cases like <i>Roe v. Wade</i>).</p> <p>Example:</p> <p><i>DeFunis v. Odegaard</i> (1974) – A student sued over law school admissions, but the case became moot because he had already graduated.</p> <p>5. Advisory Opinions (Federal Courts Can't Issue Them)</p> <p>Federal courts cannot give advisory opinions—they can only rule on actual legal disputes.</p> <p>Example:</p> <p>The Supreme Court refused to give President Washington legal advice when he asked for guidance on foreign policy in 1793.”</p> <p>o3-mini: “A case is considered ‘non-justiciable’ when it falls outside the scope of judicial review—that is, it is not appropriate for resolution by a court because it involves issues that are political in nature, abstract policy questions, or matters that the Constitution reserves for the other branches of government. In these cases, courts refrain from deciding disputes because doing so would require them to decide questions that are not amenable to legal resolution</p>	
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				<p>or that lack the proper judicial standards for review.”</p> <p>o1: “When a case is described as non-justiciable, it means the courts have deemed it unsuitable for judicial resolution. In other words, a non-justiciable matter is one that a court <i>cannot</i> or <i>will not</i> decide, often for reasons such as:</p> <ul style="list-style-type: none"> • Political Question Doctrine: Certain constitutional issues, like the conduct of foreign affairs or impeachment procedures, may be seen as belonging to the political branches (executive or legislative) rather than the judiciary. • Lack of Standing: If plaintiffs cannot show they have a sufficient personal stake in the dispute—such as a direct injury caused by the defendant—the case may be considered non-justiciable. • No Real Controversy: Courts will only hear “cases or controversies,” so if a dispute is hypothetical, moot, or advisory in nature, it falls outside the judiciary’s domain.” 	
32	How many seats did the Supreme Court have when it was created?	When the Supreme Court of the United States was created in 1789, it had six seats.		<p>4o: “When the Supreme Court was created in 1789, it originally had six seats.</p> <p>Key Facts About the Original Supreme Court: Established by the Judiciary Act of 1789. Consisted of one Chief Justice and five Associate Justices. The first Chief Justice was John Jay.</p> <p>Changes Over Time: The number of justices has changed multiple times throughout history. It has ranged from six to ten justices before being set at nine in 1869.”</p>	

				<p>o3-mini: “When the Supreme Court was established by the Judiciary Act of 1789, it originally consisted of six seats: one Chief Justice and five Associate Justices.”</p> <p>o1: “When first established by the Judiciary Act of 1789, the Supreme Court consisted of six justices: one Chief Justice and five Associate Justices. Over time, Congress changed the Court’s size on multiple occasions, but it ultimately settled on nine seats after the Judicial Circuits Act of 1869.”</p>	
33	What is the “counter-majoritarian difficulty” and how does it relate to the Supreme Court?	<p>The “counter-majoritarian difficulty” refers to the idea that the Supreme Court, as a non-elected branch of government, is able to make decisions that may be at odds with the views of the majority of citizens. This can occur when the Court strikes down laws passed by elected representatives or when it interprets the Constitution in a way that limits the ability of elected officials to govern. Some scholars argue that this is a necessary feature of the Court, as it allows the Court to serve as a check on the other branches of government and protect the rights of minorities. However, others argue that it can lead to a disconnect between the Court and the broader public and can undermine the legitimacy of the Court. The counter-majoritarian difficulty is a key concept in discussions about the role of the Supreme Court in American democracy.</p>		<p>4o: “The counter-majoritarian difficulty refers to the tension between judicial review and democratic principles—specifically, the concern that unelected judges can overturn laws enacted by democratically elected representatives. This term was popularized by legal scholar Alexander Bickel in his book <i>The Least Dangerous Branch</i> (1962).”</p> <p>Key Issues in the Counter-Majoritarian Difficulty</p> <p>1. Judicial Review vs. Democracy The Supreme Court has the power to strike down laws passed by Congress and state legislatures if they violate the Constitution (<i>Marbury v. Madison</i>, 1803). This means nine unelected justices can overturn the will of millions of voters and their representatives, raising concerns about judicial overreach.</p> <p>2. Lack of Democratic Accountability</p>	

				<p>Justices serve for life and do not face elections, making them insulated from public opinion. Unlike legislators, justices are not directly accountable to voters.</p> <p>3. Judicial Activism vs. Judicial Restraint</p> <p>Judicial Activism: Courts should interpret the Constitution broadly to correct injustices (e.g., <i>Brown v. Board of Education</i>). Judicial Restraint: Courts should defer to the political branches unless there is a clear constitutional violation.</p> <p>4. Potential Legitimacy Crisis</p> <p>When the Court consistently overrules majority-supported policies, it can undermine public confidence in the judiciary. Recent controversial decisions (e.g., <i>Dobbs v. Jackson Women's Health Organization</i> overturning <i>Roe v. Wade</i>) have reignited debates over the Court's role.</p> <p>How the Supreme Court Responds to the Counter-Majoritarian Difficulty</p> <p>Following Precedent (<i>Stare Decisis</i>). Justices often rely on past rulings to maintain legal stability and avoid sudden shifts that appear undemocratic.</p> <p>Justiciability Doctrines. The Court limits itself by adhering to doctrines like standing, ripeness, and political question doctrine, avoiding purely political decisions.</p> <p>Public Opinion Influence. While not directly accountable to voters, the Court is aware of public sentiment and may adjust its rulings over time (e.g., shifting views on same-sex marriage in <i>Obergefell</i>).</p>	
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				<p>Slow Legal Change. The Court often moves incrementally, shaping legal change over decades rather than sudden reversals.”</p> <p>o3-mini: “The ‘counter-majoritarian difficulty’ refers to the tension inherent in a judicial system where unelected judges—most notably, the Supreme Court—can invalidate laws or policies enacted by democratically elected majorities. Critics argue that this power allows a small, non-elected body to override the will of the people, thereby conflicting with the principle of majority rule. However, proponents counter that judicial review is essential for protecting minority rights and ensuring that laws adhere to the Constitution, which can sometimes require checking popular decisions that might infringe on fundamental rights. In essence, the difficulty lies in balancing the Court’s role as a guardian of constitutional principles with the democratic ideal that the people’s will should prevail. This debate is central to discussions about the legitimacy and limits of the Court’s power to strike down legislation.”</p> <p>o1: “The counter-majoritarian difficulty is a concept famously articulated by legal scholar Alexander Bickel, referring to the tension between judicial review and democratic principles. Specifically:</p> <ol style="list-style-type: none"> 1. Judicial Review vs. Majority Rule 	
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				<p>The Supreme Court (and other courts with power of judicial review) can strike down laws passed by democratically elected legislatures or overturn executive actions supported by the public. Because federal judges are unelected and enjoy lifetime appointments, this power is seen as “counter-majoritarian”—it can override the will of the voting majority.</p> <p>2. Relevance to the Supreme Court</p> <p>The Supreme Court’s constitutional role enables it to protect minority rights and uphold constitutional guarantees, even against popular opinion or a momentary legislative majority. Critics of this power point to the apparent democratic deficit: Why should a small group of unelected justices be able to veto policies enacted by the people’s representatives? Defenders argue that judicial review acts as a crucial safeguard against tyranny of the majority, ensuring individual rights and constitutional limits remain intact. Thus, the counter-majoritarian difficulty captures the ongoing debate about how the Court can—and should—balance majority will against constitutional principles.”</p>	
34	Why do Supreme Court justices take two oaths of office?	Supreme Court Justices take two oaths of office, one before they begin their duties as a justice and one as they begin a new term. The first oath, known as the "constitutional oath," is required by Article VI, Clause 3 of the United States Constitution, and is taken by all federal officials.	Justices are required to take both oaths before they begin their duties. They do not swear a new oath at the start of each term. The second oath, known as the “judicial oath,” is required by federal statute and is not merely a matter of ceremony or tradition.	<p>4o: “Supreme Court justices take two separate oaths before assuming their duties: the Constitutional Oath (Article VI of the U.S. Constitution) and the Judicial Oath (Required by federal law).</p> <p>1. The Constitutional Oath (Article VI, Clause 3)</p>	4o: The AI’s description of the constitutional oath makes it sound as though the oath’s text appears directly in the Constitution, which it does not. The exact wording comes from 5 U. S. C. § 3331.

