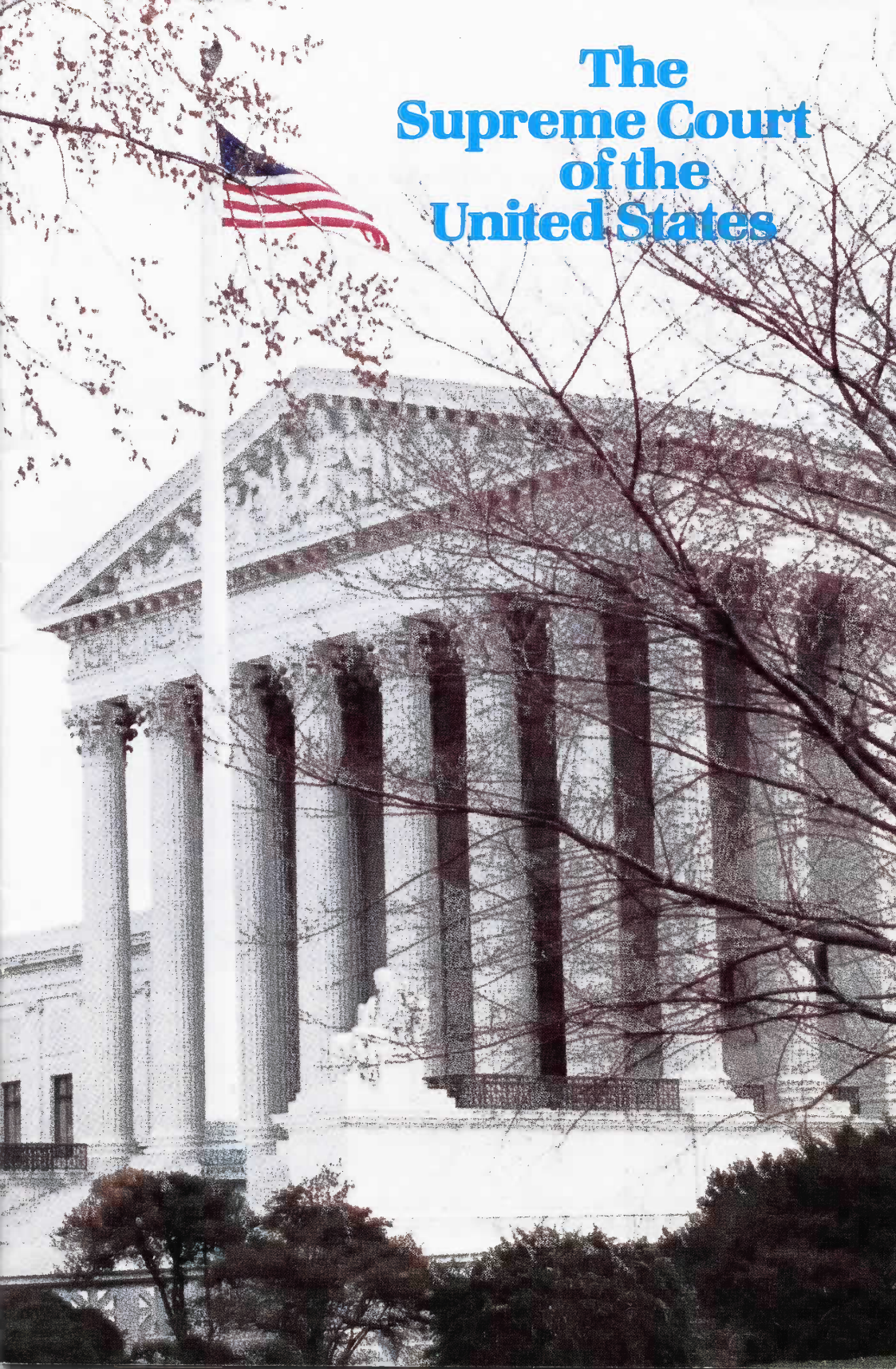


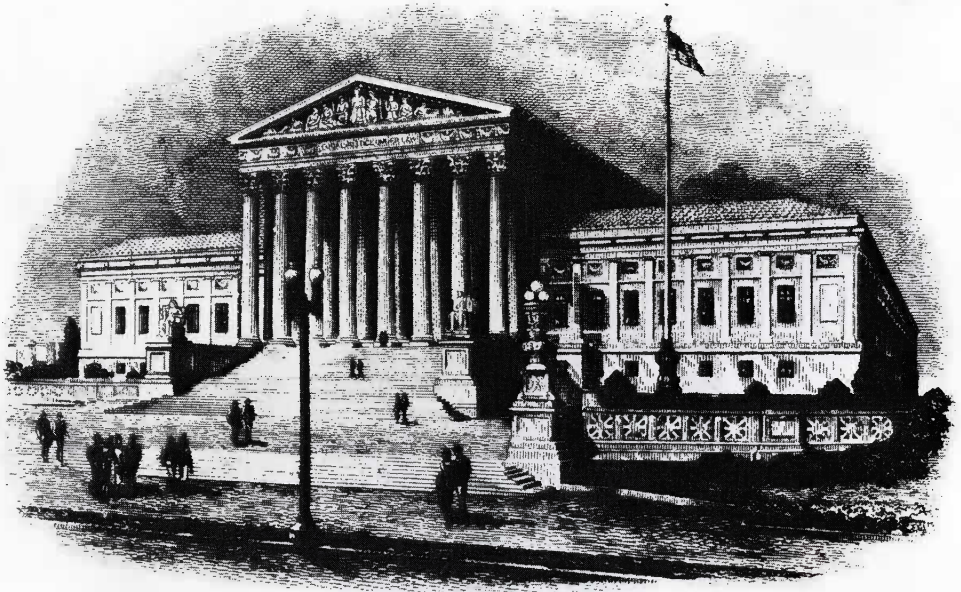
# The Supreme Court of the United States





*“The Republic endures  
and this is the symbol  
of its faith.”*

CHIEF JUSTICE CHARLES EVANS HUGHES  
*Cornerstone Address - Supreme Court Building*



*Prepared by the Supreme Court of the United States, and published with the  
cooperation of the Supreme Court Historical Society.*

*[Cover photograph by Richard McCleary.]*

## The Court and Constitutional Interpretation

"Equal Justice Under Law" — These words, written above the main entrance to the Supreme Court Building, express the ultimate responsibility of the Supreme Court of the United States. The Court is the highest tribunal in the Nation for all cases and controversies arising under the Constitution or the laws of the United States. As the final arbiter of the law, the Court is charged with ensuring the American people the promise of equal justice under law, and, thereby, also functions as guardian and interpreter of the Constitution.

The Supreme Court is "distinctly American in concept and function," as Chief Justice Charles Evans Hughes observed. Few other courts in the world have the same authority of constitutional interpretation and none have exercised it for as long or with as much influence. A century and a half ago, the French political observer Alexis de Tocqueville noted the unique position of the Supreme Court in the history of nations and of jurisprudence. "The representative system of government has been adopted in several states of Europe," he remarked, "but I am unaware that any nation of the globe has hitherto organized a judicial power in the same manner as the Americans. . . . A more imposing judicial power was never constituted by any people."

The unique position of the Supreme Court stems, in large part, from the deep commitment of the American people to the Rule of Law and to constitutional government. The United States has demonstrated an unprecedented determination to preserve and protect its written Constitution, thereby providing the American "experiment in democracy" with the oldest written constitution still in force.

The Constitution of the United States is a carefully balanced document. It is designed to provide for a national government sufficiently strong and flexible to meet the needs of the Republic, yet sufficiently limited and just to protect the guaranteed

### TABLE OF CONTENTS

The Court and Constitutional Interpretation . . . . .	page 3
The Court as an Institution . . . . .	page 6
The Court and Its Traditions . . . . .	page 8
The Court and Its Procedures . . . . .	page 9
The Justices of the Supreme Court (central section) . . . . .	page 11
The Justices' Caseload . . . . .	page 11
The Court Building . . . . .	page 25
Touring the Building . . . . .	page 29

rights of citizens; it permits a balance between society's need for order and the individual's right to freedom. To assure these ends, the Framers of the Constitution created three independent and coequal branches of government. That this Constitution has provided continuous democratic government through the periodic stresses of nearly two centuries illustrates the genius of the American system of government.

