

SONIA SOTOMAYOR

**Sonia Maria Sotomayor** (pronounced /ˈsoʊnjə soʊtoʊ.maɪˈoʊr/ ( listen), Spanish: /ˈsonja soto.maˈjor/;<sup>[3]</sup> born June 25, 1954) is an Associate Justice of the Supreme Court of the United States. On May 26, 2009, President Barack Obama nominated Sotomayor for appointment to the U.S. Supreme Court to replace retired Justice David Souter. Her nomination was confirmed by the United States Senate on August 6, 2009, by a vote of 68–31, and she was sworn in by Chief Justice John Roberts on August 8. Sotomayor is the Court's 111th justice, its first Hispanic justice, and its third female justice.

Sotomayor is of Puerto Rican descent and was born in the Bronx. Her father died when she was nine, and she was subsequently raised by her mother. Sotomayor graduated with an A.B., *summa cum laude*, from Princeton University in 1976 and received her J.D. from Yale Law School in 1979, where she was an editor at the *Yale Law Journal*. She worked as an assistant district attorney in New York for five years before entering private practice in 1984. She played an active role on the boards of directors for the Puerto Rican Legal Defense and Education Fund, the State of New York Mortgage Agency, and the New York City Campaign Finance Board. Sotomayor was nominated to the U.S. District Court for the Southern District of New York by President George H. W. Bush in 1991, and her nomination was confirmed in 1992.

Sotomayor has ruled on several high-profile cases. In 1995, she issued a preliminary injunction against Major League Baseball which ended the 1994 baseball strike. Sotomayor made a ruling allowing the *Wall Street Journal* to publish Vince Foster's final note. In 1997, she was nominated by President Bill Clinton to the U.S. Court of Appeals for the Second Circuit. Her nomination was slowed by the Republican majority in the Senate, but she was eventually confirmed in 1998. On the Second Circuit, Sotomayor heard appeals in more than 3,000 cases and has written about 380 opinions. Sotomayor has taught at the New York University School of Law and Columbia Law School.

Sonia Maria Sotomayor<sup>[4]</sup> was born in the Bronx, a borough of New York City.<sup>[5]</sup> Her father was Juan Sotomayor (born 1921), from the area of Santurce, San Juan, Puerto Rico,<sup>[6]</sup><sup>[7]</sup><sup>[8]</sup> and her mother was Celina Báez (born 1927),<sup>[9]</sup> from the neighborhood of Santa Rosa in Lajas, a still mostly rural area on Puerto Rico's southwest coast.<sup>[8]</sup> They left Puerto Rico, met, and married during World War II after Celina served in the Women's Army Corps.<sup>[10]</sup><sup>[11]</sup> He had a third-grade education, did not speak English, and worked as a tool and die worker;<sup>[6]</sup> she worked as a telephone operator

and then a practical nurse.[12] Sonia's younger brother, Juan Sotomayor (born c. 1957), is a physician and university professor in the Syracuse, New York, area.[13][14]

Sotomayor was raised a Catholic[2] and grew up among other Puerto Ricans who settled in the South Bronx and East Bronx; she self-identifies as a "Nuyorican".[10] At first, she lived in a South Bronx tenement.[15] In 1957, the family moved to the well-maintained, racially and ethnically mixed, working-class Bronxdale Houses housing project[15][16][17] in Soundview (which has at times been considered part of both the East Bronx and South Bronx).[18][19][20] Her relative proximity to Yankee Stadium led to her becoming a lifelong fan of the New York Yankees.[21] The extended family got together frequently[15] and regularly visited Puerto Rico during summers.[22]

Sonia was diagnosed with type 1 diabetes at age eight,[6][19] and began taking daily insulin injections.[23] Her father died of heart problems at age 42, when she was nine years old.[12][15] After this, she became fluent in English.[6] Sotomayor has said that she was first inspired by the strong-willed Nancy Drew book character, and then after her diabetes diagnosis led doctors to suggest a different career from detective, she was inspired to go into a legal career and become a judge by watching the *Perry Mason* television series.[6][21][23] She reflected in 1998: "I was going to college and I was going to become an attorney, and I knew that when I was ten. Ten. That's no jest." [21]

