

FOOTNOTES

1. John C. Jeffries, Jr., *Justice Lewis F. Powell, Jr.*, at 256, (Charles Scribner's Sons, New York, 1994); Interview with Lewis Powell; Also see Laura Kalman, *ABE FORTAS – A Biography*, at 19, (Yale University Press, New Haven and London, 1990)
2. *A Hard Nut for Character Committees to Crack-The Bootlegger's Son*, Bar Examiner, P. 83, January 1932.
3. *Answer to the problem of The Bootlegger's Son*, Bar Examiner, February, 1932.
4. Henry Mayer, *A Son of Thunder – Patrick Henry and the American Republic*, at 52-57, (University Press of Virginia, 1991).
5. Jean Edward Smith, *John Marshall-Definer of a Nation*, at 75, 79 (Henry Holt and Company Inc., 1996).
6. G. Edward White, *Justice Oliver Wendell Holmes – Law and the Inner Self*, at 91, (Oxford University Press, 1993).
7. Deborah L. Rhode, “*Moral Character as a Professional Credential*,” 94 Yale Law Journal 3, at 500-501, (1985).
8. Id.
9. Deborah L. Rhode, “*Moral Character as a Professional Credential*,” 94 Yale Law Journal 3, (1985).
10. Deborah L. Rhode, “*Policing the Professional Monopoly : A Constitutional and Empirical Analysis of Unauthorized Practice Prohibitions*,” 34 Stan. L. Rev. 1 (1981).
11. Deborah L. Rhode, “*The Delivery of Legal Services by Non-Lawyers*,” 4 Geo. J. Legal Ethics 215 (1990).
12. Susan K. Boyd, *The ABA's FIRST SECTION Assuring A Qualified Bar*, ABA Section of Legal Education and Admission to the Bar, at 16, West Publishing (1993).
13. Paul Saucy, *Attorney Fees and Costs*, Oregon State Bar CLE Publication, (Circa 1992-1994).
14. Laura Kalman, *Abe Fortas - A Biography*, at 149-150, (Yale University Press, 1990)
15. State of Oregon ex rel Frohnmayer v Oregon State Bar, 307 Or. 304 (1989); Justice Carson, FN 2
16. Crocker v Crocker, No. SC S46166, April 26, 2001
17. Outdoor Media Dimensions v State of Oregon, SC S44590; March 8, 2001
18. Petersen v Fielder, No. CA A106971; October 4, 2000
19. Philip Wickser, Secretary of the NY Board of Law Examiners and Chairman of the First Meeting of the NCBE, *Ideals and Problems for a National Conference of Bar Examiners*, pp.4-17, Bar Examiner, November, 1931.
20. Stanley t. Wallbank, Member of Executive Committee of the NCBE, *The Function of Bar Examiners*, pp. 27-42, Bar Examiner, December, 1931.
21. Pennsylvania Questionnaire for Registration of Law Students, 1932.
22. Pennsylvania Questionnaire to be Answered by Three Reputable Citizens, 1932.
23. Pennsylvania Sponsor's Questionnaire, 1932.
24. Pennsylvania Local Examining Board Questionnaire, 1932.
25. Extracts from a Round Table Discussion, Meeting of NCBE September 16, 1931, *Character Examination of Candidates*, pp.63-82, Bar Examiner, January, 1932.
26. Alfred Z. Reed, Carnegie Foundation, *The Real Distinction Between Part-Time and Full-Time Law Schools*, pp.123-132, Bar Examiner, March 1932. Petition of the Association of the Bar of the City of New York to Amend the Rules of Court of Appeals Relative to the Study of Law, 257 N.Y. 211 (1931).
27. Will Shafroth, *A National Board of Law Examiners*, pp. 160-169, Bar Examiner, April 1932.
28. *News from the Boards*, Bar Examiner, p.170, April 1932.
29. *A Layman's Comment on the Rules for Admission in California*, Citing Chester Rowell, newspaper writer, p.174, Bar Examiner, April 1932.
30. *French Law Students Protest Against Attempt to Make Admission to Bar Easier*, Bar Examiner, April 1932.
31. Editorial, Bar Examiner, June 1932.

32. The New York Conference on Legal Education, Citing Dean Young B. Smith of Columbia Law School, Bar Examiner, June, 1932.
33. Leon Green, Dean of Northwestern University Law School, *Bar Examinations and the Integrated Bar*, pp.213-22, Bar Examiner, June 1932.
34. *Is Admission to the Bar a Judicial or a Legislative Function*, pp.222-226, Bar Examiner, June 1932.
35. Id. Citing Boston Bar Association publication, The Bar Bulletin.
36. Id. *Hoopers v. Bradshaw*, 231 Pa. 485 (1911).
37. Id. *In Re Bailey*, 30 Ari.407 (1929).
38. Id. *State v. Cannon*, 240 N.W. 441 (1932).
39. Id.
40. Bessie L. Adams, Carnegie Foundation, *Restrictions on Reexaminations*, pp.267-272, Bar Examiner, August 1932.
41. *Kansas Goes On Three-Year Pre-Legal Basis*, Bar Examiner, August 1932.
42. *With A Hey Nonny Nonny and a Hot Cha Cha*, p.312, Bar Examiner, September 1932.
43. *Report of the Executive Committee of the NCBE to the Second Annual Meeting*, Bar Examiner, October 1932.
44. *Progress in Adoption of Bar Standards*, Bar Examiner, October 1932.
45. *An Interesting Correspondence*, Bar Examiner, October 1932.
46. *Reply to An Interesting Correspondence from Alfred Reed*, Carnegie Foundation, Bar Examiner 1932.
47. Dean Albert J. Harno, President of the Association of American Law Schools, *Lights and Shadows in Qualifications for the Bar*, Address delivered at Second Annual Meeting of NCBE, 10 October 1932.
48. Alfred Z. Reed, Carnegie Foundation, *The Opportunities of a Board of Bar Examiners*, pp.31-49, Bar Examiner, December 1932.
49. John B. Gest, County Board of Law Examiners of Philadelphia County, *Character Investigation*, pp.51-58, Bar Examiner, December 1932.
50. *A Discussion of the Overcrowding of the Bar*, Quoting James Grafton Rogers, Assistant Secretary of State, p.58, Bar Examiner, December 1932.
51. William Harold Hitchcock, Chairman Massachusetts Board of Bar Examiners, Address delivered at Second Annual Meeting of NCBE, 10 October 1932. *Recent Bar Examination History in Massachusetts*. Bar Examiner, Nov.-Dec. 1932.
52. *German Bar Association Favors Three-Year Moratorium on Admissions to the Bar*, p.83, Bar Examiner, 1933.
53. Philip J. Wickser, Secretary New York Board of Law Examiners, Address Delivered at Annual Meeting of Association of American Law Schools, *Law Schools, Bar Examiners and Bar Associations, Cooperation vs. Insulation*, December 1932. pp.151-63, Bar Examiner, April 1933.
54. *Why Not Admit Him on Motion*, p.170, Bar Examiner, April 1933.
55. John Wigmore, Dean of Northwestern University Law School, *Should the Standards for Bar Preparation Be More Exacting*, p.187, Bar Examiner, May 1933.
56. *Rule Recognizing Law Study Only in Approved Schools is Sustained by Connecticut Court*, pp.190-96, Bar Examiner, May 1933.
57. *New Jersey Asks New York*, pp.21-220, Bar Examiner, June 1933.
58. *Pennsylvania Considers Adoption of a Quota System*, pp.223-228, Bar Examiner, July 1933.
59. *Report of the Oregon Committee on Legal Education and Admission to the Bar*, pp.286-291, Bar Examiner, September 1933.
60. Charles P. Megan, Chairman National Conference of Bar Examiners, *Jottings of a Bar Examiner*, pp.295-306, Bar Examiner, October 1933.
61. George F. Baer Appel, Secretary of Pennsylvania Board of Law Examiners, Address Delivered at Third Annual Meeting of NCBE, *The Pennsylvania System*, pp.10-22, Bar Examiner, 1933.
62. *Greece to Limit Lawyers*, p.23, Bar Examiner, 1933.
63. *Proceedings against Paul Richards for disbarment*, 63 S.W. 2d 672 (1933).
64. *Stem Winder Department*, Reprint from Mississippi Law Journal, XV, No. 1 ; Bar Examiner, December 1933.
65. *The Problem of Character Examination*, Excerpts from a Round Table Discussion August 29, 1933, pp.59-71, Bar Examiner, January 1934.