The complex role of the Supreme Court in this system derives from its authority to invalidate legislation or executive actions which, in the Court's considered judgment, conflict with the Constitution. This power of "judicial review" has given the Court a crucial responsibility in assuring individual rights, as well as in maintaining a "living Constitution" whose broad provisions are continually applied to complicated new situations.

While this function is not explicitly provided in the Constitution, it had been anticipated before the adoption of that document. Prior to 1789, state courts had already overturned legislative acts which conflicted with state constitutions. Moreover, many of the Founding Fathers expected the Supreme Court to assume this role in regard to the Constitution; Alexander Hamilton and James Madison, for example, had underlined the importance of judicial review in the *Federalist Papers*, which urged adoption of the Constitution.



Restored Supreme Court Chamber in the U.S. Capitol.



Hamilton had written that through the practice of judicial review the Court ensured that *the will of the whole people*, as expressed in their Constitution, would be supreme over *the will of a legislature*, whose statutes might express only the temporary will of part of the people. And Madison had written that constitutional interpretation must be left to the reasoned judgment of independent judges, rather than to the tumult and conflict of the political process. If every constitutional question were to be decided by public political bargaining, Madison argued, the Constitution would be reduced to a battleground of competing factions, political passion and partisan spirit.

Despite this background the Court's power of judicial review was not confirmed until 1803, when it was invoked by Chief Justice John Marshall in *Marbury v. Madison*. In this decision, the Chief Justice asserted that the Supreme Court's responsibility to overturn unconstitutional legislation was a necessary consequence of its sworn duty to uphold the Constitution. That oath could not be fulfilled any other way. "It is emphatically the province of the judicial department to say what the law is," he declared.

In retrospect, it is evident that constitutional interpretation and application were made necessary by the very nature of the Constitution. The Founding Fathers had wisely worded that document in rather general terms, leaving it open to future elaboration to meet changing conditions. As Chief Justice Marshall noted in *McCulloch v. Maryland*, a constitution that attempted to detail every aspect of its own application "would partake of the prolixity of a legal code and could scarcely be embraced by the human mind. . . . Its nature, therefore, requires that only its great outlines should be marked, its important objects designated and minor ingredients which compose those objects be deduced from the nature of the objects themselves."

The Constitution limits the Court to dealing with "Cases" and "Controversies." John Jay, the first Chief Justice, clarified this restraint early in the Court's history by declining to advise President George Washington on the constitutional implications of a proposed foreign policy decision. The Court does not give advisory opinions; rather its function is limited only to deciding specific cases.

The Justices must exercise considerable discretion in deciding which cases to hear, since 4,500 civil and criminal cases are filed in the Supreme Court each year from the various state and federal courts. The Supreme Court also has "original jurisdiction" in a very small number of cases arising out of disputes between States or between a State and the Federal Government.

When the Supreme Court rules on a constitutional issue that judgment is virtually final; its decisions can be altered only by the rarely used procedure of constitutional amendment or by a new ruling of the Court. However, when the Court interprets a statute, new legislative action can be taken.

Chief Justice Marshall expressed the challenge which the Supreme Court faces in maintaining free government by noting: "We must never forget that it is a *constitution* we are expounding...intended to endure for ages to come, and consequently, to be adapted to the various crises of human affairs."

## **The Court as an Institution**

The Constitution elaborated neither the exact powers and prerogatives of the Supreme Court nor the organization of the Judicial Branch as a whole. Thus, it was left to Congress and to the Justices of the Court through their precedents to develop the Federal Judiciary and a body of Federal law.