Celina Sotomayor put great stress on the value of education; she bought the *Encyclopædia Britannica* for her children, something unusual in the housing projects.[10] Sotomayor has credited her mother with being her "life inspiration".[24] For grammar school, Sotomayor attended the parochial Blessed Sacrament School in Soundview,[25] where she was valedictorian and had a near-perfect attendance record.[20][26] Although underage, Sotomayor worked at a local retail store; she also worked at a hospital.[27] Sotomayor passed the entrance tests for, then commuted to, the academically rigorous parochial Cardinal Spellman High School in the Bronx.[15][28][29] Meanwhile, the Bronxdale Houses had fallen victim to increasing heroin use, crime, and the emergence of the Black Spades gang.[15] In 1970, the family found refuge by moving to Co-op City in the Northeast Bronx.[15] At Cardinal Spellman, Sotomayor was on the forensics team and was elected to the student government.[28][29] She graduated as valedictorian in 1972.[10]

## **SAMUEL ALITO**

### **Position:**

Associate Justice

**Judicial Offices:** Samuel Alito was appointed to the United States Court of Appeals for the Third Circuit in 1990. President George W. Bush nominated him as an Associate Justice of the Supreme Court, and he took his seat on January 31, 2006.

**Family:** Samuel Alito was born in Trenton, New Jersey on April 1, 1950. In 1985, Alito married Martha-Ann Bomgardner, with whom he has two children.

**Education:** Alito attended Steinert High School in Hamilton Township, New Jersey and subsequently graduated from Princeton University's Woodrow Wilson School of Public and International Affairs with a Bachelor of Arts in 1972. He earned a J.D. from Yale Law School in 1975 where he served as editor on the Yale Law Journal.

**Law Clerkship:** Served as a law clerk for Leonard I. Garth of the United States Court of Appeals for the Third Circuit from 1976–1977.

**Law Practice:** Following his clerkship in the Third Circuit, Alito was Assistant U.S. Attorney, District of New Jersey from 1977 to 1981. Thereafter he was Assistant to the Solicitor General, U.S. Department of Justice, from 1981 to 1985 and Deputy Assistant Attorney General for the U.S. Department of Justice until 1987. Lastly, prior to his appointment to the United States Court of Appeals for the Third Circuit, Alito was a U.S. Attorney for the District of New Jersey from 1987 to 1990.

Alito was born in Trenton, New Jersey, to Italian American parents: Italian immigrant Samuel A. Alito, Sr., and the former Rose Fradusco.<sup>[2][3]</sup> Alito's father, now deceased, was a high school teacher and then became the first Director of the New Jersey Office of Legislative Services, a position he held from 1952 to 1984. Alito's mother is a retired schoolteacher.

Alito grew up in Hamilton Township, New Jersey, a suburb of Trenton.<sup>[4]</sup> He attended Steinert High School in Hamilton Township<sup>[5]</sup> and graduated from Princeton University's Woodrow Wilson School of Public and International Affairs with a Bachelor of Arts in 1972 before attending Yale Law School, where he served as editor on the *Yale Law Journal* and earned a Juris Doctor in 1975.

At Princeton, Alito led a student conference in 1971 called "The Boundaries of Privacy in American Society" which, among other things, supported curbs on domestic intelligence gathering, called for the decriminalization of sodomy, and urged for an end to discrimination against gays in hiring by employers.<sup>[6]</sup>

While a sophomore at Princeton, Alito received the low lottery number 32, in a Selective Service drawing on December 1, 1969. In 1970, he became a member of the school's Army ROTC program, attending a six-week basic summer camp that year at Fort Knox, Kentucky, in lieu of having been in ROTC during his first two years in college. Alito was a member of the Concerned Alumni of Princeton, which was formed in October 1972 at least in part to oppose Princeton's decisions regarding affirmative action. Apart from Alito's written 1985 statement of membership of CAP on a job application, which Alito says was truthful, there is no other documentation of Alito's involvement with or contributions in the group. Alito has cited the banning and subsequent treatment of ROTC by the university as his reason for belonging to CAP.