		<p>including Supreme Court Justices. It requires them to swear or affirm that they will support the Constitution of the United States. The second oath is a ceremonial oath, which is not required by the Constitution, but is administered as a matter of tradition and protocol. This oath is similar to the one taken by members of Congress and is used to reaffirm their commitment to the Constitution and their duties as Supreme Court Justices.</p>		<p>What it says? The U.S. Constitution requires all federal and state officials to swear an oath to support the Constitution. Text of the Constitutional Oath: "I, [name], do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God." Who Takes It? All federal officials, including Congress, the President, and judges. 2. The Judicial Oath (28 U.S.C. § 453) What it says? Required by federal law for judges to swear an oath to administer justice impartially. Text of the Judicial Oath: "I, [name], do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as [a Justice] under the Constitution and laws of the United States. So help me God." Who Takes It? Only federal judges, including Supreme Court justices. Why Two Oaths? The Constitutional Oath is required for all federal officials. The Judicial</p>	
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				<p>Oath is specific to judges and ensures their commitment to impartiality and justice. Together, they affirm both loyalty to the Constitution and the duty to apply the law fairly.”</p> <p>o3-mini: “Supreme Court justices take two oaths because they’re required to pledge both by the Constitution and by federal law. Specifically:</p> <ul style="list-style-type: none"> • Constitutional Oath: The Constitution (Article III) requires that judges take an oath or affirmation to “support and defend the Constitution of the United States.” This oath is fundamental to ensuring that justices remain committed to upholding the nation’s supreme law. • Statutory Oath: Federal law (originating with the Judiciary Act of 1789) also prescribes a specific oath that judges must take, which includes additional language about faithfully administering justice and following the law. This statutory oath reinforces the justices’ commitment to impartiality and integrity in carrying out their duties. Together, these two oaths emphasize the dual responsibilities of a justice: to protect the Constitution and to execute their judicial functions with fairness and dedication.” <p>o1: “Supreme Court justices (as well as other federal judges) take two oaths upon assuming office:</p> <ol style="list-style-type: none"> 1. Constitutional Oath: Required of all federal officials, this 	<p>o3-mini: The basis for the constitutional oath is Article VI, not Article III. Furthermore, the quoted text comes from 5 U.S.C. § 1331, not the Constitution. The second, non-constitutional oath is known as the “judicial oath,” not the “statutory oath.”</p>
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				<p>oath—often called the “oath of office”—affirms support for the U.S. Constitution.</p> <p>2. Judicial Oath: Required by federal statute, this pledge is specific to the judicial role. It commits justices (and other judges) to faithfully and impartially perform their judicial duties and to administer justice without respect to persons. Together, these two oaths reflect both a general commitment to uphold the Constitution (the Constitutional Oath) and a specific commitment to the fair administration of justice (the Judicial Oath).”</p>	
35	How many justices did President Donald Trump appoint to the Supreme Court?	President Donald Trump appointed two justices to the Supreme Court: Neil Gorsuch and Brett Kavanaugh.	Trump appointed three justices: Gorsuch, Kavanaugh, and Amy Coney Barrett.	<p>40: “President Donald Trump appointed three justices to the U.S. Supreme Court during his first term (2017–2021):</p> <p>Neil Gorsuch: Nominated to fill the vacancy left by Justice Antonin Scalia's death in 2016. Gorsuch was confirmed by the Senate and took his seat on April 10, 2017.</p> <p>Brett Kavanaugh: Nominated to replace retiring Justice Anthony Kennedy. Kavanaugh was confirmed and assumed office on October 6, 2018.</p> <p>Amy Coney Barrett: Nominated following the death of Justice Ruth Bader Ginsburg. Barrett was confirmed and began her tenure on October 27, 2020.</p> <p>These appointments shifted the Supreme Court toward a more conservative stance, influencing decisions on key issues such as abortion and gun rights.</p> <p>In his second term, President Trump may have the opportunity to appoint additional justices.</p>	

				<p>potentially solidifying a conservative majority for decades. Justices Clarence Thomas and Samuel Alito, both in their mid-70s, might consider retirement, allowing for younger conservative successors. These potential changes could have a lasting impact on the Court's direction and its rulings on significant legal and social issues.”</p> <p>o3-mini: “President Donald Trump appointed three justices to the Supreme Court. These appointments were: Neil Gorsuch (2017): Appointed to fill the vacancy left by Justice Scalia. Brett Kavanaugh (2018): Appointed following Justice Anthony Kennedy's retirement. Amy Coney Barrett (2020): Appointed after Justice Ruth Bader Ginsburg's passing.”</p> <p>o1: “President Donald Trump appointed three justices to the Supreme Court during his term in office: Neil Gorsuch (confirmed in 2017), Brett Kavanaugh (confirmed in 2018), and Amy Coney Barrett (confirmed in 2020).”</p>	
36	Why was Anthony Kennedy considered an important “swing” justice?	Anthony Kennedy was considered an important "swing" justice because he often cast the deciding vote in close and high-profile cases that had the potential to shape American law and society. He was known for being a moderate conservative who was willing to side with his more liberal colleagues in certain cases, which made him a key vote on the		<p>4o: “Justice Anthony Kennedy (served 1988–2018) was considered the Supreme Court’s pivotal "swing" justice because he often cast the deciding vote in closely divided (5-4) cases, shifting between conservative and liberal positions depending on the issue.</p> <p>1. His Role as a Swing Vote</p>	

		<p>Supreme Court. This led to him being a crucial vote in many cases on issues such as abortion, same-sex marriage, and affirmative action.</p>		<p>Kennedy was appointed by President Ronald Reagan (a conservative) but did not always vote with the Court's conservative bloc. He was ideologically moderate, siding with both conservatives and liberals on different issues. Because the Court was often split between four conservative justices and four liberal justices, Kennedy's vote was often the deciding factor.</p> <p>2. Major Areas Where Kennedy Was the Swing Vote</p> <p>[omitted]</p> <p>3. Why Was His Swing Vote So Significant?</p> <ul style="list-style-type: none"> ✓ He shaped landmark rulings – His vote determined major legal precedents. ✓ He wasn't predictably partisan – Unlike some justices, he could be persuaded on key issues. ✓ His retirement in 2018 led to a conservative shift – Replaced by Justice Brett Kavanaugh, tilting the Court further right. <p>Conclusion</p> <p>Justice Anthony Kennedy's swing vote made him one of the most powerful figures in modern Supreme Court history, influencing abortion rights, LGBTQ+ rights, campaign finance, and more. His moderate conservatism and willingness to side with liberals on social issues defined his legacy."</p> <p>3o-mini: "Justice Anthony Kennedy was widely regarded as the Court's swing vote because he often provided the decisive vote in closely divided cases. While other justices generally fell into predictable liberal or conservative</p>	
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				<p>blocs, Kennedy's moderate, independent approach allowed him to side with either camp depending on the specific legal questions at hand. His willingness to deliberate carefully and vote based on nuanced interpretations of the law—particularly on issues such as LGBTQ rights, free speech, and due process—made his vote pivotal in shaping many landmark decisions. In essence, his centrist stance and key, often solitary, votes helped balance the Court's ideological makeup and significantly influenced its rulings.”</p> <p>o1: “Justice Anthony Kennedy was considered the Supreme Court’s key “swing” justice for much of his tenure because he often cast the decisive fifth vote in closely divided, high-stakes cases. Although appointed by President Ronald Reagan and generally aligned with conservative principles, he was willing to side with the Court’s more liberal justices on certain issues—particularly those involving gay rights (e.g., <i>Obergefell v. Hodges</i>) and occasionally abortion rights. This made Kennedy a pivotal figure, whose vote could not be reliably predicted solely by ideology and whose position frequently determined the final outcome in 5–4 decisions.”</p>	
37	Who was the most powerful chief justice in history? Defend your answer.	It is difficult to determine who the most powerful chief justice in history is, as the power and influence of chief justices can vary widely depending on the historical context and the chief		<p>4o: “While several Chief Justices have had significant influence, John Marshall (served 1801–1835) stands out as the most powerful and consequential in U.S. history. His leadership</p>	

		<p>justice in question. However, some chief justices who have had a significant impact on the Supreme Court and the country include:</p> <ul style="list-style-type: none">• John Marshall (1801-1835) who established the principle of judicial review, giving the Supreme Court the power to declare federal laws unconstitutional.• Earl Warren (1953-1969) who led the court in a liberal direction and oversaw several landmark cases, including Brown v. Board of Education, which declared racial segregation in public schools to be unconstitutional.• William Rehnquist (1986-2005) who oversaw the Court during a period of significant change, including the end of the Cold War and the beginning of the War on Terror. He also helped to move the Court in a more conservative direction. <p>Ultimately, it is subjective to say who was the most powerful chief justice in history. It depends on one's perspective, and the impact of a chief justice can be evaluated in many ways.</p>		<p>shaped the Supreme Court's authority, strengthened federal power, and established key constitutional principles that still define American law today.</p> <p>Why Was John Marshall the Most Powerful Chief Justice?</p> <ol style="list-style-type: none">1. Established Judicial Review (Marbury v. Madison, 1803) Marshall's biggest contribution was establishing judicial review, which gives the Supreme Court the power to strike down unconstitutional laws. In Marbury v. Madison, he ruled that the Supreme Court has the final say on constitutional interpretation, solidifying its role as an equal branch of government. This decision made the Court a true check on Congress and the President, dramatically increasing its power. ✓ Impact: Without Marbury, the Supreme Court might have remained a weaker institution, subordinate to the political branches.2. Strengthened Federal Power Over States Marshall's rulings consistently favored a strong national government, limiting state power and reinforcing federal supremacy. McCulloch v. Maryland (1819) – Upheld Congress's power to create a national bank and ruled that states cannot tax federal institutions, expanding the Necessary and Proper Clause. Gibbons v. Ogden (1824) – Strengthened the Commerce Clause, ensuring that	
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				<p>Congress—not states—controls interstate trade.</p> <p>✓ Impact: These rulings helped build the modern federal government, preventing states from undermining national authority.</p> <p>3. Made the Supreme Court a Coequal Branch</p> <p>Before Marshall, the Supreme Court was considered relatively weak compared to Congress and the President.</p> <p>He transformed it into the final arbiter of constitutional law, ensuring it played a decisive role in shaping national policy. His long tenure (34 years, the longest of any Chief Justice) allowed him to shape the Court's identity and jurisprudence for multiple generations.</p> <p>✓ Impact: Future justices followed Marshall's model of judicial authority, securing the Court's central role in American governance.</p> <p>Comparisons to Other Powerful Chief Justices</p> <p>[omitted]</p> <p>Final Verdict</p> <p>🔥 John Marshall was the most powerful Chief Justice because he transformed the Supreme Court into the ultimate constitutional authority, dramatically expanding its power and ensuring its coequal status. His rulings remain foundational, shaping federalism, judicial review, and the Court's role in democracy."</p> <p>o3-mini: Substantially the same output.</p>	
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				<p>o1: Substantially the same output.</p>	
38	<p>How has the Supreme Court confirmation process changed throughout history?</p>	<p>The confirmation process for Supreme Court nominees has evolved over time, with several key changes taking place throughout history. In the early days of the Republic, Supreme Court nominees were often confirmed quickly and with little controversy. However, as the Court's role in American society has grown and the Court has become more politically polarized, the confirmation process has become increasingly contentious.</p> <p>In the early 20th century, the Senate Judiciary Committee began to hold hearings for Supreme Court nominees, which provided an opportunity for senators to question the nominee and for the nominee to publicly state their views on various legal issues. In the 1950s and 1960s, the confirmation process became more politicized as the Court began to issue decisions on controversial issues such as civil rights and civil liberties.</p> <p>In the 1980s, the confirmation process became even more contentious and politicized as the Senate rejected several of President Ronald Reagan's nominees, including Robert Bork. In recent years, the confirmation process has been further politicized, with the Senate taking an increasingly partisan approach to confirming nominees, resulting in a highly polarized process.</p>		<p>4o: "The Supreme Court confirmation process has evolved significantly over time, becoming more politicized, public, and contentious. Below is a historical breakdown of how the process has changed.</p> <p>1. Early Confirmations (1789–19th Century) – Quick and Low-Profile</p> <p>Senate confirmed nominees quickly—often within days or weeks.</p> <p>No public hearings—just private Senate deliberations.</p> <p>Many nominees were confirmed unanimously or with minimal opposition.</p> <p>Example:</p> <p>John Jay (1789) – Confirmed on the same day he was nominated.</p> <p>Roger Taney (1836) – First nominee to be rejected, but later confirmed on a second attempt.</p> <ul style="list-style-type: none"> Key Change: Confirmation was a low-profile event with little public scrutiny. <p>2. Post-Civil War Era (1860s–1930s) – Occasional Controversies</p> <p>As the Court took on bigger constitutional issues (e.g., Reconstruction, economic regulation), confirmation battles became more political.</p> <p>The Senate began rejecting more nominees, especially if the president was unpopular or lacked Senate support.</p> <p>Example:</p>	<p>4o: Justice Harlan Friske Stone was the first to testify publicly before the Senate Judiciary Committee in 1925. Sandra Day O'Connor's confirmation hearings in 1981 were the first to be broadcast live on television in their entirety.</p>