66. *New Rules Adopted in the Philippines*, Bar Examiner, January 1934.
67. *Report of Pennsylvania Committee on Admissions to the Bar*, pp.84-86, Bar Examiner, February 1934.
68. Lloyd N. Scott, Secretary of New York Joint Conference on Legal Education, *Junior or Interlocutory Admission to the Bar*, Bar Examiner, March 1934.
69. Bernard C. Gavit, Dean of Indiana University School of Law, *The Privilege of Reexamination in Professional Licensure*, pp.123-28, Bar Examiner, April 1934.
70. *The Human Side of It*, p.117, Bar Examiner, March 1934.
71. Commentary on The Human Side of It, Correspondence George Nutter of Committee of Legal Education of the Bar Association of Boston to Will Shafroth of the NCBE, p.144, Bar Examiner, April 1934.
72. *Only Small Decrease in Admissions*, Bar Examiner, May 1934.
73. John Kirkland Clark, Chairman of Section of Legal Education and Admissions to the Bar of the ABA, *An Abler and Finer Bar*, pp.147-55, Bar Examiner, May 1934.
74. *Supreme Court of Louisiana Declares Its Power Over Admissions*, pp.166-67, Bar Examiner, May 1934.
75. *The Citizenship Privilege*, p.192, Bar Examiner, June 1932.
76. Will Shafroth, Secretary NCBE, *A Study of Character Examination Methods in Forty-Nine Commonwealths*, pp.195-231, Bar Examiner, July-August 1934.
77. *Putting Young Lawyers on Probation, The Comment of a Lay Skeptic*, p.240, Bar Examiner, July-August 1934.
78. *The Annual Meeting*, p.267, Bar Examiner, October 1934.
79. *Check-Up On Migrant Lawyers*, p.274, Bar Examiner, October 1934.
80. *What Is A Per Curiam Decision*, p.274, Bar Examiner, October 1934.
81. Walter L. Bierring, President American Medical Association, Presentation Before ABA Section of Legal Education and Admissions to the Bar, 30 August 1934, *The Standards of Medical Education and Qualifications for Licensure*, pp.275-284, Bar Examiner, October 1934.
82. Leon Green, Dean Northwestern University Law School, *Development of an Adequate Bar Admission Agency*, pp.291-297, Bar Examiner, November 1934.
83. *The Work of a Character Committee*, pp.299-300, Bar Examiner, November 1934.
84. M.R. Kirkwood, Dean Stanford University School of Law, *A First Year Bar Examination*, p.315, Bar Examiner, December 1934.
85. George Nutter, Chairman Committee on Legal Education, Boston Bar Association, *A Drama of Progress in Massachusetts*, pp.331-334, Bar Examiner, January 1935.
86. *For the Judges*, p.334, Bar Examiner, January 1935.
87. *California Decision Declares Power of Court To Proscribe Requirements*, pp.382-383, Bar Examiner, April 1935.
88. *A Bitter Ender*, p.392, Bar Examiner, April 1935.
89. Charles H. English, Chairman Pennsylvania State Board of Law Examiners, *Impressions of Ten Years*, pp.467-473, Bar Examiner, October 1935.
90. *Page President Roosevelt*, p.480, Bar Examiner, October 1935.
91. *Great Scott!*, p.480, Bar Examiner, October 1935.
92. *Probably Not in Chicago Either*, p.480, Bar Examiner, October 1935.
93. *Philadelphia Lawyers Vote for Limitation*, p.20, Bar Examiner, November 1935.
94. *The Conference Joins the Century Club*, pp.19-28, Bar Examiner, December 1935.
95. Alfred L. Bartlett, *Cooperation with Law Schools and the Supreme Court*, pp.37-41, Bar Examiner, January 1936.
96. *The Oral Examination*, p.41, Bar Examiner, January 1936.
97. *Lawyers in the 74th Congress: Their Legal Education and Experience*, pp.42-48, Bar Examiner, January 1936.
98. *Maryland Bar Appeals to Court for Higher Admission Standards*, pp.51-63, Bar Examiner, February 1936.
99. Paul H. Sanders, Member of the Texas Bar and Assistant to the Director of the National Bar Program, *Admission to the Legal Profession in England*, pp.75-79, Bar Examiner, March 1936.