During his senior year at Princeton, Alito moved out of New Jersey for the first time to study in Italy, where he wrote his thesis on the Italian legal system.<sup>[7]</sup> Graduating in 1972, Alito left a sign

of his lofty aspirations in his yearbook, which said that he hoped to "eventually warm a seat on the Supreme Court."<sup>[8]</sup>

He was commissioned as a Second Lieutenant in the U.S. Army Signal Corps after his graduation and assigned to the United States Army Reserve. Following his graduation from Yale Law School in 1975, he served on active duty from September to December 1975, while attending the Officer Basic Course for Signal Corps officers at Fort Gordon, Georgia. The remainder of his time in the Army was served in the inactive Reserves. He had the rank of Captain when he received an Honorable Discharge in 1980.<sup>[9][10]</sup>

## Notable opinions

### Federalism

A dissenting opinion in *United States v. Rybar*, 103 F.3d 273 (3d Cir. 1996), arguing that a U.S. law banning private citizens from owning submachine guns was similar to one struck down by the Supreme Court in *United States v. Lopez* and thus outside the authority of Congress under the Commerce Clause of the U.S. Constitution.

A majority opinion in *Chittister v. Department of Community & Economic Development*, 226 F.3d 223 (3d Cir. 2000). This case concerned an employee's claim of wrongful termination under the Family and Medical Leave Act against the state of Pennsylvania. States are free to maintain sovereign immunity under the U.S. Constitution. Since Pennsylvania had maintained its immunity to such suits, Alito affirmed the lower court's dismissal of the employee's claims.

### First Amendment

A majority opinion in *Saxe v. State College Area School District*, 240 F.3d 200 (3d Cir. 2001), holding that a public school district's anti-harassment policy was unconstitutionally overbroad and therefore violated First Amendment guarantees of free speech.

A majority opinion in *ACLU v. Schundler*, 168 F.3d 92 (3d Cir. 1999), holding that a government-sponsored holiday display consisting solely of religious symbols was impermissible, but that a mixed display including both secular and religious symbols was permissible if balanced in a generally secular context.

A dissenting opinion in *C. H. v. Oliva et al.* (3d Cir. 2000), arguing that the removal and subsequent replacement in "a less conspicuous spot" of a kindergartener's religious themed poster was, at least potentially, a violation of his right to free expression.

### Fourth and Eighth Amendments

A dissenting opinion in *Doe v. Groody*, arguing that qualified immunity should have protected police officers from a finding of having violated constitutional rights when they strip-searched a mother and her ten-year-old daughter while carrying out a search warrant that authorized the search of a residence.

A unanimous opinion in *Chadwick v. Janecka* (3d Cir. 2002), holding that there was "no federal constitutional bar" to the "indefinite confinement" of a man imprisoned for civil contempt because he claimed he could not pay his \$2.5 million debt to his wife.

### Civil rights

A majority opinion in *Williams v. Price*, 343 F.3d 223 (3d Cir. 2003), granting a writ of habeas corpus to a black state prisoner after state courts had refused to consider the testimony of a witness who stated that a juror had uttered derogatory remarks about blacks during an encounter in the courthouse after the conclusion of the trial.<sup>[15]</sup>

A dissenting opinion in *Glass v. Philadelphia Electric Company*, 34 F.3d 188 (3d Cir. 1994), arguing that a lower court did not abuse its discretion in excluding certain evidence of past conduct that defendant had created a hostile and racist work environment.

## **STEPHEN BREYER**

### **Position:**

Associate Justice

**Judicial Offices:** Associate Justice of the Supreme Court of the United States, nominated by President Clinton; confirmed by a Senate vote of 87-9 on August 2, 1994. Judge, U.S. Court of Appeals for the First Circuit, nominated by Jimmy Carter on December 10, 1980. Chief Judge, 1990-1994.

**Family:** Stephen Breyer was born August 15, 1938, in San Francisco, California, the son of Irving G. Breyer and Anne R. Breyer. He married Joanna Hare on September 4, 1967 and they had three children together: Chloe in 1969, Nell in 1971, and Michael in 1974.

**Education:** Breyer attended public elementary and high school (Lowell High School) in San Francisco. When he was in high school, he accumulated several math, science and debate awards and was not surprisingly voted "most likely to succeed" by his classmates. After high school, Breyer continued on to Stanford University to earn an A.B. in 1959, graduating with honors. He then attended Oxford University, and studied economics at Magdalen College as a Marshall Scholar, where he earned a B.A. and graduated First Class Honors in 1961. Later, Breyer studied law at Harvard Law School and received a L.L.B., magna cum laude in 1964. He distinguished himself as the articles editor of the Harvard Law Review.