		<p>In the recent years, the confirmation process is even more politicized with the end of the filibuster rule on Supreme Court confirmation, which allows the confirmation to happen with a simple majority vote, instead of the prior 60 votes needed.</p>		<p>John J. Parker (1930) – Rejected due to opposition from labor unions and civil rights groups.</p> <ul style="list-style-type: none"> Key Change: Nominees faced more political scrutiny, but hearings were still rare. <p>3. Introduction of Public Hearings (1939–1950s)</p> <p>First-ever public testimony: Felix Frankfurter (1939) testified at his confirmation hearing.</p> <p>Nominees started appearing before the Senate Judiciary Committee to answer questions about their views.</p> <p>However, questions were still limited—nominees weren't expected to discuss specific legal issues.</p> <ul style="list-style-type: none"> Key Change: Public hearings became standard, but were not yet confrontational. <p>4. Civil Rights & Social Issues Spark Controversies (1950s–1980s)</p> <p>Civil rights, abortion, and social issues made confirmations more politically charged.</p> <p>First major televised hearings: Thurgood Marshall (1967) faced opposition from segregationist senators.</p> <p>First confirmation defeat in decades: Robert Bork (1987)—rejected after a highly publicized hearing, marking a turning point.</p> <ul style="list-style-type: none"> Key Change: Hearings became intensely ideological, with nominees questioned on specific legal views. <p>5. Modern Era (1990s–Present) – High-Stakes, Partisan Battles</p>	
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				<p>More partisan voting patterns—few nominees receive overwhelming bipartisan support. Filibuster eliminated for Supreme Court nominees (2017)—allowing confirmation by a simple majority. Highly publicized hearings, including personal controversies: Clarence Thomas (1991) – Faced sexual harassment allegations from Anita Hill. Brett Kavanaugh (2018) – Faced sexual assault allegations, leading to heated hearings. Rapid confirmations under divided government: Merrick Garland (2016) – Senate refused to hold hearings, blocking his nomination. Amy Coney Barrett (2020) – Confirmed in record speed (27 days).</p> <ul style="list-style-type: none"> • Key Change: Supreme Court confirmations are now highly partisan, media-driven, and politically charged.” <p>o3-mini: “The confirmation process has evolved significantly over the Court’s history:</p> <p>Early Era: In the early 19th century, nominations were usually uncontroversial. Senators confirmed nominees quickly and with little public debate. Judicial qualifications were discussed, but there was minimal partisan conflict, and the process was less politicized overall.</p> <p>Mid-20th Century: As the role of the Court grew in importance, some debates over judicial philosophy began to emerge. However, confirmations still tended to be less contentious</p>	
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				<p>than they are today. The focus was more on a nominee's legal acumen and less on their potential impact on hot-button political issues.</p> <p>Recent Decades:</p> <p>In the late 20th and early 21st centuries, the process has become highly politicized. Ideological positions, potential impacts on policy, and the long-lasting influence of a justice's views now dominate the debate. Public hearings are longer and more partisan, with significant media coverage and interest group involvement. Senate rules and practices (including changes to filibuster rules and extended debates) have also evolved to reflect the heightened stakes of these appointments.</p> <p>Overall, the confirmation process has shifted from a relatively informal and consensus-based procedure to a highly scrutinized, politicized, and public contest that reflects broader ideological divides in American society.”</p> <p>o1: “Over the nation’s history, the Supreme Court confirmation process has evolved from a relatively perfunctory procedure into a high-profile, highly politicized event. Key changes include:</p> <ol style="list-style-type: none"> 1. Early Informality (Late 18th–19th Centuries) <p>In the early Republic, some nominees were confirmed by the Senate with minimal discussion or even by voice vote. Nominees often did not appear before the Senate in person.</p>	
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39	<p>“Robert Jackson was among the greatest justices ever to serve on the Supreme Court.” Write a brief essay defending that thesis.</p>	<p>Robert Jackson was a highly respected and influential justice during his tenure on the Supreme Court from 1941 to 1954. He is widely considered to be among the greatest justices ever to serve on the Court, and there are several reasons why this is so.</p> <p>First, Jackson was a brilliant legal thinker who was able to navigate the complexities of the law with ease. He was known for his clear and well-reasoned opinions, which were often cited by other justices in their own opinions. He was also able to bridge the divide between different legal philosophies, often finding common ground between competing views.</p> <p>Second, Jackson was a tireless advocate for individual rights and civil liberties. He was a strong supporter of the First Amendment, and he wrote several important opinions that helped to expand the scope of freedom of speech and press. He was also a vocal opponent of discrimination and an advocate for the rights of minority groups.</p> <p>Third, Jackson played a key role in several landmark cases during his tenure on the Court. He was the primary author of the Court's opinion in the landmark case of <i>West Virginia State Board of Education v. Barnette</i>, which held that students could not be forced to recite the Pledge of Allegiance in school. He also wrote the Court's opinion in the landmark case of <i>Youngstown Sheet & Tube</i></p>	<p>Nearly all of the answer is solid, but Jackson did not write “the Court’s opinion” in <i>Youngstown Sheet & Tube v. Sawyer</i>. Justice Hugo Black wrote the opinion of the court in that case; Jackson wrote an influential concurrence.</p>	<p>4o: “Robert Jackson: One of the Greatest Supreme Court Justices Justice Robert H. Jackson (1892–1954) is widely regarded as one of the greatest justices ever to serve on the U.S. Supreme Court. His legacy is defined by his brilliant writing, principled reasoning, and deep understanding of constitutional law, as well as his historic role as the chief U.S. prosecutor at the Nuremberg Trials. Jackson’s impact on American law and global justice is unparalleled, making him one of the most distinguished justices in history.</p> <p>1. Masterful Legal Writing and Reasoning</p> <p>Jackson was known for his clear, eloquent, and persuasive opinions, making complex legal principles accessible to both lawyers and the general public. His writing combined precision, wisdom, and wit, making his decisions some of the most quoted in Supreme Court history.</p> <p>In <i>West Virginia State Board of Education v. Barnette</i> (1943), Jackson wrote one of the most powerful defenses of individual liberty, striking down a law requiring students to salute the flag. “If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion.”</p> <p>This ruling reinforced the First Amendment’s protection of free speech and remains a landmark in constitutional law.</p>	<p>4o: Stating that Justice Jackson “believed in judicial restraint” is too broad. While it is true that, for instance, in <i>U.S. v. South-Eastern Underwriters Ass’n</i>, he dissented, writing, “Any enactment by Congress either of partial or of comprehensive regulations of the insurance business would come to us with the most forceful presumption of constitutional validity,” his famous concurrence in <i>Youngstown</i>—which the AI itself cites immediately after this quote—demonstrates that he did not uniformly advocate for judicial restraint. There, he limited executive power by ruling against President Truman’s steel seizure, reinforcing the judiciary’s role in checking the other branches. Thus, what 4o said is but an overstatement. Lastly, the AI failed to explicitly state that his opinion in <i>Youngstown</i> was a concurrence.</p>
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		<p>Co. v. Sawyer, which established the limits of presidential power in times of national emergency.</p> <p>Overall, Robert Jackson was a highly respected and influential justice who made significant contributions to the law during his tenure on the Supreme Court. He was a brilliant legal thinker, a tireless advocate for individual rights and civil liberties, and a key player in several landmark cases. For these reasons, he is widely considered to be among the greatest justices ever to serve on the Court.</p>		<p>His dissent in <i>Korematsu v. United States</i> (1944), where the majority upheld the internment of Japanese Americans, demonstrated his commitment to justice over politics. He warned that the ruling was a “loaded weapon” that could be used to justify racial discrimination in future crises.</p> <p>2. Defender of Constitutional Principles and Judicial Modesty</p> <p>Unlike some justices who took an expansive view of judicial power, Jackson believed in judicial restraint, emphasizing that courts should respect constitutional limits and defer to democratic processes when appropriate.</p> <p>In <i>Youngstown Sheet & Tube Co. v. Sawyer</i> (1952), he wrote the most influential framework for analyzing presidential power, rejecting President Truman’s attempt to seize steel mills during the Korean War.</p> <p>He outlined three categories of presidential authority, which remain the foundation for modern separation of powers analysis. Jackson’s balanced approach helped shape executive power jurisprudence, ensuring that no branch of government could act beyond its constitutional authority.</p> <p>3. His Role at the Nuremberg Trials</p> <p>Beyond his Supreme Court work, Jackson made global history as the chief U.S. prosecutor at the Nuremberg Trials (1945–1946), where he held Nazi war criminals accountable after World War II.</p> <p>His opening statement at Nuremberg is one of the most famous speeches in legal history:</p>	
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				<p>“The wrongs which we seek to condemn and punish have been so calculated, so malignant, and so devastating, that civilization cannot tolerate their being ignored because it cannot survive their being repeated.”</p> <p>His leadership established the principles of international law and crimes against humanity, shaping modern human rights law.</p> <p>4. Legacy and Enduring Influence</p> <p>Jackson’s jurisprudence continues to influence constitutional law, executive power, and free speech cases today. His writings are still cited in Supreme Court opinions, law schools, and international legal discussions. His ability to blend pragmatism, deep constitutional knowledge, and moral clarity set him apart from other justices. Few jurists have had such a lasting impact on both American law and global justice.</p> <p>Conclusion</p> <p>Justice Robert Jackson was one of the greatest justices in Supreme Court history because of his masterful legal writing, principled decisions, and historic contributions to international law. From protecting individual freedoms in <i>Barnette</i>, to limiting executive power in <i>Youngstown</i>, to prosecuting war criminals at Nuremberg, his legacy is unmatched. His work continues to shape American constitutional law and global human rights, solidifying his place as one of the most extraordinary legal minds to ever serve on the Court.”</p> <p>o3-mini: “Robert H. Jackson is widely regarded as one of the</p>	
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				<p>greatest justices in the history of the Supreme Court, and for good reason. His tenure on the Court—from 1941 to 1954—was marked by a combination of legal brilliance, eloquent writing, and a deep commitment to the principles of fairness and due process. One of his most enduring contributions is encapsulated in his famous dictum: “We are not final because we are infallible, but we are infallible only because we are final.” This statement not only reflects his humility regarding judicial power but also underscores his understanding of the Court’s crucial role in preserving the rule of law.</p> <p>Jackson’s legacy is multifaceted. In his opinions and dissents, he consistently demonstrated a masterful command of constitutional interpretation. His work on cases such as <i>Brown v. Allen</i> revealed his willingness to question and refine judicial processes, ensuring that fairness in the legal system was not merely theoretical but practically safeguarded. Outside the Court, Jackson’s role as the Chief U.S. Prosecutor at the Nuremberg Trials showcased his unwavering dedication to justice on an international scale, reinforcing the importance of holding individuals accountable for crimes against humanity. His influence has permeated American jurisprudence, inspiring generations of lawyers and judges to balance the exercise of judicial power with the protection of individual rights. In defending his status among the greatest, one can</p>	
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				<p>point to his transformative impact on the Court's authority, his profound commitment to the Constitution, and the enduring wisdom of his opinions that continue to resonate in contemporary legal debates."</p> <p>o1: "Justice Robert H. Jackson (1941–1954) is often celebrated as one of the Supreme Court's most gifted jurists, noted for his legal acumen, eloquent writing style, and principled independence. A defense of the thesis that he was among the greatest justices to serve on the Court can focus on three key attributes: his remarkable legal craftsmanship, his influential opinions that continue to shape constitutional law, and his broader contributions to American and international jurisprudence.</p> <p>First, Jackson's opinions stand out for their clarity, logic, and rhetorical force. He is widely regarded as one of the most skilled writers ever to sit on the Supreme Court bench, capable of articulating constitutional principles with striking precision. His majority opinion in <i>West Virginia State Board of Education v. Barnette</i> (1943) exemplifies this talent. In ruling that students could not be compelled to salute the flag against their religious beliefs, Jackson penned the memorable line: "If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion." Such</p>	
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				<p>language both captures constitutional values and crystallizes them in a manner that resonates beyond legal circles.</p> <p>Second, Jackson played a pivotal role in shaping modern separation-of-powers doctrine. His concurrence in <i>Youngstown Sheet & Tube Co. v. Sawyer</i> (1952)—which struck down President Truman’s seizure of steel mills during the Korean War—laid out a now-classic three-category framework for evaluating presidential power. Jackson’s approach remains a cornerstone for courts and scholars assessing executive authority: it balances the pragmatic need for strong national leadership with the constitutional imperative of limiting governmental overreach. This enduring influence reflects not only Jackson’s skill but also his balanced perspective: he was neither a reflexive champion of unbridled executive power nor an opponent of all presidential prerogatives.</p> <p>Finally, Jackson’s legacy goes beyond the Court itself. He took leave from the Supreme Court to serve as chief U.S. prosecutor at the Nuremberg trials following World War II, helping define fundamental principles of international criminal law. This experience informed both his jurisprudence and his global stature; few justices have contributed as significantly on both domestic and international stages. The combination of his judicial statesmanship, his willingness to grapple with moral</p>	
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				<p>and legal complexities, and his unerring commitment to constitutional principles supports the view that Jackson stands in the top echelon of the Supreme Court's history.</p> <p>In sum, Robert H. Jackson's enduring renown rests on his elegant, enduring opinions, his key role in articulating the scope and limits of presidential power, and his landmark service in shaping international legal norms at Nuremberg. These accomplishments underscore why many regard him not just as a great justice of his era, but indeed one of the greatest ever to serve on the Supreme Court."</p>	
40	<p>What are some qualities that make for strong oral advocacy at the Supreme Court?</p>	<p>Strong oral advocacy at the Supreme Court involves a number of qualities, including:</p> <ol style="list-style-type: none"> 1. Thorough knowledge of the law and the relevant legal precedents: Attorneys arguing before the Supreme Court should have a deep understanding of the legal principles at issue and be able to cite relevant cases and statutes to support their arguments. 2. Clear and concise presentation: Attorneys should be able to clearly explain the facts of the case and the legal issues at stake, and present their arguments in a logical and persuasive manner. 3. Confidence and poise: Attorneys should be able to remain calm and composed under pressure, and maintain their poise even when facing challenging questions from the justices. 		<p>40: "Arguing before the Supreme Court is one of the most challenging forms of legal advocacy. The best advocates combine deep legal knowledge, clarity, responsiveness, and strategic persuasion to present their case effectively. Below are the key qualities that make for strong oral advocacy at the Supreme Court:</p> <ol style="list-style-type: none"> 1. Mastery of the Law & Case Record ✓ Deep Understanding of Precedent. Advocates must be experts in the constitutional, statutory, or common law issues at stake. They must anticipate questions on past precedents that may affect the ruling. ✓ Command of the Case Facts & Procedural History. Justices often ask about specific details of the case record—an advocate who stumbles on basic facts loses credibility. 	