100. *Indiana and Oregon Raise Standards and Adopt the Character Plan*, pp.95-96, Bar Examiner, April 1936.
101. *Limitation on New York Bar Admissions Recommended*, pp.115-20, Bar Examiner, June 1936.
102. *Is Radical Activity Ground for Refusing Bar Admission?*, p.126, Bar Examiner, April 1936.
103. *Quaker State Adopts Character Plan*, p.162, Bar Examiner, October 1936.
104. Oscar G. Haugland, Secretary Minnesota State Board of Law Examiners, *Psychology Points Way to New Character Tests*, pp.165-173, Bar Examiner, October 1936.
105. William Harold Hitchcock, Chairman Massachusetts Board of Bar Examiners, *The Oral Examination in Massachusetts*, pp.3-8, Bar Examiner, November 1936.
106. *Editorial, Conditions in the Profession*, pp.25-28, Bar Examiner, December 1936.
107. *A Recommendation from Missouri*, p.28, Bar Examiner, December 1936.
108. *Chief Justice Waste and Chairman Riordan Address New Lawyers*, pp.29-30, Bar Examiner, December 1936.
109. *Bar Survey Shows Much Unsatisfied Need for Legal Services*, p.31, Bar Examiner, December 1936.
110. *A Country Lawyer's Comment*, p.62, Bar Examiner, March 1937.
111. *Minimum Sentences*, p.61, Bar Examiner, March 1937.
112. *Ohio Court Provides for More Effective Character Inquiries*, p.96, Bar Examiner, May 1937.
113. Senior U.S. Circuit Judge Martin T. Manton, *The Need for Broader Legal Education*, Bar Examiner, July-August 1937, (Note : Judge Manton of the Second Circuit Court of Appeals was ultimately removed from the bench for accepting bribes).
114. Judge Irving Lehman, *The Obligation of the Law Schools*, p.120, Bar Examiner, July-August 1937.
115. Justice L.B. Day of the Supreme Court of Nebraska, *The Future of the Profession*, pp. 134-142, Bar Examiner, September 1937.
116. John H. Riordan, Chairman of the NCBE, *The National Conference of Bar Examiners-Its Accomplishments and Service*, Bar Examiner, October 1937.
117. *Turn the Rascals Up!*, p.162, Bar Examiner, November 1937.
118. *Connecticut Statute Increases Power of Character Committee*, p.36, Bar Examiner, March 1938.
119. William N. James, Chairman Committee on Character and Fitness of the NCBE, *Character and Fitness*, pp.37-41, Bar Examiner, March 1938.
120. *Michigan Studies Character Problem*, pp.42-43, Bar Examiner, March 1938.
121. Karl A. McCormick, Proctor of the Bar, Eighth Judicial District of New York, *Applicants for Admission to the Bar*, pp.44-47, Bar Examiner, March 1938.
122. *Difficulties Facing Character Committees*, p.48, Bar Examiner, March 1938.
123. *Back Door Applicants*, pp.52-53, Bar Examiner, April 1938.
124. *Annual Meeting of National Conference*, pp.115-118, Bar Examiner, September 1938.
125. William N. James, Chairman Committee on Character and Fitness of the NCBE, *Character and the Applicant for Bar Admission*, pp.121-126, Bar Examiner, September 1938.
126. Karl A. McCormick, Proctor of the Bar, Eighth Judicial District of New York, *Character and Fitness*, pp.135-144, Bar Examiner, October-November 1938.
127. *Wolfgang Kohler: Age 26 Obituary*, p.146, Bar Examiner, December 1938.
128. Hon. Owen J. Roberts, Justice of the Supreme Court of the United States, *The Importance of the Character Problem*, pp.3-5, Bar Examiner, January 1939.
129. *Pennsylvania An Example of Sound Character Investigation Technique*, pp.35-44, Bar Examiner, March 1939.
130. Albert Moise, Secretary of County Board of Law Examiners of Philadelphia County, *Practical Operation of the Pennsylvania Plan in Philadelphia County*, pp.38-44, Bar Examiner, March 1939.
131. *Maryland is the Forty-First State*, p.57, Bar Examiner, April 1939.
132. *Higher Standards Recommended by Louisiana Bar Committee*, p.72, Bar Examiner, May 1939.
133. *A Comment on an Overcrowded Bar*, p.89-90, Bar Examiner, May 1939.
134. Charles E. Dunbar, Jr., Chairman of ABA Section of Legal Education and Admissions to the Bar, *The Bar Association Standards and Part-Time Legal Education*, pp.3-13, Bar Examiner, January 1940.
135. Marjorie Merritt, Assistant Secretary of NCBE, *The First Thousand!*, pp.14-24, Bar Examiner, January 1940.

136. *Bar Examination Results to be Considered in Approving Law Schools*, pp.27-28, Bar Examiner, April 1940.
137. Marion Kirkwood, Dean Stanford University Law School, *Some Problems of Admission to the Bar that Affect the Law Schools*, pp.28-33, Bar Examiner, April 1940.
138. *How To Be A Successful Lawyer*, p.89, Bar Examiner, October 1940.
139. *Age Groups of Migrant Attorneys*, p.12, Bar Examiner, January 1941.
140. *The Law Schools and the Selective Service Act*, pp.51-64, Bar Examiner, July 1941.
141. Albert Harno, *The Law Schools and the Emergency*, pp.75-83, Bar Examiner, October 1941.
142. James E. Brenner and Leon E. Warmke, California Committee of Bar Examiners, *Statistically Speaking*, pp.8-13, Bar Examiner, January 1942.
143. *Watch the Back Door*, pp.14-15, Bar Examiner, January 1942.
144. John Kirkland Clark, Chairman NCBE, *Address by the Chairman*, pp.61-63, Bar Examiner, October 1943.
145. John Kirkland Clark, Chairman NCBE, *Emergency Orders and Changes in Rules Governing Admission to the Bar*, Bar Examiner, April 1942.
146. *Two New Resolutions on Standards*, pp.55-56, Bar Examiner, July 1942.
147. *New York Joint Conference on Legal Education Urges Maintenance of Standards*, Bar Examiner, July 1942.
148. *Bar Examinations Militaire*, Bar Examiner, July 1942.
149. *Nebraska Supreme Court Upholds Inherent Power to Prescribe Bar Admissions Requirements*, pp.69-71, Bar Examiner, July 1942.
150. *The Annual Meeting*, p.50, Bar Examiner, October 1943.
151. Herbert C. Clark, Former Chairman California Committee of Bar Examiners, *Standards of Admission to the Bar: Can They Be Maintained ?* pp.51-61, Bar Examiner, October 1943.
152. John Kirkland Clark, *Address By The Chairman*, Bar Examiner, October 1943.
153. William Alfred Rose, *Apprenticeship and Probationary Plans for Admission to the Bar*, Bar Examiner, January 1944.
154. Report of the Section of Legal Education and Admissions to the Bar, *On the Legal Education Front*, pp.19-21, Bar Examiner, April-July 1944.
155. Silas H. Strawn, Former President of the ABA and former Chairman of the Section on Legal Education and Admissions to the Bar, *Post-War Requirements for Admission to the Bar for Servicemen*, pp.37-41, Bar Examiner, October 1944.
156. Will Shafroth, Former Adviser to the Legal Education Section and Former Secretary of the NCBE, *Developments in the Improvements of Standards of Bar Admission Between the Two World Wars*, pp.43-48, Bar Examiner, October 1944.
157. George Maurice Morris, Former President of the ABA, *Maintaining Progress on the Legal Education Front*, p.49, Bar Examiner, October 1944.
158. *Three New York Resolutions*, pp.5-9, Bar Examiner, January 1945.
159. H. Claude Horack, Dean of the School of Law Duke University, pp.10-16, Bar Examiner, January 1945.
160. *The Resolutions*, Bar Examiner, July 1946.
161. Lewis Ryan, President New York State Bar Association, *Should Veterans Be Admitted on Motion ?*, Bar Examiner, September 1947.
162. Thomas C. Reeves, *The Life and Times of Joe McCarthy*, at 37, (Madison Books, Maryland, 1997); Citing Keller, Pusey, Van Susteren (November 25, 1975) interviews. See Dean Acheson, Present at the Creation, My Years in the State Department (New York, 1969), p. 370.
163. Thomas C. Reeves, *The Life and Times of Joe McCarthy*, at 125, (Madison Books, Maryland, 1997).
164. Id at 184-185. Citing Miles McMillin to Abe Fortas, April 3, 1950, William T. Evjue Papers; Anderson and May, *McCarthy*, p. 164; The Daily Compass, March 21, 1950; New York Times, July 19, 1954.
165. Reeves, supra 162 at 159, Citing Anderson and May, *McCarthy*, pp. 152-57; Hennings Committee Report, pp. 15-19; Congressional Record, 81st Cong., 2d sess., June 19, 1950, pp.A4527-34;
166. Reeves, supra 162 at 296.
167. Id. at 290.