**Law Clerkship:** From 1964-1965, Breyer served as clerk to the Honorable Arthur J. Goldberg, Associate Justice, Supreme Court of the United States. He later served on the U.S. Court of Appeals, First Circuit from 1981, becoming chief judge in 1990.

**Law Teaching:** Breyer's teaching record includes being an Assistant Professor from 1967-1970 and a Professor of Law from 1970-1980 at Harvard University; a Professor from 1977-1980, and a Lecturer from 1980-present at the Kennedy School of Government. He was also a Visiting Professor at the College of Law in Sydney, Australia in 1975 and at the University of Rome in 1993.

**Government Service:** From 1965-1967, Breyer was Special Assistant to the Assistant Attorney General Donald Turner (Antitrust) in the Department of Justice. Other assignments include being Assistant Special Prosecutor of the Watergate Special Prosecution Force in 1973, Special Counsel on the Subcommittee on Administrative Practices of the U.S. Senate Judiciary Committee in 1974-1975, Chief Counsel of the U.S. Senate Judiciary Committee from 1979-1980. Breyer also served as a member of the Judicial Conference of the United States from 1990-1994, and as a member of the United States Sentencing Commission from 1985-1989.

**Civic and Professional Activities:** Trustee: University of Massachusetts (1974-1981); Trustee: Dana Farber Cancer Institute (1977-current); Member, American Academy of Arts and Sciences; American Law Institute, American Bar Association.

**Recreation:** Breyer enjoys bicycling, jogging, cooking and reading.

Breyer received bachelor's degrees from **Stanford University** (1959) and the **University of Oxford** (1961), which he attended on a **Rhodes scholarship**, and a law degree from **Harvard University** (1964). In 1964–65 he clerked for U.S. Supreme Court Justice **Arthur J. Goldberg**. He taught law at Harvard University from 1967 to 1994.

Breyer took leave from Harvard in 1973 to serve as an assistant prosecutor in the **Watergate** investigation. In 1974–75 he was special counsel to the U.S. Senate Judiciary Committee, and from 1979 to 1981 he was its chief counsel, working on projects ranging from the federal **criminal code** to airline and trucking deregulation. In 1980 he was appointed by President **Jimmy Carter** to the **United States Court of Appeals** for the First Circuit, becoming its chief judge in 1990. In 1994 President **Bill Clinton** nominated Breyer to fill the seat of the retiring justice **Harry Blackmun**. As a pragmatic moderate acceptable to Democrats and Republicans alike, Breyer was easily confirmed by the Senate (87–9).

More liberal than most other members of the court, Breyer was highly regarded, even by conservatives, for his analytic rather than ideological approach to the Constitution. In the area of **civil rights**, Breyer consistently sided with efforts to dismantle historical and symbolic vestiges of **racial segregation**. In *Bush v. Gore* (2000; see **United States: The Bill Clinton administration**), which settled that year's controversial presidential election between **George W. Bush** and **Al Gore**, he issued a passionate yet precise dissent. He argued that, by failing to refuse the case under the rubric of the political-question doctrine (which the court often had invoked in order to sidestep controversial issues that it thought were best handled by the legislature) and by deciding the case on the basis of **equal protection** (i.e., it ruled that manual recounts of certain votes in Florida violated the rights of voters whose ballots were not manually reviewed), the court had undermined its integrity and authority. In *McConnell v. Federal Election Commission* (2003), he joined a majority in holding that limits on campaign advertisements and contributions imposed by the **Bipartisan Campaign Reform Act** of 2002, popularly known as the McCain-Feingold Act, did not violate the First Amendment's guarantee of **freedom of speech**.

## **RUTH BADER GINSBURG**

**Position:** Associate Justice

**Judicial Offices:** Ruth Ginsburg was nominated by President Carter to the United States Court of Appeals for the District of Columbia Circuit on April 14, 1980; took oath of office on June 30, 1980. Nominated by President Clinton on August 5, 1993, as Associate Justice of the Supreme Court of the United States; confirmed by the Senate, 97-3. Sworn in on August 10, 1993.

**Family:** Ruth Ginsburg was born on March 15, 1933 in Brooklyn, New York, the second daughter of Nathan Bader and Celia Amster Bader. She married Martin D. Ginsburg in 1954, who is now a professor of tax law at Georgetown University Law Center. They have two children: Jane C. Ginsburg, a professor at Columbia Law School, and James S. Ginsburg, a producer of classical recordings.