		<p>4. Ability to think on their feet: Attorneys should be able to respond effectively to unexpected questions and objections from the justices, and be able to adapt their arguments as needed.</p> <p>5. Persuasiveness: Attorneys should be able to effectively persuade the justices to see the case from their perspective.</p> <p>6. Respect for the Court: Attorneys should show respect for the Court and its members, by avoiding rhetoric that may be seen as disrespectful or dismissive.</p>		<p>☞ Example: Paul Clement, a top Supreme Court litigator, is known for his precise and authoritative grasp of case law, earning the confidence of the justices.</p> <p>2. Clarity & Conciseness</p> <p>✓ Direct, Clear Answers. Justices dislike long-winded or evasive answers—advocates must answer quickly and precisely. No jargon: The Court prefers plain, forceful language over technical legalese.</p> <p>✓ Well-Structured Arguments. Arguments should follow a logical flow, making it easy for justices to follow. The best advocates state their core argument early and reiterate key themes throughout.</p> <p>☞ Example: Chief Justice John Roberts, before becoming a justice, was famous for crisp, no-nonsense oral advocacy.</p> <p>3. Responsiveness to Justices' Questions</p> <p>✓ Engaging in a Real-Time Conversation. Oral argument is not a speech—it's a dynamic dialogue with the justices. Dodging a question weakens credibility, while a direct answer builds trust.</p> <p>✓ Anticipating the Toughest Questions. The best advocates prepare by practicing with a "hot bench" of mock justices asking aggressive questions.</p> <p>☞ Example: In <i>Bush v. Gore</i> (2000), Theodore Olson successfully pivoted to the justices' concerns, keeping his argument focused and persuasive.</p> <p>4. Persuasiveness & Credibility</p> <p>✓ Maintaining a Professional Tone</p>	
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				<p>Justices appreciate advocates who are confident but respectful, even when facing tough questioning. A calm, composed demeanor signals credibility and competence.</p> <p>✓ Knowing When to Concede. Strong advocates acknowledge weaknesses in their case when necessary rather than making unconvincing arguments. A well-placed concession can enhance credibility and shift the discussion to stronger points.</p> <p>• Example: In <i>United States v. Windsor</i> (2013), Donald Verrilli carefully conceded points while skillfully reinforcing the constitutional argument against DOMA.</p> <p>5. Strategic Use of Precedent & Policy Considerations</p> <p>✓ Tying the Case to Broader Principles. Advocates must connect their argument to constitutional values, separation of powers, or historical precedent. Justices consider the long-term consequences of a ruling, so effective advocates frame their argument in a big-picture context.</p> <p>✓ Understanding Each Justice's Perspective. Advocates tailor arguments based on judicial philosophy (e.g., originalism vs. living constitutionalism). They cite cases favored by specific justices to win over swing votes.</p> <p>• Example: In <i>Obergefell v. Hodges</i> (2015), Mary Bonauto skillfully linked same-sex marriage rights to equal protection doctrine, appealing to Justice Kennedy's libertarian values.</p> <p>6. Strong Closing & Reinforcement of Key Themes</p>	
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				<p>✓ Ending on a Powerful Note. A great advocate leaves the justices with a final, memorable takeaway. The closing should reinforce the constitutional principle at stake rather than just restating facts.</p> <p>✓ Keeping It Simple & Impactful. The best advocates summarize their argument in one powerful sentence, making it easy for justices to reference during deliberations.</p> <p>• Example: In <i>Brown v. Board of Education</i> (1954), Thurgood Marshall closed by framing segregation as fundamentally incompatible with American constitutional values, setting the stage for a unanimous ruling.</p> <p>Conclusion</p> <p>✿ Strong Supreme Court advocacy is about more than legal knowledge—it requires precision, persuasion, and adaptability.</p> <p>✿ The best advocates engage in dialogue, respond clearly, and emphasize core constitutional principles.</p> <p>✿ Supreme Court argument is not about winning the moment—it's about shaping how justices think about the case as they deliberate.”</p> <p>o3-mini: “Strong oral advocacy at the Supreme Court typically requires a blend of legal acumen, clear communication, and persuasive presence. Key qualities include:</p> <p>Clarity and Precision: Advocates must be able to distill complex legal arguments into concise,</p>	
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				<p>understandable points that resonate with the justices.</p> <p>Persuasiveness: The ability to frame arguments in a compelling way—using logical reasoning, vivid examples, and effective rhetoric—is essential.</p> <p>Responsiveness: Strong advocates listen carefully to the justices' questions and respond directly, demonstrating both deep understanding and the capacity to think on their feet.</p> <p>Confidence and Poise: A commanding presence and calm demeanor, even under intense scrutiny, help project credibility and authority.</p> <p>Thorough Preparation: A robust command of the case record, relevant precedents, and statutory language is critical, as justices often probe the finer points of an argument.</p> <p>Adaptability: Being able to adjust one's arguments based on the dynamic dialogue during oral argument is key."</p> <p>o1: "Strong oral advocacy before the Supreme Court requires a combination of clarity, preparation, flexibility, and respect for the Court's time. Although every advocate develops a personal style, successful arguments share key qualities:</p> <ol style="list-style-type: none"> 1. Precision and Clarity <p>Justices expect direct and concise responses to their questions. Top advocates avoid jargon or lengthy digressions, honing in on the essential legal points. They present a cohesive narrative and legal theory in a way that helps the Court see how the advocate's</p>	
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				<p>interpretation fits into existing precedent and statutory or constitutional text.</p> <p>2. Thorough Preparation</p> <p>Supreme Court advocates must know every relevant precedent inside and out, as well as the factual record of the case. This high level of readiness enables them to anticipate difficult questions, handle hypothetical scenarios, and draw fine distinctions where necessary.</p> <p>3. Responsiveness to Justices' Questions</p> <p>Oral arguments frequently turn into rapid-fire question sessions. Skillful advocates listen carefully, answer directly, and pivot smoothly to reinforce their broader theme once the question is addressed. Dodging or overlong answers can frustrate justices and undermine credibility.</p> <p>4. Command of the Case's Broader Implications</p> <p>Justices often look beyond the immediate parties to potential downstream effects on legal doctrine or society. Effective advocates engage with these big-picture concerns, explaining why their position aligns with sound legal policy or why it poses no unintended consequences.</p> <p>5. Calm Under Pressure</p> <p>Maintaining composure, even when confronted with tough or skeptical questioning, conveys credibility and respect for the Court. This includes acknowledging points of weakness candidly while showing how the Court can resolve them within the advocate's legal framework.</p>	
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				<p>6. Respect for the Court and Collegial Tone</p> <p>Advocates should be firm about their positions but unfailingly polite to the justices and any opposing counsel. Showing respect not only enhances the advocate's credibility but also sustains a more constructive dialogue, which can be crucial in persuading the deciding votes."</p>	
41	<p>Under the Supreme Court's interpretation of the First Amendment, can Congress pass a law banning flag burning? What about a law banning the burning of draft cards?</p>	<p>Under the Supreme Court's interpretation of the First Amendment, Congress cannot pass a law banning flag burning. The Supreme Court has ruled that flag burning is a form of symbolic speech that is protected by the First Amendment.</p> <p>In the case <i>Texas v. Johnson</i> (1989), the court held that a Texas law that criminalized flag desecration was unconstitutional because it violated the First Amendment. Similarly, in the case <i>United States v. Eichman</i> (1990), the court held that a federal law that criminalized flag desecration was also unconstitutional.</p> <p>Regarding a law banning the burning of draft cards, The Supreme Court has not specifically addressed this issue, but it is likely that such a law would also be considered a violation of the First Amendment's freedom of speech.</p>	<p>While the answer is correct about flag burning, it is wrong about draft cards. In 1968, in <i>United States v. O'Brien</i>, the court held that a law prohibiting the burning of draft cards did not violate the First Amendment.</p>	<p>40: "Can Congress Pass a Law Banning Flag Burning?"</p> <p>No, under the Supreme Court's interpretation of the First Amendment, Congress cannot pass a law banning flag burning as a form of protest.</p> <p>Key Supreme Court Cases on Flag Burning:</p> <p><i>Texas v. Johnson</i> (1989)</p> <p>The Court ruled (5-4) that burning the American flag is protected speech under the First Amendment.</p> <p>The law banning flag desecration was struck down because the government cannot prohibit expression just because it is offensive.</p> <p>Justice Brennan's majority opinion:</p> <p>"If there is a bedrock principle underlying the First Amendment, it is that the government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable."</p> <p><i>United States v. Eichman</i> (1990)</p> <p>The Court struck down the Flag Protection Act of 1989, which Congress passed in response to <i>Texas v. Johnson</i>.</p>	