168. Id. at 304. Tydings Committee Report, p. 167; Christian Science Monitor, July 19, 1950
169. Id.
170. Reeves, supra 162 at 307.
171. Id. at 397, Madison Capital Times, February 13, 1952
172. Reeves, supra 162 at 398, Washington Post, March 19, 1952, Madison Capital Times, March 26-29, 1952.
173. Reeves, supra 162 at 469. Citing Bohlen, Charles E., *Witness to History*, pp. 314-22; 1929-1969. New York: Norton, 1973; Parmet, Herbert S. *Eisenhower and the American Crusades*. New York: Macmillan, 1972; Beal, John Robinson. *John Foster Dulles: 1888-1959*. New York: Harper, 1959.
174. Id.
175. Reeves, supra 162 at 481., New York Times, February 22, 28, April 15, 1953; Merson, Martin. *The Private Diary of a Public Servant*. New York; Macmillan, 1955.
176. Reeves, supra 162 at 485, New York Times, March 7, 8, June 4, 1953.
177. Reeves, supra 162 at 494. New York Times, April 28, 1953. Executive Order 10450.
178. Reeves, supra 162 at 504, Madison Capital Times July 24, 1953., New York Times, July 25, 1953.
179. Reeves, supra 162 at 529. , New York Times, November 17, 1953.
180. Reeves, supra 162 at 610-611, Army-McCarthy Hearings, New York Times, May 9, 1954.
181. Reeves, supra 162 at 667.
182. *Ex Parte Garland*, 71 U.S. 333 (1866).
183. *In Re Summers*, 325 U.S. 561(1945).
184. *Schware v. Board of Bar Examiners of New Mexico*, 353 U.S. 232(1957).
185. *Konigsberg v. State Bar of California*, 353 U.S. 252 (1957).
186. *Konigsberg v. State Bar of California*, 366 U.S. 36 (1961).
187. *In Re Anastaplo*, 366 U.S. 82 (1961).
188. *Lathrop v. Donohue*, 367 U.S. 820 (1961).
189. *NAACP v. Button*, 371 U.S. 415 (1963).
190. *Willner v. Committee on Character and Fitness*, 373 U.S. 96 (1963).
191. *In Re Stolar*, 401 U.S. 23 (1971).
192. *Baird v. State Bar of Arizona*, 401 U.S. 1 (1971).
193. *Law Students Civil Rights Research Council v. Wadmond*, 401 U.S. 154 (1971).
194. Alabama – 379 So. 2d 564 (1980)
195. Alabama – 519 So. 2d 920 (1988)
196. Alabama – Supreme Court of Alabama Case No. 1980749 (December 30, 1999), Versuslaw 1999.AL.0042917
197. Alaska – 620 P.2d 640 (1980)
198. Arizona – 539 P.2d 891 (1975)
199. Arizona – 614 P.2d 832 (1980)
200. Arizona – 618 P.2d 232 (1980)
201. Arizona – Ronwin – 466 U.S. 558 (1984) ; 555 P.2d 315 (1976); 680 P.2d 107 (1983); 686 F.2d 692 (1982)
202. Arkansas – 839 S.W. 2d 1 (1992)
203. Arkansas – 894 S.W.2d 906 (1995)
204. Arkansas – Supreme Court of Arkansas Case No. 98-369; Versuslaw 1998.AR.42039
205. California – 496 P.2d 1264 (1972)
206. California – 514 P.2d 967 (1973)
207. California – 602 P.2d 768 (1979)
208. California – 666 P.2d 10 (1983)
209. California – 158 Cal. App. 3d 497 (1984); No. B002009 ; Versuslaw 1984.CA.732
210. California – 741 P.2d 1138 (1987)
211. California – 782 P.2d 602 (1989)
212. California – 791 P.2d 319 (1990)
213. California – 815 P.2d 341 (1991)
214. Connecticut – 294 A.2d 569 (1972)

215. Connecticut – 392 A.2d 452 (1978)
216. Connecticut – 601 A.2d 1021 (1992)
217. Connecticut – Superior Court of Connecticut No. 032-05-50, Feb. 18, 1994
218. District of Columbia – 333 A.2d 401 (1975)
219. District of Columbia – 494 A.2d 1289 (1985); 538 A.2d 1128 (1988)
220. District of Columbia – 564 A.2d 1147 (1989); 579 A.2d 668 (1990)
221. District of Columbia – 579 A.2d 676 (1990)
222. District of Columbia – 596 A.2d 50 (1991); 630 A.2d 1140 (1993)
223. District of Columbia – 614 A.2d 523 (1992)
224. District of Columbia – 631 A.2d 45 (1993)
225. District of Columbia – 649 A.2d 589 (1994)
226. District of Columbia - Court of Appeals, No: 01-BG-192 (Mar. 22, 2001)
227. Delaware – 464 A.2d 881 (1983)
228. Delaware – 475 A.2d 349 (1984)
229. Delaware – 553 A.2d 1192 (1989)
230. Delaware – 561 A.2d 992 (1989) ; 583 A.2d 660 (1990) ; 143 E.D. PA Sup. 84 (1985) ; 877 F. 2d 56 ; 826 F.2d 1056 ; 875 F.2d 311 ; 625 F.Supp. 1288, 884 F.2d 1384; Civil Action 91C-03-255 (1992)
231. Florida – 397 So.2d 673 (1981)
232. Florida – Supreme Court of Florida Docket No.63,161; Versuslaw 1983.FL.622
233. Florida – 650 So.2d 34 (1995)
234. Florida – Supreme Court of Florida No.86,148; Versuslaw 1996.FL.798
235. Florida - Supreme Court of Florida No.91,134 ; Versuslaw 1998.FL.1830
236. Florida - Supreme Court of Florida No.SC95286; No.SC95308; No.SC95835; No.SC95855 (2000)
237. Florida - Supreme Court of Florida No.SC95639 (2000)
238. Florida - Supreme Court of Florida, No.SC96664; Versuslaw 2000.FL.0048817 (2000)
239. Florida - Supreme Court of Florida, No.SC96374; Versuslaw 2000.FL.0048821 (2000)
240. Florida - Supreme Court of Florida, No.SC95555; Versuslaw 2000.FL.0048819 (2000)
241. Georgia – 247 S.E. 2d 64 (1978)
242. Georgia – 252 S.E. 2d 615 (1979)
243. Georgia – 282 S.E. 2d 298 (1981)
244. Georgia – 481 S.E. 2d 511 (1997)
245. Georgia – Supreme Court of Georgia Case No. S98A0627, Versuslaw 1998.GA.209
246. Georgia – Supreme Court of Georgia Case No. S99A1828, Versuslaw 1999.GA.00443307
247. Georgia - Supreme Court of Georgia, Bar Admission Docket No.193 (11/1/99) Versuslaw 1999.GA.0043580
248. Idaho – 780 P.2d 112 (1989)
249. Illinois – 488 N.E. 2d 947 (1986)
250. Illinois – 518 N.E. 2d 981 (1987)
251. Illinois – 561 N.E. 2d 614 (1990)
252. Illinois – 568 N.E. 2d 1319 (1991)
253. Illinois – 646 N.E. 2d 655 (1995)
254. Illinois – Supreme Court of Illinois, No. M.R.16045; Versuslaw 2000.IL.0042979 (2000)
255. Indiana – 585 N.E. 2d 1334(1992)
256. Indiana – Supreme Court of Indiana, Case No. 49S00-9512-DI-1329 (1996); Versuslaw 1996.IN.469
257. Indiana - 715 NE 2d 379; Case #43S00-9709-DI-479; Versuslaw 1999.IN.0042503 (1999)
258. Iowa - Versuslaw 2001.IA.0000318; No. 53/01/0002
259. Louisiana – Supreme Court of Louisiana, Case No. 97-OB-1004 (1998); Versuslaw 1998.LA.42812
260. Louisiana – 485 So.2d 171 (1986)
261. Louisiana – 730 So.2d 873 (1999); Supreme Court of Louisiana, Case No. 97-OB-1564 (1999) ; Versuslaw 1999.LA.42293
262. Louisiana - 2000.LA.0043085; No. 00-OB-2676 (La. 10/04/2000)