**Education:** Ginsburg received a B.A. with high honors in Government, distinction in all subjects, from Cornell University, where she was also the College of Arts and Sciences Class Marshall and a member of Phi Beta Kappa and Phi Kappa Phi. She attended Harvard Law School (1956-58) as one of only nine women in her class and earned a position with the Harvard Law Review, but later transferred to Columbia Law School where she received her LL.B. (J.D.), was a member of the Columbia Law Review, and was a Kent Scholar. She graduated at the top of her class.

**Law Clerkship:** Ginsburg was clerk to the Honorable Edmund L. Palmieri, United States District Court, Southern District of New York from 1959 to 1961.

**Law Teaching:** Following graduation from Columbia University, Ginsburg became a research associate (1961-62) and then Research Associate Director (1962-63) at the Columbia Law School Project on International Procedure. She then joined Rutgers University School of Law as the only second woman offered a tenured professorship within the law faculty (1963-72); from 1972-1980, she became the first tenured woman law Professor at Columbia Law School; she accepted the position as a Fellow from 1977-78 at the Center for Advanced Study in the Behavioral Sciences (Stanford, California). She has also been invited to visit several faculties throughout the world: New York University School of Law (Spring 1968), Harvard Law School (Fall 1971), University of Amsterdam (Summer 1975), University of Strasbourg (Summer 1975), Salzburg Seminar in American Studies (Summer 1984), Aspen Institute (Summer 1990).

**Law Practice and Professional Activities:** Ginsburg was admitted to New York Bar in 1959 and District of Columbia Bar in 1975. She also became actively involved in several civil rights and women's rights organizations throughout her career. Her experiences comprise being the founder and counsel for the Women's Rights Project with the American Civil Liberties Union (1972-80), the General Counsel (1973-80) and National Board of Directors (1974-80). Other affiliations include: American Bar Association Journal Board of Editors (1972-78); American Bar Foundation Board of Directors, Executive Committee, and Secretary (1979-89); ABA Section of Individual Rights and Responsibilities, Council Member (1975-81); American Law Institute, Council Member (1978-1993); American Academy of Arts and Sciences, Fellow (1982-); Council on Foreign Relations (1975-).

associate justice of the **Supreme Court of the United States** from 1993. She was only the second woman to serve on the **Supreme Court**.

Ginsburg graduated from **Cornell University** in 1954, finishing first in her class. She attended Harvard law School, where she was elected president of her class, for two years before transferring to Columbia Law School to join her husband, who had been hired by a prestigious law firm in **New York City**. She was elected to the law reviews of both schools and graduated tied for first in her class at Columbia in 1959. Despite her outstanding academic record, Ginsburg was turned down for numerous jobs after graduation because she was a woman.

After clerking for U.S. District Judge Edmund L. Palmieri (1959–61), she taught at Rutgers University Law School (1963–72) and at Columbia (1972–80), where she became the school's first female tenured professor. During the 1970s she also served as the director of the Women's Rights Project of the **American Civil Liberties Union**, for which she argued six landmark cases on gender equality before the Supreme Court. She won five of those cases and thereby helped establish the unconstitutionality of unequal treatment of men and women.

In 1980 President **Jimmy Carter** appointed Ginsburg to the **U.S. Court of Appeals** for the District of Columbia Circuit. She served there until she was appointed to the Supreme Court in 1993 by President **Bill Clinton** to fill the seat vacated by Justice **Byron White**; she was easily confirmed by the Senate (96–3).

As a lawyer, Ginsburg had been known for her pioneering advocacy of the **rights of women**. As a judge, she favoured caution, moderation, and restraint. She was considered part of the Supreme Court's minority moderate-liberal bloc.

In 1996 Ginsburg wrote the Supreme Court's landmark decision in *United States v. Virginia*, which held that the state-supported **Virginia Military Institute** could not refuse to admit women. Despite her reputation for restrained writing, she gathered considerable attention for her dissenting opinion in the case of *Bush v. Gore*, which effectively decided the 2000 presidential election between **George W. Bush** and **Al Gore**. Objecting to the court's majority opinion favouring Bush, Ginsburg deliberately and subtly concluded her decision with the words, "I dissent"—a significant departure from the tradition of including the adverb *respectfully*.