				<p>Again, the Court ruled that laws prohibiting flag burning violate free speech rights.</p> <p>✓ Conclusion: Flag burning is considered symbolic speech, and any law banning it would likely be unconstitutional.</p> <p>Can Congress Pass a Law Banning the Burning of Draft Cards?</p> <p>Yes, Congress can ban the burning of draft cards, because the government has a compelling interest in maintaining an effective draft system.</p> <p>Key Supreme Court Case on Draft Card Burning:</p> <p>United States v. O'Brien (1968)</p> <p>O'Brien burned his draft card to protest the Vietnam War and was convicted under a law prohibiting the destruction of draft cards.</p> <p>The Court upheld the law, ruling that it regulated conduct, not speech.</p> <p>Justice Warren's majority opinion created the "O'Brien Test", which allows the government to restrict symbolic speech if: the law is within the constitutional power of the government; it furthers an important or substantial government interest; the government interest is unrelated to suppressing speech; and the restriction is no greater than necessary.</p> <p>✓ Conclusion: Since the draft card serves an essential government function, banning its destruction is constitutional, unlike banning flag burning."</p>	
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				<p>3o-mini: “Under current Supreme Court precedent, Congress could not constitutionally ban flag burning because it is considered protected symbolic speech. In <i>Texas v. Johnson</i> (1989) and <i>United States v. Eichman</i> (1990), the Court held that flag burning is a form of expressive conduct that communicates a political message, and laws that suppress such expression must meet strict scrutiny—which these bans did not.</p> <p>In contrast, Congress has greater latitude to prohibit the burning of draft cards. In <i>United States v. O'Brien</i> (1968), the Court upheld a law that criminalized the destruction of draft cards, reasoning that the law was content-neutral and served a significant government interest in maintaining the draft system. The <i>O'Brien</i> decision established a balancing test showing that not all conduct with expressive elements is entitled to First Amendment protection—especially when the conduct interferes with a compelling governmental interest. Thus, while flag burning is protected as political expression, draft card burning is subject to lawful regulation under the First Amendment.”</p> <p>o1: Substantially the same output.</p>	
42	Does the U.S. Supreme Court have the power to interpret state laws?	The U.S. Supreme Court has the power to interpret state laws as they relate to federal law or the U.S. Constitution through the process of judicial review. This means that if a state law is challenged and it is believed that it conflicts with federal law or the		<p>4o: “Generally, no—the U.S. Supreme Court does not have the authority to interpret purely state laws. However, there are important exceptions where the Court can review state law cases.</p>	