263. Maryland – 316 A.2d 246 (1974)
264. Maryland – 387 A.2d 271 (1978)
265. Maryland – 392 A.2d 83 (1978)
266. Maryland – 407 A.2d 1124 (1979)
267. Maryland – 408 A.2d 1023 (1979)
268. Maryland – 433 A.2d 1159 (1981)
269. Maryland – 434 A.2d 541 (1981)
270. Maryland – 439 A.2d 1107 (1982)
271. Maryland – 462 A.2d 1198 (1983)
272. Maryland – 499 A.2d 935 (1985)
273. Maryland – 511 A.2d 516 (1986)
274. Maryland – 545 A.2d 7 (1988)
275. Maryland – 558 A.2d 378 (1989)
276. Maryland – 649 A.2d 599 (1994)
277. Maryland – 663 A.2d 1309 (1995)
278. Maryland – 533 A.2d 278 (1987)
279. Maryland - Versuslaw 2001.MD.0000105; April 10, 2001, Misc. Docket No. 8 (2001)
280. Massachusetts – In the Matter of Alger Hiss, 333 N.E. 2d 429 (1975)
281. Massachusetts – 392 N.E. 2d 533 (1979)
282. Massachusetts – 661 N.E. 2d 84 (1996)
283. Michigan – 285 N.W.2d 277 (1979)
284. Minnesota – 279 N.W.2d 826 (1979)
285. Minnesota – 433 N.W.2d 871 (1988)
286. Minnesota – 451 N.W.2d 330 (1990)
287. Minnesota – 470 N.W.2d 116 (1991)
288. Minnesota – 502 N.W.2d 53 (1993)
289. Mississippi – Supreme Court of Mississippi No. 94-CA-00185-SCT (1994)
290. Missouri – 807 S.W.2d 70 (1991)
291. Nebraska – 508 N.W.2d 275 (1993)
292. Nebraska – Supreme Court of Nebraska Case No. S-34-950003; LLR No. 9604023.NE ; Versuslaw LLR 1996.NE.200 (1996)
293. Nebraska – Supreme Court of Nebraska Case No. S-34-950002; LLR No. 9603025.NE; Versuslaw LLR 1996.NE.137 (1996)
294. Nebraska – 258 Neb. 159 (1999)
295. New Jersey – 104 A.2d 609 (1954)
296. New Jersey – 462 A.2d 165 (1983)
297. New Jersey – 467 A.2d 1084 (1983)
298. New Jersey – 524 A.2d 813 (1987)
299. New Jersey – 577 A.2d 149 (1990)
300. New Jersey – Supreme Court of New Jersey #E-22 ; Versuslaw 1996.NJ.216 (1996)
301. New Jersey – Supreme Court of New Jersey #E-114; Versuslaw 1998.NJ.42048 (1998)
302. New Jersey – Supreme Court of New Jersey, No. E-110; Versuslaw 2000.NJ.0042443; (2000)
303. New Mexico – 646 P.2d 1236 (1982)
304. New York – 97 A.D. 2d 557 (1983)
305. New York – 135 A.D.2d 57 (1988)
306. New York – 549 N.E.2d 472 (1989)
307. New York – 167 A.D..2d 658 (1990)
308. New York – 577 N.E.2d 51 (1991)
309. New York - Supreme Court, Appellate Division, First Department, New York, No.M-2027; 2000 NYSlipOp. 08850; Versuslaw 2000.NY.0050413 (2000)
310. New York - Supreme Court, Appellate Division, No. 2000-01391; 2001 NY SlipOp 04279; Versuslaw 2001.NY.0003549 (May 14, 2001)
311. North Carolina – 215 S.E.2d 771 (1975)
312. North Carolina – 253 S.E.2d 912 (1979)

313. North Carolina – 260 S.E.2d 445 (1979)
314. North Carolina – 302 S.E.2d 215 (1983)
315. North Carolina – 386 S.E.2d 174 (1989)
316. North Carolina – 447 S.E.2d 353 (1994)
317. North Carolina – 472 S.E.2d 878 (1996)
318. North Dakota – 257 N.W.2d 420 (1977)
319. North Dakota – 342 N.W.2d 393 (1983)
320. North Dakota – 399 N.W.2d 864 (1987)
321. North Dakota – 458 N.W.2d 501 (1990)
322. Ohio – Versuslaw 1992.OH.18 (1992)
323. Ohio – Versuslaw 1994.OH.358 (1994)
324. Ohio – Versuslaw 1994.OH.170 (1994)
325. Ohio – Versuslaw 1994.OH.173 (1994)
326. Ohio – Supreme Court of Ohio, Case No. 95-361; Versuslaw 1995.OH.184 (1997)
327. Ohio – Supreme Court of Ohio, Case No. 95-354; Versuslaw 1995.OH.39 (1995)
328. Ohio – Supreme Court of Ohio, Case No. 97-412; Versuslaw 1997.OH.170 (1997)
329. Ohio – Supreme Court of Ohio, Case No. 97-413; Versuslaw 1997.OH.188 (1997)
330. Ohio – Supreme Court of Ohio, Case No. 97-409; Versuslaw 1997.OH.235 (1997)
331. Ohio – Supreme Court of Ohio, Case No. 98-1647; Versuslaw 1998.OH.42181 (1998)
332. Ohio – Supreme Court of Ohio, Case No. 97-1927; Versuslaw 1998.OH.52 (1998)
333. Ohio – Supreme Court of Ohio, Case No. 98-51; Versuslaw 1998.OH.88 (1998)
334. Ohio – Supreme Court of Ohio, Case No. 97-407; Versuslaw 1998.OH.36 (1998)
335. Ohio – Supreme Court of Ohio, Case NO. 98-44; Versuslaw 1998.OH.101(1998)
336. Ohio – Supreme Court of Ohio, 87 Ohio St. 3d 122; Versuslaw 1999.OH.0043138 (1999)
337. Ohio – Supreme Court of Ohio, 87 Ohio St. 3d 53; Versuslaw 1999.OH.0043083 (1999)
338. Ohio - Supreme Court of Ohio, Case No. 98-1772; Versuslaw 1999.OH.42041 (1999)
339. California - Supreme Court of California, #S068704 (8/14/2000)
340. Oregon – 318 P.2d 907 (1957)
341. Oregon – 383 P.2d 388 (1963)
342. Oregon – 425 P.2d 763 (1967)
343. Oregon – 541 P.2d 1400 (1975)
344. Oregon – 533 P.2d 810 (1975)
345. Oregon – 610 P.2d 270 (1980)
346. Oregon – 647 P.2d 462 (1982)
347. Oregon – 670 P.2d 1012 (1983)
348. Oregon – 754 P.2d 905 (1988)
349. Oregon – 782 P.2d 421 (1989)
350. Oregon – 319 Or. 172 (1994)
351. Oregon – 838 P.2d 54 (1992)
352. Oregon – 856 P.2d 311 (1993)
353. Oregon – SC #S43659; Versuslaw 1997.OR.269 (1997)
354. Oregon – SC S44863; Versuslaw 1998.OR.392 (1998)
355. Oregon – SC S43201; Versuslaw 1998.OR.192 (1998)
356. Oregon – SC S45936; Versuslaw 1999.OR.42178 (1999)
357. Oklahoma – Supreme Court of Oklahoma, Case No. SCBD 3914 (1993)
358. Pennsylvania - 2001.PA.0000161; J-142b-2000 (February 20, 2001); Board File No. C1-99-785
359. Rhode Island – Supreme Court of Rhode Island – Versuslaw 1972.RI.4804 (1972)
360. Rhode Island – Supreme Court of Rhode Island, Docket #95-14-M.P.; Versuslaw 1995.RI.428 (1995)
361. Rhode Island – Supreme Court of Rhode Island, No. 93-246-M.P.; Versuslaw 1996.RI.84 (1996)
362. Rhode Island – Supreme Court of Rhode Island, No. 2000-276-M.P. (11/20/2000); Versuslaw 2000.RI.0042188 (2000)
363. South Carolina – Supreme Court of South Carolina, Opinion No. 24660; Versuslaw 1997.SC.185 (1997)

