

THE SUPREME COURT: THE HUMAN SIDE OF JUSTICE

“Judges are human and bring their beliefs, value systems and personal experiences to the decision-making process.”

On the first day of his or her clerkship, every law clerk who served in my judicial chambers heard these words. As we study Supreme Court cases, we occasionally lose sight of the human element involved in the decision-making process. As the course title suggests, we will focus on the justices themselves as a mode for examining their opinions in the cases they have decided. The course will explore the personal and professional histories of the Justices to see how their experience impacted their decisions. Through this lens, we will examine a series of cases that reflect more than just the law: they provide insight into the justices themselves and their influence on the Supreme Court.

I have identified a number of Justices of the United States Supreme Court and of the New Jersey Supreme Court to examine, including John Marshall, John Marshall Harlan and his grandson John Marshall Harlan II, Louis Dembitz Brandeis, James McReynolds, William O. Douglas, William J. Brennan, Jr., Earl Warren, Antonin Scalia, and Elana Kagan; from the New Jersey Supreme Court, Arthur Vanderbilt and Richard J. Hughes. As the course progresses, we will identify and discuss additional Justices.

This is a six-week lecture course. I will set aside time for questions and comments, but this is *not* a discussion course. Some lectures include discussion of justices and cases that I have lectured about earlier; there will be some repetition.

No course reading is required, but I will distribute supplementary writings during our course.

Suggested reading for an understanding the modern court system in New Jersey: Nelson Johnson, *Battleground New Jersey, Vanderbilt, Hague, and their Fight for Justice* is available at Amazon.com. Cost ranges from \$15 to \$21.

LEADER: Philip Carchman is a retired Judge of the Superior Court of New Jersey, Appellate Division

TUESDAYS: 10:00 a.m. to noon, 6 weeks beginning October 5 through November 9

MAXIMUM: unlimited