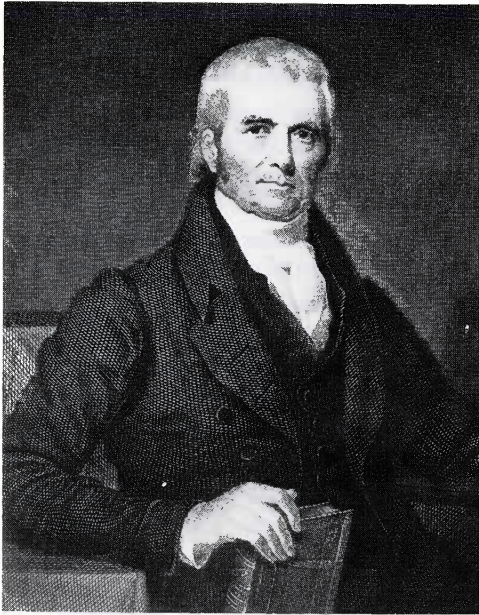
This was clearly a high priority for the new Government, and the first bill introduced in the United States Senate became the Judiciary Act of 1789. This Act established thirteen federal District Courts throughout the country, as the first tier of federal courts. Individual Justices of the Supreme Court were required to make semiannual trips through the new Nation to try cases and to join with District Judges to constitute Circuit Courts, the middle tier. The Supreme Court, as the final court of appeals, was to reside in the Nation's Capital and was initially composed of a Chief Justice and five Associate Justices.

The Supreme Court first assembled on February 1, 1790, in the Royal Exchange Building in New York City—then the Nation's Capital. Chief Justice John Jay was, however, forced to postpone the initial formal session of the Court until the next day since, due to transportation problems, some of the Justices were not able to reach New York until February 2.

The earliest sessions of the Court were devoted to organizational proceedings. The first cases reached the Supreme Court during its second year, and the Justices handed down their first formal, written opinions in 1792, the Court's third year.

During its first decade of existence, the Supreme Court rendered some significant decisions and established lasting precedents. However, the first Justices complained of the Court's limited stature; they





CHIEF JUSTICE  
JOHN MARSHALL,  
1801-1835

were also concerned about the burdens of "riding circuit" under primitive travel conditions. Chief Justice John Jay resigned from the Court in 1795 to become Governor of New York State and, despite the pleading of President John Adams, could not be persuaded to accept reappointment as Chief Justice when the post again became vacant in 1800.

Consequently, shortly before being succeeded in the White House by Thomas Jefferson, President Adams appointed John Marshall of Virginia to be the fourth Chief Justice. This appointment was to have a significant and lasting effect on the Court and the country. Chief Justice Marshall's vigorous and able leadership in the formative years of the Court was central to the development of its prominent role in American government. Although his immediate predecessors had served only briefly, Marshall remained on the Court for 34 years and five months and several of his colleagues served for over twenty years.

Members of the Supreme Court are appointed by the President subject to the approval of the Senate. To ensure an independent Judiciary and to protect judges from partisan pressures, the Constitution provides that judges serve during "good Behavior," which has generally meant life terms. To further assure their independence, the Constitution provides that judges' salaries may not be diminished while they are in office.

The number of Justices on the Supreme Court changed six times before settling at the present total of nine in 1867. Since the formation of the Court in 1790, there have been only 15 Chief Justices\* and 91

Associate Justices, with Justices serving for an average of 15 years. Despite this important institutional continuity, the Court has had periodic infusions of new Justices and new ideas throughout its existence; on average a new Justice joins the Court every 22 months. President Washington appointed the six original Justices and before the end of his second term had appointed four other Justices. During his long tenure, President Franklin D. Roosevelt came close to this record by appointing eight Justices and elevating Justice Harlan Fiske Stone to be Chief Justice.

## **The Court and Its Traditions**

For all of the changes in its history, the Supreme Court has retained so many traditions that it is in many respects the same institution that first met in 1790, prompting one legal historian to call it "the first Court still sitting."

Recent Justices have perpetuated the tradition of longevity of tenure. Justice Hugo Black served for 34 years and one month prior to his retirement in 1971. In October 1973, Justice William O. Douglas surpassed the previous longevity record of Justice Stephen J. Field, who had served for 34 years and six months from 1863 to 1897. When Justice Douglas retired on November 12, 1975, he had served a total of 36 years and six months.