364. South Dakota – 254 N.W.2d 452 (1977)
365. South Dakota – 539 N.W.2d 671 (1995)
366. South Dakota - Versuslaw 2001.SD 29, 2001.SD.0000030; No. 21757 (March 7, 2001)
367. Tennessee – 770 S.W.2d 755 (1988)
368. Texas – Court of Appeals of Texas, Third District, Austin
Case No. 3-90-097-CV : Versuslaw 1990.TX1127 (1990)
369. Texas – Supreme Court of Texas, Case No. D-3694; Court of Appeals of
Texas, Third District, Austin Case No. 3-92-005-CV : Versuslaw 1992.TX2207 (1992)
370. Texas – Court of Appeals of Texas, Third District, Austin
Case No. 03-95-00061-CV : Versuslaw 1995.TX1428 (1995)
371. Texas – Court of Appeals of Texas, Third District, Austin
Case No. 03-95-00715-CV : Versuslaw 1996.TX2395 (1996)
372. Texas – Court of Appeals of Texas, Third District, Austin
Case No. 03-97-00720-CV : Versuslaw 1998.TX42344 (1998)
373. Virginia – 254 S.E.2d 71 (1979)
374. Washington – 690 P.2d 1134 (1984)
375. Not Used.
376. West Virginia – 266 S.E.2d 444 (1980)
377. West Virginia – 408 S.E.2d 675 (1991)
378. West Virginia – Supreme Court of Appeals of West Virginia, Case No. 24040; Versuslaw
1997.WV 276 (1997)
379. West Virginia – Supreme Court of Appeals of West Virginia,
Case No. 23935; Versuslaw 1997.WV.423 (1997)
380. Wisconsin – 303 N.W.2d 663 (1981)
381. Wisconsin – 375 N.W.2d 660 (1985)
382. Wisconsin - 456 N.W.2d 590 (1990)
383. Wisconsin – 492 N.W.2d 153 (1992)
384. Wisconsin – Supreme Court of Wisconsin, Case No. 98-2487-BA; Versuslaw 1999.WI.42694
385. Wisconsin – 601 N.W. 2d 642 (1999), Case No. 99-0158-BA; Versuslaw 1999.WI.0043302
386. Michael D. Davis and Hunter R. Clark, *Thurgood Marshall - Warrior at the Bar, Rebel on the
Bench*, at 396, (A Citadel Press Book Published by Carol Publishing Group, 1994)
387. William O. Douglas, *Go East, Young Man - The Autobiography of William O. Douglas*, at 19,
(Random House, New York, 1974)
388. Id. at 27
389. Id. at 60
390. Id.
391. Id.
392. Id. at 103.
393. Id. at 139-140
394. Id.
395. Id. at 148
396. Id. at 153
397. Id. at 155
398. Id. at 175
399. Id. at 189
400. Michael D. Davis and Hunter R. Clark, *Thurgood Marshall - Warrior at the Bar, Rebel on the
Bench*, at 285, (A Citadel Press Book Published by Carol Publishing Group, 1994)
401. William O. Douglas, *Go East, Young Man - The Autobiography of William O. Douglas*, at 249,
(Random House, New York, 1974)
402. Id. at 378-380
403. Id. at 382-390
404. William O. Douglas, *The Court Years 1939-1975*, The Autobiography of William O. Douglas, at
59, (Random House, New York, 1980)
405. Id. at 68

406. Id. at 76
407. Id. at 82
408. Id. at 85
409. Id. at 84
410. Id. at 105
411. William O. Douglas, *Go East, Young Man - The Autobiography of William O. Douglas*, at 424, (Random House, New York, 1974)
412. Id. at 425
413. Id. at 445
414. Id. at 447
415. William O. Douglas, *The Court Years 1939-1975*, The Autobiography of William O. Douglas, at 15, (Random House, New York, 1980)
416. Id. at 20
417. Id. at 23
418. Id. at 26
419. Id. at 227
420. Id. at 174
421. Id. at 31
422. Id. at 34
423. Id. at 55
424. Id. at 143
425. Id. at 172
426. Id. at 226
427. Id. at 229
428. John C. Jeffries, Jr., *Justice Lewis F. Powell, Jr.*, at 254, (Charles Scribner's Sons, New York, 1994)
429. William O. Douglas, *The Court Years 1939-1975*, The Autobiography of William O. Douglas, at 281, (Random House, New York, 1980)
430. G. Edward White, *Justice Oliver Wendell Holmes - Law and the Inner Self*, at 22, (Oxford University Press, 1993)
431. Id. at 30
432. Id. at 44-45; Minutes, Harvard Faculty, 1861, Harvard Archives
433. Id.
434. White, *supra* 430, at 25-26; See Baker, *Justice from Beacon Hill*, 82 citing Weekly Absences, 1857-61, Harvard Archives
435. White, *supra* 430, at 58; Holmes to Dr. and Mrs. Holmes, Sr., September 22, 1862. The letter was written Holmes by Ellen Jones of Philadelphia.
436. White, *supra* 430, at 76;
437. White, *supra* 430, at 80; Holmes, "The Soldier's Faith," address delivered on May 30, 1895, reprinted in Lerner, *Mind and Faith*, 18.
438. White, *supra* 430 at 81; Lerner at 23
439. White, *supra* 430 at 89
440. White, *supra* 430 at 91; Holmes, "*Harvard Law School*," 5 Am. L. Rev. 177 (1870).
441. White, *supra* 430 at 105; Holmes to Einstein, August 31, 1928, *Holmes-Einstein Letter*, 289
442. White, *supra* 430 at 250; Holmes to Miss Lucy Hale, May 21, 1858, Holmes Papers.
443. White, *supra* 430 at 158; Holmes, *The Common Law*, 43-44
444. White, *supra* 430 at 203; James Bradley Thayer, Memorandum, December 18, 1882, Thayer Papers, Book D, 140. Reprinted in Mark Howe, *Proving Years*, 265.
445. White, *supra* at 207
446. White, *supra* 430 at 204; Mark Howe, *Proving Years*, 266-267
447. White, *supra* 430 at 90; Holmes, "The Profession of the Law"
448. *Baltimore and Ohio Railroad v. Goodman*, 275 U.S. 66 (1927)
449. *Buck v. Bell*, 274 U.S. 200 (1927)
450. Roger K. Newman, *Hugo Black - A Biography*, at 4, (Fordham University Press, 1997)