		<p>Constitution, the Supreme Court may hear the case and make a ruling on the law's constitutionality. However, the Supreme Court does not have the power to interpret state laws in general. That is the role of the state courts.</p>		<p>1. General Rule: State Courts Have the Final Say on State Law The Supreme Court cannot review state court rulings on purely state law matters. Under the principle of federalism, state supreme courts have the final authority to interpret their own laws and constitutions. This rule is based on <i>Murdock v. City of Memphis</i> (1875), which established the "adequate and independent state grounds" doctrine—meaning that if a state court decision rests solely on state law, the Supreme Court has no jurisdiction. ✓ Example: If the California Supreme Court interprets a California contract law, the U.S. Supreme Court cannot overrule it, because it's a purely state issue.</p> <p>2. Exceptions: When the Supreme Court Can Review State Law Cases Although the Supreme Court cannot interpret purely state laws, it can review cases in certain situations:</p> <p>A. If the State Law Conflicts with the U.S. Constitution The Supreme Court can strike down a state law if it violates federal law or the U.S. Constitution. Example: <i>Brown v. Board of Education</i> (1954). The Court struck down state laws allowing racial segregation in public schools, ruling they violated the Equal Protection Clause of the 14th Amendment.</p> <p>B. If the State Law Conflicts with Federal Law or Treaties</p>	
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				<p>o3-mini: “The Supreme Court does have the power to interpret state laws, but primarily in cases where those laws are implicated in federal constitutional issues or conflict with federal law. For example: Federal Constitutional Challenges: When a state law is challenged as violating the Constitution (such as its equal protection or due process provisions), the Supreme Court can review how the state law is interpreted and applied by lower courts. In these instances, the Court’s interpretation becomes binding and helps clarify both state and federal legal standards. Federal-Question Jurisdiction: The Court’s authority under Article III covers cases involving federal questions. If a state law is at issue in a case that also raises questions of federal law, the Supreme Court may be called upon to interpret that state law within the context of the broader federal issue. Limited Role in Purely State Law Matters: The Supreme Court does not serve as a general appellate court for all state law issues. It typically only steps in when a state law’s interpretation affects the exercise of federal rights or when there is a significant conflict between state and federal law.”</p> <p>o1: “Generally, the final authority on the meaning of a state’s own laws is that state’s highest court. However, the U.S. Supreme Court can interpret or apply state law in</p>	<p>o3-mini: The response omits the adequate and independent state ground doctrine, making it incomplete.</p> <p>o1: Same issue.</p>
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				<p>the course of deciding cases that fall within its federal jurisdiction—particularly when there is a federal constitutional or statutory issue involved. Here’s how it typically plays out:</p> <p>1. Purely State-Law Questions</p> <p>If a case turns entirely on interpreting a state statute or state constitution, and there is no related federal question, the state’s highest court has the final say. The U.S. Supreme Court ordinarily will not review such a case unless there is a claimed violation of federal law or the U.S. Constitution.</p> <p>2. Mixed State and Federal Issues</p> <p>In cases where state law is relevant to a federal question, the Supreme Court may interpret state law or rely on the state court’s interpretation to determine whether the law conflicts with the U.S. Constitution or federal statutes.</p> <p>If the meaning of a state law is ambiguous and central to a federal issue, the Supreme Court may sometimes ask the state’s highest court for clarification (a process known as “certification”).</p> <p>Thus, while state courts have the last word on purely state-law issues, the U.S. Supreme Court can (and does) interpret or rely upon interpretations of state law when resolving federal questions within its jurisdiction.”</p>	
43	What does it mean for a Supreme Court petition to be “relisted”?	When a Supreme Court petition is “relisted,” it means that the Court has scheduled it to be considered again at a future conference. This can happen for a variety of reasons, such as when the justices want more time to review the case		<p>4a: “When a petition for certiorari (a request for the Supreme Court to hear a case) is relisted, it means that the Court has considered the petition in one conference but decided to discuss it again at a future conference rather than</p>	<p>4a: <i>Janus</i> was never relisted.</p>

		<p>or when they are divided on how to vote. Relisting a petition is not uncommon, and it can happen multiple times before a decision is made on whether to grant or deny the petition.</p>		<p>granting or denying it immediately.</p> <p>Why Does the Supreme Court Relist a Petition?</p> <p>The justices do not explain why a case is relisted, but common reasons include:</p> <ol style="list-style-type: none"> 1. Closer Review Before a Decision <p>Some cases raise complex or important legal questions that require more careful examination. Justices may want to review the lower court record more thoroughly before granting or denying certiorari.</p> <ol style="list-style-type: none"> 2. Drafting a Dissent from Denial <p>A justice may be considering writing a dissent from the denial of certiorari. This can signal that at least some justices believe the case is significant but lacks enough votes to be heard.</p> <ol style="list-style-type: none"> 3. Preparing for a Summary Reversal <p>If the Court believes a lower court ruling is clearly wrong, it may relist the case to discuss summarily reversing it without full briefing or oral argument.</p> <ol style="list-style-type: none"> 4. Building Consensus for Granting Certiorari <p>Justices sometimes relist a case to give themselves more time to persuade colleagues to grant review. This often happens in cases with major constitutional implications.</p> <ol style="list-style-type: none"> 5. Waiting for Related Cases <p>If another case with similar legal issues is already before the Court, justices may relist a petition to wait for that decision before deciding what to do with the petition.</p>	
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				<p>Does Being Relisted Increase the Chances of Certiorari Being Granted?</p> <ul style="list-style-type: none"> ✓ Yes, statistically, relisted cases are more likely to be granted review than petitions that are denied immediately. ✓ However, relisting does not guarantee that the Court will hear the case—it may still be denied after further review. <p>Example of a Relisted Case Leading to Certiorari</p> <p>Janus v. AFSCME (2018): The Court relisted the case multiple times before granting certiorari. The case ultimately resulted in a major ruling limiting public-sector union fees under the First Amendment.”</p> <p>30-mini: “When a petition is “relisted” on the Supreme Court’s docket, it means that the petition—typically one that was filed in a previous term but not granted certiorari—is being placed back on the list for further consideration in a subsequent term. In other words, it isn’t dismissed outright; it remains pending and may be reconsidered later if circumstances change or if the Court decides it warrants review. This practice allows the Court to manage its docket while keeping certain petitions in play for future evaluation.”</p> <p>ol: “When the Supreme Court receives a petition for certiorari (a request for the Court to hear a case), the justices often discuss it during their private conference. If</p>	
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				<p>they decide <i>not</i> to grant or deny the petition immediately, they can choose to “relist” it, meaning they postpone a final decision and place it on the agenda for a later conference. This typically signals that at least one justice wants more time to study the case or draft a memorandum—perhaps because they see potential merit in the legal issues or want to confirm whether four votes to grant certiorari might be reached. Relisting allows the Court to gather more input (including possible reply briefs or amicus briefs) and helps ensure that justices have fully considered the petition before reaching a decision.”</p>	
44	<p>Who was the youngest person ever to be appointed to the Supreme Court?</p>	<p>Brett Kavanaugh was the youngest person ever to be appointed to the Supreme Court. He was appointed by President Donald Trump in 2018 at the age of 53.</p>	<p>The youngest person ever to be appointed to the court was Joseph Story, who was 32 when he joined the court in 1812.</p>	<p>4o: “The youngest person ever appointed to the U.S. Supreme Court was Joseph Story, who was 32 years old when he was confirmed in 1811.</p> <p>Key Facts About Joseph Story’s Appointment:</p> <p>Appointed by: President James Madison</p> <p>Confirmed on: November 18, 1811</p> <p>Age at appointment: 32 years, 5 months</p> <p>Served: 1811–1845 (34 years)</p> <p>Why Was His Appointment Significant?</p> <p>✓ Youngest Supreme Court Justice in History – No justice before or since has been appointed at such a young age.</p> <p>✓ Shaped Early Constitutional Law – He was a strong advocate for federal power and national unity.</p>	<p>4o: Story was 32 years and 2 months old when appointed. He assumed office in 1812, not 1811, and served for 33 years, not 34.</p>

				<p>✓ Major Influence on American Legal Thought – He wrote Commentaries on the Constitution, which became a foundational legal text.</p> <p>Other Young Justices in History [omitted]</p> <p>Could Someone Be Appointed This Young Today?</p> <p>While the Constitution sets no minimum age for justices, modern presidents tend to nominate experienced judges who are usually in their 40s to 60s.</p> <p>Given today’s highly scrutinized confirmation process, a 32-year-old nominee would likely face challenges due to perceived lack of judicial experience.”</p> <p>o3-mini: “Joseph Story is widely recognized as the youngest person ever appointed to the Supreme Court. Nominated by President James Madison, he was only 32 years old when he joined the Court in 1812. Story’s appointment not only marked a notable personal achievement but also reflected the high regard in which his legal acumen was held, despite his youth. His influential opinions and scholarly contributions helped shape American jurisprudence during his long tenure on the Court.”</p> <p>o1: “The youngest person ever appointed to the U.S. Supreme Court was Joseph Story, who joined the Court in 1811 at age 32. Nominated by President James Madison, Justice Story went on to serve for over three decades, becoming a key figure in early</p>	<p>o1: Justice Story joined the Court in 1812.</p>
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				American jurisprudence and writing influential works on constitutional and legal theory.”	
45	What are some of the responsibilities of the Supreme Court’s junior justice?	<p>The responsibilities of the junior justice on the U.S. Supreme Court vary depending on the individual justice and the current composition of the Court. However, some of the responsibilities that are commonly associated with the position include:</p> <ul style="list-style-type: none"> • Assisting the Chief Justice in managing the Court’s docket and internal operations • Being responsible for assigning the writing of opinions in cases where the Chief Justice is in the minority • Being responsible for taking notes during oral arguments • Being responsible for maintaining the Court’s library • Being responsible for maintaining the Court’s grounds and building <p>It’s important to note that these responsibilities are not officially assigned and can vary depending on the justices.</p>	None of the tasks listed are correct. Justice Elena Kagan has described three responsibilities of the court’s junior justice: taking notes during the justices’ private conferences, answering the door during the conferences if someone knocks, and serving on the court’s “cafeteria committee.”	<p>4o: “The junior justice of the Supreme Court—the most recently appointed associate justice—has unique administrative and ceremonial duties that distinguish them from their colleagues. These responsibilities, though not legal in nature, are part of the Court’s traditions and hierarchy.</p> <p>1. Taking Notes and Speaking Last in Conferences In the justices’ private conferences, where they discuss cases and vote: the junior justice speaks last after all other justices have voiced their opinions; they take notes on behalf of the group. Since junior justices have less influence in shaping discussions, this role emphasizes listening and learning.</p> <p>2. Overseeing the “Junior Justice Duty”—The Cafeteria Committee The junior justice is responsible for overseeing the Supreme Court’s cafeteria. This is a lighthearted but real responsibility, as justices and clerks frequently dine there. Justice Elena Kagan famously joked that this was the worst part of being junior justice.</p> <p>3. Answering the Conference Room Door Because no one else is allowed in the justices’ private conferences, the junior justice must answer the door if someone knocks (e.g., a staff member delivering materials). This duty reflects the Court’s hierarchical traditions.</p>	4o: Item 4 is not unique to the junior justice. Item 5 lacks support; the idea that a justice is assigned a less controversial case is not necessarily a direct consequence of their junior status.