As is customary in American Courts, the nine Justices are seated by seniority on the Bench. The Chief Justice occupies the center chair; the senior Associate Justice sits to his right, the second senior to his left, and so on, alternating left and right by seniority.

Since at least 1800, it has been traditional for Justices to wear black robes while in Court. Chief Justice Jay, and apparently his colleagues, lent a colorful air to the earlier sessions by wearing robes with a red facing, somewhat like those worn by early colonial and English judges. The Jay robe of black and salmon is now in the possession of the Smithsonian Institution.

Unlike English judges, the Justices of the Supreme Court do not wear wigs. When the first session of the Court convened in 1790, Justice William Cushing arrived wearing the white wig that he had worn

---

\*Since four Chief Justices had previously served as Associate Justices, there have been 102 Justices in all. This included former Justice John Rutledge, who was appointed Chief Justice under an interim commission during a recess of Congress and served for only four months in 1795. When the Senate failed to confirm him, his nomination was withdrawn; however, since he held the office and performed the judicial duties of Chief Justice, he is properly regarded as an incumbent of that office.



on the Massachusetts Bench. It is said that the gleeful hooting of small boys as they followed him through the streets convinced all the Justices to accept the anti-wig admonition of Thomas Jefferson: "For heaven's sake," he urged, "discard the monstrous wig which makes the English judges look like rats peeping through bunches of oakum."

Initially, all attorneys wore formal "morning clothes" when appearing before the Court. Senator George Wharton Pepper of Pennsylvania often told friends of the incident he provoked when, as a young lawyer in the 1890's, he arrived to argue a case in "street clothes." Justice Horace Gray was overheard whispering to a colleague, "Who is that beast who dares to come in here with a grey coat?" The young attorney was refused admission until he borrowed a "morning coat." Today, the tradition of formal dress is generally adhered to only by Department of Justice and other government lawyers, who serve as advocates for the United States Government. Most private attorneys wear dark business suits when appearing before the Court, but some still follow the more formal custom.

Quill pens have remained part of the Courtroom scene. Twenty ten-inch white quills, crossed on writing pads, are placed on counsel tables each day that the Court sits, as was done at the earliest sessions of the Court.

The "Conference handshake" has been a tradition since the days of Chief Justice Melville W. Fuller in the late 19th century. When the Justices assemble to go on the Bench each day and at the beginning of the private Conferences at which they discuss decisions, each Justice shakes hands with each of the other eight. Chief Justice Fuller instituted the practice as a reminder that differences of opinion on the Court did not preclude overall harmony of purpose.

The Supreme Court has a traditional seal, which is similar to the Great Seal of the United States, but which has a single star beneath the Eagle's claws — symbolizing the Constitution's creation of "one Supreme Court." The Seal of the Supreme Court of the United States is kept in the custody of the Clerk of the Court and is stamped on official papers, such as certificates given to attorneys newly admitted to practice before the Supreme Court. The Seal presently used is the fifth in the Court's history.

## **The Court and Its Procedures**

A Term of the Supreme Court begins, by statute, on the first Monday in October. Usually Court sessions continue until early July, rather than until May or June as they did when caseloads were lighter. The Term is divided between "sittings" for the hearing of cases and delivering of

opinions, and intervening "recesses" for the consideration of the business before the Court and the writing of opinions. Sittings and recesses alternate at approximately two week intervals.

With rare exceptions each side is allowed thirty minutes argument and generally 22 to 24 cases are argued at one sitting. Since the majority of cases involve the review of a decision of some other court, there is no jury and no witnesses are heard. For each case, the Court has before it a record of prior proceedings and printed briefs containing the arguments of each side.

During the intervening recess period, the Justices study the argued and forthcoming cases and work on their opinions. Each week the Justices must also evaluate nearly ninety applications seeking review of judgments of state and federal courts to determine which cases are to be granted full review with oral arguments by attorneys.

When the Court is sitting, public sessions begin promptly at 10 a.m. and continue until 3 p.m., with a one-hour lunch recess starting at noon. No public sessions are held on Thursday or Fridays. On Fridays during and preceding argument weeks, the Justices meet to discuss the argued cases and to discuss and vote on petitions for review.