451. Id. at 16
452. Id. at 18; Admission requirements stated in University of Alabama, 1904-06 catalogs
453. Newman, supra 450 at 28; Interview William Whatley
454. Newman, supra 450 at 31; Hugo L. Black papers, Library of Congress, Undated article in scrapbook, "The Official Court Smiler"
455. Newman, supra 450 at 52
456. Newman, supra 450 at 55; Interview with Sterling F. Black (Hugo's Son)
457. Newman, supra 450 at 177; New York Times 7/11/35
458. Newman, supra 450 at 187; Hugo Black radio speech over NBC 3/9/36
459. Newman, supra 450 at 189
460. Id.
461. Id. at 193
462. Newman, supra 450 at 199; Interview with Sterling F. Black (Son), Hugo also hit the boys when he felt they needed it, even well into their teens
463. Newman, supra 450 at 210; Hugo Black to David P. Anderson 3/17/37
464. Newman, supra 450 at 239
465. Newman, supra 450 at 258; Radio speech 10/2/37; Audience: *Time* 10/11/37
466. Newman, supra 450 at 254; Robert I. Gannon, S.J., *The Cardinal Spellman Story* (N.Y., 1963) at 197
467. Newman, supra 450 at 461: Hugo Jr. to Hugo Black
468. Paul Kens, *Justice Stephen Field - Shaping Liberty from the Gold Rush to the Gilded Age*, at 32-33 (University Press of Kansas, 1997); Ramey, "*Beginnings of Marysville*," part 2, 378-82; *People ex rel Mulford v. Turner*, 1 Cal. 143 (1850); *People ex rel Field v. Turner*, 1 Cal. 152 (1850); *Ex parte Field*, 1 Cal. 187 (1850); *People ex rel Field v. Turner*, 1 Cal. 188 (1850); *People ex rel Field v. Turner*, 1 Cal. 190 (1850)
469. Kens supra 468 at 30; William Schuyler Moses, The Bancroft Library, University of California Berkeley, "*Recollections of an Incident Involving Stephen J. Field*," (Moses mistakenly referred to Field as chief justice)
470. Kens supra 468 at 233-234; *Field to "My Dear Brother Cyrus*," August 8, 1880, *Field to "My Dear Brother*," August 26, 1880; Cyrus Field Papers.
471. Kens supra 468 at 97
472. Kens supra 468 at 103; *Hart v. Burnett*, 20 Cal. 169 (1862)
473. Kens supra 468 at 278-283; *Cunningham v. Neagle*, 135 U.S. 1 (1890); The U.S. Supreme Court's opinion failed to disclose that Terry was a former California Supreme Court Justice, and many other pertinent facts associated with the case. Many people believed that Terry was set-up by Field. Field was initially arrested and charges filed against him, but they were quickly dropped. In 1892, Sarah was involuntarily committed to a state mental hospital under questionable circumstances. She remained there until her death in 1937.
474. Michael D. Davis and Hunter R. Clark, *Thurgood Marshall - Warrior at the Bar, Rebel on the Bench*, at 5, (A Citadel Press Book Published by Carol Publishing Group, 1994)
475. Id. at 37
476. Id. at 40
477. Id. at 45
478. Id. at 44
479. Id. at 8
480. Id. at 10
481. Id. at 281
482. Id. at 8
483. Id. at 83
484. Id. at 90
485. Id. at 387
486. Id. at 261

487. Tinsley E. Yarbrough, *John Marshall Harlan - Great Dissenter of the Warren Court*, at 17 (Oxford University Press, New York 1992); Edith Harlan Powell interview; *Scraps* (Special Edition), April 9, 1965, Harlan Papers, Box 487
488. Id.
489. Yarbrough, supra 487 at 36
490. Yarbrough, supra 487 at 52; Mayer, Emory Buckner, p. 264; *The Bull*, July 16, 1932
491. Yarbrough, supra 487 at 53 - 57; *Kay v. Board of Higher Education*, 18 N.Y.S. 2d 821 (1940)
492. Tinsley E. Yarbrough, *John Marshall Harlan - Great Dissenter of the Warren Court*, at 269 (Oxford University Press, New York 1992)
493. *Hoyt v. Florida*, 368 U.S. 57, 61-63 (1961)
494. Tinsley E. Yarbrough, *John Marshall Harlan - Great Dissenter of the Warren Court*, at 98 (Oxford University Press, New York 1992)
495. Id. at 105; John M. Harlan to Justin Blackwelder, January 11, 1955, Harlan Papers, Box 482; *Nomination of John Marshall Harlan*, 137-138, 142, 146, 171-172
496. Yarbrough, supra 487 at 110; US Congressional Record, 101; 3011-36
497. Id. at 109
498. Yarbrough, supra 487 at 112; John M. Harlan to Felix Frankfurter, March 5, 1955, Frankfurter Papers, Box 39; John M. Harlan to William T. Lifland, March 8, 1955, Harlan Papers, Box 482
499. Yarbrough, supra 487 at 141; John M. Harlan to Elizabeth Frizzi, June 9, 1965, Harlan Papers, Box 596; John M. Harlan to John W. Wardlaw, November 5, 1968, Harlan Papers, Box 596, John M. Harlan to C.C. Lynch, December 6, 1965
500. Yarbrough, supra 487 at 215, Paul Brest Interview; Nina Totenberg, *The Washingtonian Magazine*, January 1974, p.42
501. Tinsley E. Yarbrough, *John Marshall Harlan - Great Dissenter of the Warren Court*, at 300-301 (Oxford University Press, New York 1992)
502. John C. Jeffries, Jr., *Justice Lewis F. Powell, Jr.*, at 19, (Charles Scribner's Sons, New York, 1994); Interviews with Lewis Powell and his sister Eleanor Powell
503. Jeffries, supra 502 at 24; Louis Powell, Sr. to Louis Powell, Sept. 18, 1928
504. Jeffries, supra 502 at 26, Interview with J. Harvie Wilkinson Jr.
505. Jeffries supra 502 at 55; Interview with Lewis Powell, Interview with J. Harvie Wilkinson Jr.
506. Jeffries, supra 502 at 189
507. Jeffries, supra 502 at 233; Louis Powell, Interview and Remarks at Testimonial Dinner, Dec. 1971
508. Jeffries, supra 502 at 234
509. Jeffries, supra 502 at 256; Interview with Louis Powell
510. Jeffries, supra 502 at 469; Interview with Robert C. Comfort
511. Jeffries, supra 502 at 557; *Lewis v. New Orleans*, 408 U.S. 913 (1972)
512. Andrew L. Kaufman, *Cardozo*, at 15-18, (Harvard University Press, 1998); George Martin, *Causes and Conflicts: The Centennial History of the Association of the Bar of the City of New York*, (1970) ; Charges against Albert Cardozo
513. Kaufman supra 512 at 21; Interview with Aline Goldstone (June 11, 1962). Aline Goldstone was a great-niece, and her parents had known Cardozo's parents. Annie Nathan Meyer, *It's Been Fun: An Autobiography*, 92 (1951) Municipal Archives of the City of New York, New York Department of Records and Information Services, Death Certificate No. 332098
514. Kaufman supra 512 at 27
515. Kaufman supra 512 at 48-49; Columbia College Law School, Registers for the Years 1889 to 1890 and 1890 to 1891, Columbia University Archives, New York, N.Y.
516. Kaufman, supra 512 at 232; Maud Nathan, *Once Upon a Time and Today*, 178-179 (1933); Eleanor Flexner, *Century of Struggle*, 281, 300-301 (1975)
517. Kaufman, supra 512 at 232; Report to the consultation, Cardozo Memoranda, New York State Archives, Albany, New York, Box 3, Folder 3880 (motion 28, Oct. 1, 1928)
518. Kaufman, supra 512 at 232-233
519. Kaufman, supra 512 at 233; Report in *In Re McKenna*, Cardozo Memoranda, New York State Archives, Albany, New York, Box 2, Folder 2285 (motion 6, May 4, 1925)