				<p>4. Assigning Circuit Duties Each justice is responsible for overseeing emergency appeals from one or more federal judicial circuits. The junior justice is assigned a circuit and may handle urgent matters like death penalty appeals before referring them to the full Court.</p> <p>5. Writing Opinions in Less Controversial Cases Junior justices may be assigned to write majority opinions in lower-profile cases, helping them gain experience in the Court's decision-making process. Example: Chief Justice John Roberts, when he was junior justice, wrote his first opinion in a unanimous case about wetlands regulation.</p> <p>How Long Does a Justice Stay "Junior"? A justice remains the junior justice until a new justice is appointed. Some justices serve as the junior justice for only a few months, while others hold the position for years. Longest-serving junior justice: Justice Stephen Breyer (1994–2006) held the title for nearly 12 years before Justice Samuel Alito was appointed."</p> <p>o3-mini: "While all Supreme Court justices share many core responsibilities—such as reviewing case briefs, attending oral arguments, and participating in internal conferences—junior justices (those with less seniority) often have additional or evolving roles that help them grow into</p>	<p>o3-mini: Tasks listed do not align with Justice Kagan's statement. Same mistake as in 2023.</p>
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				<p>their positions. Some key responsibilities and aspects include:</p> <p>Active Participation in Deliberations: Junior justices are expected to contribute robustly during the private conferences where cases are discussed. Their fresh perspectives can help challenge established views and stimulate new lines of reasoning.</p> <p>Opinion Drafting: Although opinion assignments are influenced by seniority (with the Chief Justice or most senior majority justice assigning the majority opinion), junior justices frequently draft or contribute to concurring or dissenting opinions. These writings allow them to articulate their legal analyses and influence the Court's jurisprudence.</p> <p>Learning and Mentoring: As the less experienced members, junior justices often learn from their senior colleagues. Over time, they gain more responsibility and insight into the Court's institutional practices while also mentoring their own law clerks.</p> <p>Engaging in Case Research and Analysis: Junior justices meticulously review a vast amount of legal materials and case records. Their rigorous research and analysis contribute to the Court's overall understanding of the issues and support the drafting of well-reasoned opinions.</p> <p>Developing Judicial Voice: The early years on the Court allow junior justices to refine their advocacy skills—both in writing</p>	
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				<p>and during oral arguments—helping them to develop a distinct judicial voice that will shape their legacy over time.”</p> <p>ol: “In modern practice, the “junior justice” (the most recently appointed associate justice) on the Supreme Court takes on a few unique, if largely symbolic, responsibilities. While these tasks are not mandated by statute, they arise from longstanding tradition and the Court’s internal customs:</p> <ul style="list-style-type: none"> • Answering the Door at Conference <ul style="list-style-type: none"> – During the justices’ private conferences—where they discuss and vote on cases—the junior justice sits nearest the door and is responsible for answering it if someone knocks (for example, delivering forgotten documents or messages). • Cafeteria Committee Duty <ul style="list-style-type: none"> – By tradition, the junior justice also serves on the Supreme Court’s Cafeteria Committee, which oversees the cafeteria that services Court personnel. This sometimes requires fielding complaints or suggestions from staff (and occasionally from fellow justices). • Occasional Note-Taking or Logistics <ul style="list-style-type: none"> – If needed, the junior justice may help with other logistical tasks during conference, though major administrative duties are handled by the chief justice or Court staff.” 	
46	What role do law clerks play at the Supreme Court?	Law clerks play a significant role at the Supreme Court by assisting the justices in their work. They		<p>4o: “Law clerks play a crucial but behind-the-scenes role at the Supreme Court, assisting justices</p>	

		<p>typically have recently graduated from law school and have excelled academically. They are responsible for researching and drafting memoranda on cases that come before the Court, as well as helping the justices prepare for oral arguments and conferences. They may also assist the justices with their opinions and other written work. In general, law clerks are considered to be an important part of the Court's decision-making process and play a key role in shaping the Court's decisions.</p>		<p>with research, case analysis, and drafting opinions. Each justice hires a small team of clerks (typically four per justice) who work closely with them for one year. Though they do not make final decisions, clerks significantly influence the Court's work.</p> <p>Key Responsibilities of Supreme Court Law Clerks</p> <p>1. Reviewing Certiorari Petitions ("Cert Pool")</p> <p>The Supreme Court receives thousands of petitions (requests to hear cases) each year, but only around 60–70 cases are granted. Most justices participate in the "cert pool," where clerks review and summarize certiorari petitions. Clerks prepare memos recommending which cases should be granted review, shaping what the justices focus on.</p> <p>✓ Impact: Clerks play a gatekeeping role in determining which cases receive attention.</p> <p>2. Legal Research & Case Preparation</p> <p>Clerks conduct in-depth legal research on constitutional questions, statutory interpretation, and precedents. They draft bench memos summarizing cases before oral arguments, highlighting key legal issues.</p> <p>✓ Impact: Justices rely on clerks' research to prepare for oral arguments and deliberations.</p> <p>3. Drafting Opinions & Editing</p> <p>Justices often assign clerks to draft initial opinions, though justices have the final say. Clerks also help revise drafts, ensuring legal clarity and consistency. In</p>	
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				<p>high-profile cases, clerks may assist in crafting concurring or dissenting opinions.</p> <p>✓ Impact: While the justice makes the final decision, clerks help shape the language and reasoning of opinions.</p> <p>4. Internal Discussions & Debate</p> <p>Clerks engage in discussions with their justice and sometimes with clerks from other chambers. They may offer alternative legal perspectives and play a role in refining arguments.</p> <p>✓ Impact: This internal debate helps justices consider different angles before issuing rulings.</p> <p>5. Confidentiality & Ethical Restrictions</p> <p>Clerks are bound by strict confidentiality rules—they cannot discuss ongoing cases or leak information. They are prohibited from practicing law while clerking. Breaching confidentiality can end a legal career (e.g., the leak of the <i>Dobbs v. Jackson</i> draft opinion in 2022 raised ethical concerns).</p> <p>✓ Impact: This secrecy preserves the integrity of Supreme Court deliberations.</p> <p>Who Becomes a Supreme Court Law Clerk?</p> <p>Typically, clerks are top graduates from elite law schools (Harvard, Yale, Stanford, etc.). They usually clerk for a lower federal court judge first (often on the U.S. Courts of Appeals). Many go on to become top legal scholars, federal judges, or government officials.</p> <p>🔵 Notable former Supreme Court clerks:</p>	
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				<p>John Roberts (Chief Justice) – Clerked for Justice Rehnquist. Elena Kagan (Associate Justice) – Clerked for Justice Marshall. Ted Cruz (U.S. Senator) – Clerked for Chief Justice Rehnquist.”</p> <p>o3-mini: “Law clerks are essential aides to the Supreme Court justices. Typically, each justice—especially at the Supreme Court—employs several recent top law school graduates as clerks. Their key roles include:</p> <p>Conducting Legal Research: Clerks review case briefs, lower court opinions, and vast amounts of legal literature to find relevant precedents and help the justice understand the legal landscape of a case.</p> <p>Drafting Memoranda and Opinions: They often draft initial memos that summarize the case, analyze key legal issues, and even help write the draft opinions that the justices later refine. Their work helps ensure that the justices have a well-organized, thoroughly researched basis for their decisions.</p> <p>Preparing for Oral Arguments: Law clerks assist in developing questions and identifying important arguments that might be raised during oral arguments, contributing to a more focused and effective presentation.</p> <p>Managing the Workload: Given the enormous volume of material the Court reviews, clerks play a critical role in organizing, summarizing, and prioritizing information for the justices.”</p>	
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				<p>ol: “Law clerks are recent law school graduates (often top performers or with prestigious credentials) who assist Supreme Court justices for a one-year term. Their contributions include:</p> <ul style="list-style-type: none"> • Legal Research and Drafting <ul style="list-style-type: none"> – Clerks conduct in-depth research on the cases before the Court, helping to identify relevant precedents, constitutional principles, and statutory interpretations. – They often prepare memos summarizing petitions for certiorari and draft preliminary opinions or bench memos that justices use in deciding how to vote or frame an opinion. • Case Screening and Recommendations <ul style="list-style-type: none"> – Because the Court receives thousands of cert petitions each term, clerks help filter and assess which cases may be worthy of review. They typically write detailed “cert memos,” offering a recommendation on whether the justice should vote to grant or deny a petition. • Discussion and Feedback <ul style="list-style-type: none"> – Clerks frequently serve as “sounding boards,” discussing legal theories and proposed arguments with their justice and fellow clerks. – While justices make the ultimate decisions and finalize opinions, clerks’ analysis and viewpoints can shape or refine the justice’s reasoning. • Confidentiality and Trust <ul style="list-style-type: none"> – Clerks are bound by strict confidentiality rules and do not disclose internal deliberations or draft opinions. This trust-based 	
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				relationship ensures open and candid communication behind the scenes.”	
47	What does it mean when the Supreme Court “DIGs” a case?	<p>"DIG" is an acronym for "dismiss as improvidently granted," which means the Supreme Court has decided to dismiss a case that it previously agreed to hear. This typically happens when the Court determines that the case is not legally or politically significant enough to warrant a decision, or that the legal issue is no longer relevant or has already been resolved in a different case. The Court may also DIG a case if there is a lack of a "substantial federal question" or if the lower court's decision is deemed to be correct.</p>	The answer omits the most common reason for a DIG: a determination by the court that the case is a poor vehicle for resolving the question presented.	<p>4o: “When the Supreme Court “DIGs” a case, it dismisses it as improvidently granted—meaning the Court decides it should not have agreed to hear the case in the first place. DIG stands for “Dismissed as Improvidently Granted.” This means the Court initially granted certiorari (agreed to review the case) but later changes its mind and dismisses the case without issuing a ruling.</p> <p>Why Does the Court DIG a Case? The Court DIGs cases for several reasons, including:</p> <ol style="list-style-type: none"> 1. Procedural Problems After granting certiorari, the Court may realize the case has jurisdictional flaws, such as: the petitioner lacks standing; the case is moot; the Court lacks jurisdiction due to a procedural issue. 2. Factual or Legal Complications The Court may find that the facts were not properly developed in lower courts. A legal issue that seemed clear turns out to be more complicated than expected. 3. Change in Circumstances If new events make the case less relevant or unnecessary to decide, the Court may DIG it. Example: A law changes while the case is pending, making the issue irrelevant. 4. Avoiding an Unclear or Poorly Argued Issue Sometimes, after reviewing briefs and hearing oral arguments, the Court may feel the case does not 	<p>4o: <i>Boyle</i> was not dismissed as improvidently granted (DIG'd). The Supreme Court heard full arguments and issued a decision on June 27, 1988, holding that government contractors are immune from liability for design defects in military equipment if certain conditions are met.</p>

				<p>present the legal question cleanly. Justices may prefer to wait for a better case to decide the issue.</p> <p>5. Internal Disagreements</p> <p>If justices cannot reach a majority opinion or believe the case was granted in error, they may DIG it to avoid issuing a fractured or confusing ruling.</p> <p>What Happens After a Case is DIG'd?</p> <p>The lower court's decision stands, as if the Supreme Court had never taken the case. The Court does not explain its reasoning for DIGging a case, though individual justices sometimes write opinions explaining their views.</p> <p>Examples of Notable DIGs</p> <p>New York v. Uplinger (1984). The Court DIG'd the case after oral arguments, likely due to concerns about procedural issues.</p> <p>Boyle v. United Technologies Corp. (1988). The case was DIG'd after full briefing, possibly because the Court saw a better case in the future to resolve the legal question."</p> <p>o3-mini: "DIGs' a case is informal legal slang indicating that the Court has taken a keen interest in a case and is actively "digging into" its merits. In practice, it means that the justices have granted certiorari and are preparing to examine the legal issues in depth—often suggesting that the case raises important, potentially precedent-altering questions that merit detailed discussion. While not an official term, "digging" a case implies an</p>	<p>o3-mini: The AI is completely incorrect.</p>
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				<p>enthusiastic, in-depth engagement by the Court with the case's substance."</p> <p>o1: "When the Supreme Court "DIGs" a case, it means the Court dismisses the writ of certiorari as improvidently granted. In other words, the Court decides—often after briefing or argument—that it should not have agreed to hear the case in the first place, and therefore dismisses it without reaching a substantive decision on the merits. This effectively leaves the lower court's ruling in place."</p>	
48	<p>Give one example of a Supreme Court justice from history whose legal views evolved during their time on the court.</p>	<p>One example of a Supreme Court justice whose legal views evolved during their time on the court is Justice Anthony Kennedy. During his tenure, which lasted from 1988 to 2018, Kennedy's views on issues such as gay rights and the death penalty shifted. Early in his career, Kennedy was considered a conservative, but as he spent more time on the court, he became known for his more moderate and independent views. For example, in 1996, Kennedy voted to uphold a Colorado constitutional amendment that denied protections to gay men and lesbians, but in 2015, he wrote the majority opinion in <i>Obergefell v. Hodges</i>, which legalized same-sex marriage nationwide. Similarly, Kennedy voted to uphold the death penalty in several cases early in his tenure, but later he wrote opinions that limited its use.</p>	<p>Kennedy did not vote to uphold a Colorado constitutional amendment denying protections to LGBTQ people; he wrote the court's opinion in <i>Romer v. Evans</i> striking down that amendment. There is no evidence that Kennedy's views on either gay rights or the death penalty meaningfully evolved during his time on the bench.</p>	<p>4o: "One of the most famous examples of a Supreme Court justice whose views evolved over time is Justice Harry Blackmun, who served from 1970 to 1994. Appointed by President Richard Nixon, Blackmun was originally seen as a conservative justice but gradually became one of the Court's most liberal voices, particularly on issues of civil rights, abortion, and the death penalty.</p> <p>Early Years: Conservative Leanings</p> <p>Blackmun was initially considered part of the Court's conservative wing and was even called one of the "Minnesota Twins" alongside his close friend, Chief Justice Warren Burger.</p> <p>In his early years, he generally sided with law enforcement, government power, and business interests.</p> <p>✓ Example: <i>Flood v. Kuhn</i> (1972) – Blackmun wrote the majority opinion upholding baseball's antitrust exemption.</p>	<p>4o: The only (slight) flaw is that the statement in yellow comes from Blackmun's dissent from the denial of certiorari in <i>Callins v. Collins</i>, whereas 4o phrased the sentence in a way that makes it seem as though Blackmun could have made the statement outside of an opinion.</p>

				<p>showing deference to tradition and precedent.</p> <p>Shift to a More Liberal Stance</p> <p>Over time, Blackmun's views shifted, particularly on civil liberties and social justice issues.</p> <p>1. Abortion Rights – Roe v. Wade (1973)</p> <p>Blackmun authored the landmark decision Roe v. Wade, which recognized a constitutional right to abortion. He framed the right to abortion as an issue of privacy and medical decision-making.</p> <p>✓ Impact: This decision made him a target of conservatives, despite his original appointment as a Nixon conservative.</p> <p>2. Death Penalty – From Supporter to Opponent</p> <p>Blackmun originally upheld the constitutionality of the death penalty in cases like Gregg v. Georgia (1976). However, in 1994, shortly before retiring, he completely reversed his position.</p> <p>✓ Final Statement: "From this day forward, I shall no longer tinker with the machinery of death."</p> <p>✓ Impact: He became a leading opponent of capital punishment.</p> <p>3. Civil Rights and Individual Liberties</p> <p>Over time, Blackmun became a strong defender of gender equality, affirmative action, and LGBTQ+ rights.</p> <p>He often ruled in favor of individual liberties over government power, marking a sharp contrast to his early years.</p>	
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				<p>✓ Example: Planned Parenthood v. Casey (1992) – He strongly supported reaffirming Roe v. Wade, warning of the dangers of overturning constitutional rights.”</p> <p>o3-mini: “One notable example is Justice William J. Brennan, Jr. Initially appointed as a relatively moderate voice on the Court in 1956, Brennan’s views evolved significantly over his 35-year tenure. Early in his time on the Court, his opinions reflected a cautious approach toward constitutional interpretation. However, as the Court’s role in addressing civil liberties and individual rights expanded, Brennan became one of its most influential liberal voices. He helped broaden the scope of First Amendment protections, advanced robust due process rights, and pushed for a more expansive understanding of equal protection. His evolution—from a more measured judicial approach to one that staunchly defended civil liberties and social justice—illustrates how a justice’s views can grow and adapt in response to changing societal needs and legal challenges.”</p> <p>o1: “One widely cited example is Justice Harry Blackmun, who was appointed by President Richard Nixon in 1970 and initially considered a conservative-leaning jurist. Over time, however, Blackmun’s views evolved markedly. Most famously, he authored the majority opinion in <i>Roe v. Wade</i> (1973), expanding abortion rights. He later became a</p>	<p>o3-mini: Justice Brennan served for 33 years, not 35.</p>
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				strong voice in defense of reproductive freedoms and civil liberties, ultimately aligning more with the Court's liberal wing in his later years."	
49	How many Supreme Court justices have been impeached?	Two Supreme Court justices have been impeached: Samuel Chase in 1804 and James F. West in 1933. However, neither of them were removed from office as a result of the impeachment process.	Only one justice, Samuel Chase, has been impeached (and the answer is correct that he was not removed). There has never been a justice by the name of "James F. West."	<p>4o: "Only one Supreme Court justice has been impeached in U.S. history: Justice Samuel Chase in 1804. Chase, a Federalist-appointed justice, was accused of political bias and partisan judicial conduct in his rulings. The impeachment, led by President Thomas Jefferson's allies in Congress, was seen as an attempt to limit Federalist influence in the judiciary. The House of Representatives voted to impeach him. The Senate held a trial, but Chase was acquitted in 1805 because the required two-thirds majority vote for conviction was not met. He remained on the Court until his death in 1811. His acquittal helped establish that judges should not be removed for political reasons but only for serious misconduct. This precedent has made judicial impeachment extremely rare in U.S. history" (cleaned up).</p> <p>o3-mini: "Only one Supreme Court justice—Samuel Chase—has ever been impeached. He was impeached by the House in 1804, though the Senate subsequently acquitted him, so he remained in office."</p> <p>o1: "Only one Supreme Court justice has ever been impeached: Justice Samuel Chase. In 1804, the U.S. House of Representatives impeached him for alleged</p>	

				political bias. However, the Senate voted to acquit him in 1805, and he remained on the bench.”	
50	“We are not final because we are infallible, but we are infallible only because we are final.” Who wrote that?	This quote is often attributed to Winston Churchill, but it is not found in any of his recorded speeches or writings. It is not clear who originated this quote.	The quote is from Justice Robert Jackson in the 1953 decision in <i>Brown v. Allen</i> .	<p>4o: “The quote ‘We are not final because we are infallible, but we are infallible only because we are final’ was written by Justice Robert H. Jackson in his concurring opinion in the case of <i>Brown v. Allen</i> (1953). Justice Jackson used this statement to emphasize that the Supreme Court's decisions are final not because they are free from error, but because there is no higher authority to overrule them.”</p> <p>o3-mini: “That memorable statement was written by Supreme Court Justice Robert H. Jackson. It appears in his concurring opinion in <i>Brown v. Allen</i> (1953)[.]”</p> <p>o1: “That line is attributed to Justice Robert H. Jackson, who wrote it in a concurring opinion in the 1953 case <i>Brown v. Allen</i>.”</p>	