520. Kaufman, supra 512 at 204; Arthur L. Corbin, "The Judicial Process Revisited: Introduction," 71 Yale Law Journal 195, 197-198 (1961)
521. Kaufman, supra 512 at 370; Letter from Cardozo to Felix Frankfurter, July 4, 1923, Felix Frankfurter Papers, Harvard Law School Library, Mass.
522. Kaufman, supra 512 at 445
523. G. Edward White, *Earl Warren - A Public Life*, at 13 (Oxford University Press, New York 1982) E. Warren, "The Memoirs of Earl Warren" 33 (1977)
524. White, supra 523 at 8-13
525. White, supra 523 at 15; J. Weaver, "Warren: The Man, The Court, The Era" at 32
526. White, supra 523 at 16; E. Warren, supra 542
527. White, supra 523 at 34
528. White, supra 523 at 35; Powe, "Earl Warren: A Partial Dissent," 56 No. Cal. L. Rev. 408, 416 (1978)
529. White, supra 523 at 40
530. White, supra 523 at 76; E. Warren, "The Memoirs of Earl Warren" (1977)
531. White, supra 523 at 77; E. Warren, supra 542
532. White, supra 523 at 142
533. Dennis J. Hutchinson, *The Man Who Once Was Whizzer White*, at 22 (The Free Press, New York 1998)
534. Id at 21
535. Id at 84
536. Hutchinson, supra 533 at 102-103; William H. Orrick Oral History, 61
537. Hutchinson, supra 533 at 140
538. Hutchinson, supra 533 at 175-176; "Sinking of PT 109" Report - Naval Historical Center, Action Report, Serial 006(64341), dated Jan. 13, 1944
539. Hutchinson, supra 533 at 176; Hamilton, Nigel, "JFK: Reckless Youth" at 577
540. Hutchinson, supra 533 at 177
541. Id at 199
542. Id at 203
543. Id at 254
544. Hutchinson, supra 533 at 258; Wofford, *Of Kennedys and Kings*, 93-94; see also Wofford Oral History, 124
545. Hutchinson, supra 533 at 348
546. Hutchinson, supra 533 at 344; *Miranda v. Arizona*, 384 U.S. 436 (1966)
547. Hutchinson, supra 533 at 368
548. Id at 363
549. Hutchinson, supra 533 at 463-465; Text of Letter of Byron White October 20, 1975 to the Chief Justice Regarding Justice William O. Douglas
550. Gunther, Gerald, *Learned Hand-The Man and the Judge*, P. 400 (Harvard University Press, Mass. 1994); Citing Irving Dilliard, ed., *The Spirit of Liberty: Papers and Addresses of Learned Hand*, 3d ed., P. 34 (New York: Alfred A. Knopf, 1960)
551. Gunther, at 409. Correspondence Learned Hand to Frances Hand Oct. 9, 1929.
552. Id. At 4. Family Interviews II, 19.
553. Id. At 29. Louis Henkin Interviews, *Reminiscences of Learned Hand* (1957) Columbia Oral History Collection.
554. Id. at 95. Mildred Minturn Diary, P.64-70 (17 January, 1903) Minturn Papers, England.
555. Id. at 185. Personal Correspondence between Learned Hand, Frances Hand and Louis Dow.
556. Id. at 107. Learned Hand's extemporaneous remarks to a dinner of the New York Legal Aid Society, 1951, recorded by a stenographer, and filed with Allen Wardwell - Learned Hand correspondence, 82-39.
557. Id. at 163. Learned Hand to Oliver Wendell-Holmes, Jr., 22 June 1918, Holmes Papers, Harvard Law School, 43-30
558. Id. at 247-248. Correspondence Learned Hand to Felix Frankfurter, (9 October 1914).
559. Id. at 248. Hand, *Normal Inequalities of Fortune*, The New Republic, (6 February 1915).

560. Id. at 300-301. *United States v. Drexel*, 190-23 (13 February 1932).
561. Id. at 474. Pre-conference memo in *NLRB v. Standard Oil Co.*, 11 October 1943, P.206-18.
562. Id. at 358. Hand to Eliot Wadsworth, 22 May 1920, 46-26.
563. Id. at 454. Tennessee Valley Authority questionnaire sent on April, 1935 about Hand's law clerk Alexander B. Hawes.
564. Id. at 578. Hand to Bernard Berenson, 2 August, 1947, 99-19.
565. Id. at 588-589. Hand, *A Plea for the Open Mind and Free Discussion*, no. 36 in Dilliard, *The Spirit of Liberty*, 274, 284.
566. Id. at 591. Dilliard, *The Spirit of Liberty*, 291-296.
567. Id. at 617. Hand Dissenting Opinion, Remington 208 F.2d 571-75,
568. Id.
569. Id. at 625.
570. Id. at 629.
571. Id.
572. Id. at 630. Martin Shapiro, *Morals and Courts: The Reluctant Crusaders*, 45 *Minn. L.Rev.* 897, 917 (1961).
573. Id. at 630.
574. Id.
575. Id. at 632-633. *Repouille v. United States*, 165 F.2d 152-53 (2d Cir. 1947).
576. *U.S. v. Francioso*, 164 F.2d 163 (2d Cir. 1947)
577. Gunther, supra 550 at 635
578. Gunther, supra 550 at 635-36. *U.S. ex rel Guarino v. Uhl, Director of Immigration*, 107 F.2d 399 (2d Cir. 1939), Hand Pre-Conference Memorandum 19 October 1939, 202-12.
579. *U.S. ex rel Guarino v. Uhl, Director of Immigration*, 107 F.2d 399, 400 (2d Cir. 1939).
580. Gunther, supra 550 at 636-37. *Posusta v. United States*, 285 F.2d 533 (2d Cir. 1961)
581. Id.
582. Gunther, supra 550 at 665. Correspondence Felix Frankfurter to Learned Hand, 13 February, 1958.
583. Id. at 667. Correspondence Felix Frankfurter to Learned Hand, 17 September, 1957.