When the Court is in session, the 10 a.m. entrance of the Justices into the Courtroom is announced by the Marshal. Those present, at the sound of the gavel, arise and remain standing until the robed Justices are seated following the traditional chant: "The Honorable, the Chief Justice and the Associate Justices of the Supreme Court of the United States. Oyez! Oyez! Oyez! All persons having business before the Honorable, the Supreme Court of the United States, are admonished to draw near and give their attention, for the Court is now sitting. God save the United States and this Honorable Court!"

Prior to hearing oral argument, other business of the Court is transacted. On Monday mornings this includes the release of an Orders List, a public report of Court actions including the acceptance and rejection of cases. New members are admitted to the Court Bar, opinions released, and then the Court begins hearings. Opinions may be released on any day when the Court is sitting.

The Court maintains this schedule each Term until all cases ready for submission have been heard and decided. In May and June the Court sits only to announce opinions. It then recesses until the first Monday in October, the start of the next Term. The work of the Justices is unceasing, however. During the summer recess, as during the rest of the year, they receive approximately 90 new petitions for review and many motions and applications each week and must make preliminary decisions regarding cases to be considered.

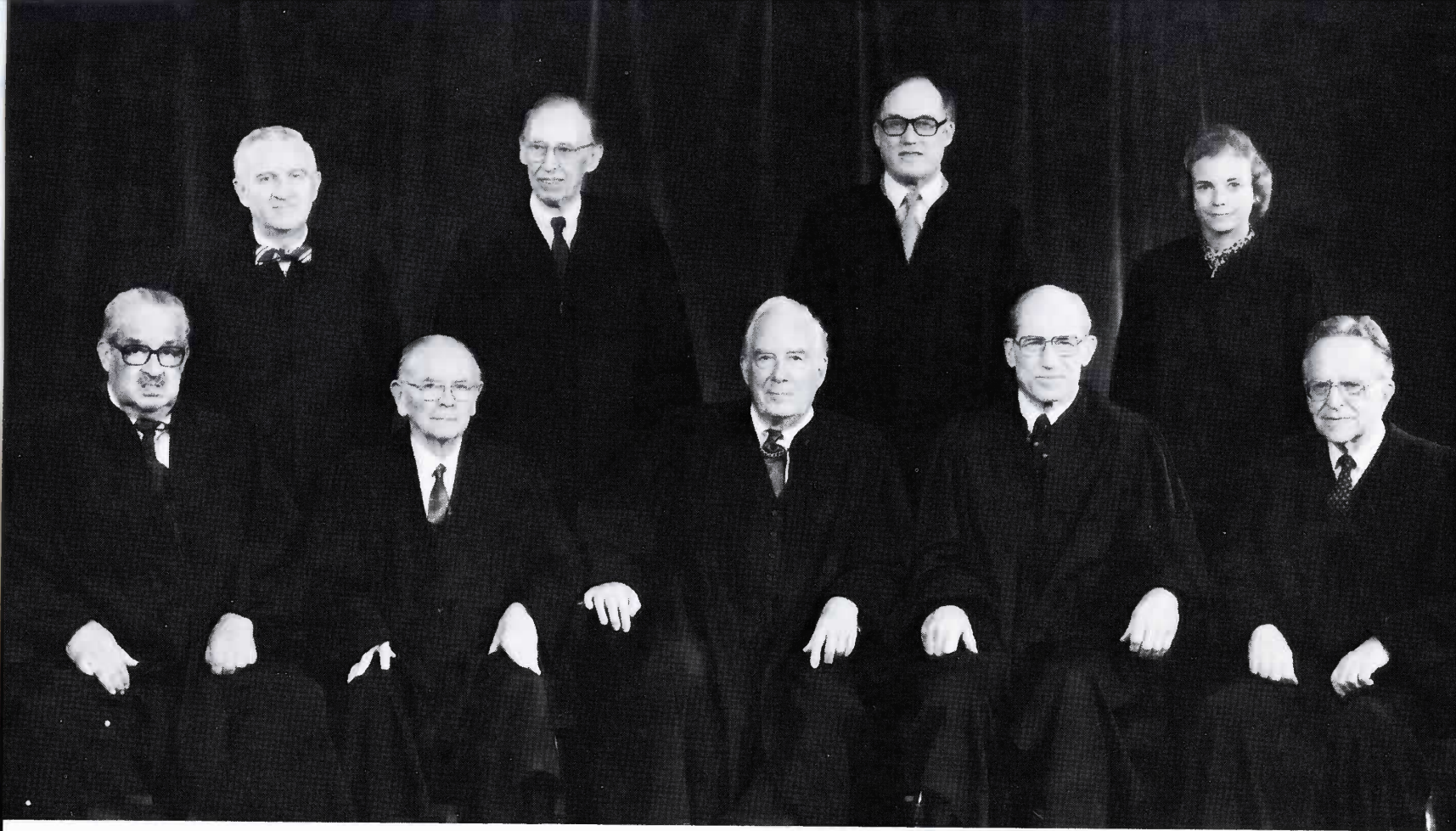


## The Justices of the Supreme Court



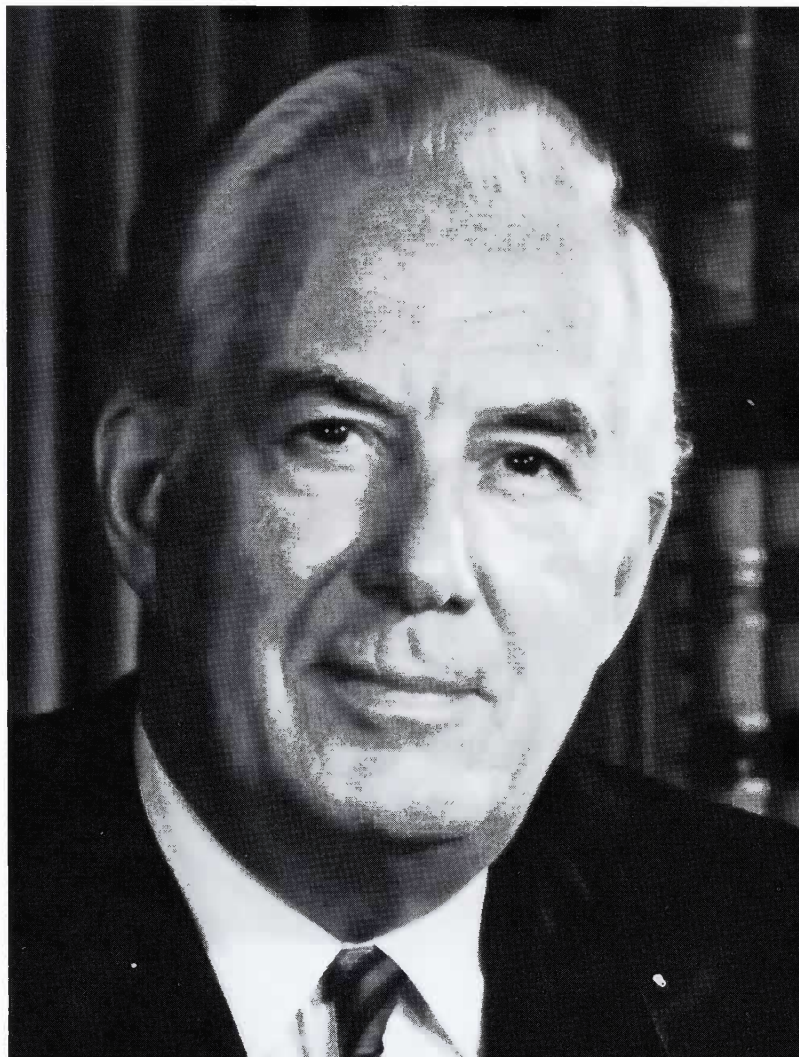
### The Justices' Caseload

The Court's caseload has increased steadily, reaching a total of 5,311 cases on the docket for the Term ending July 1982. The increase has been rapid in recent years. In 1960, only 2,313 cases were on the docket, and in 1945, only 1,460. Plenary review, with oral arguments by attorneys, is granted in 180 to 200 cases per Term. Formal written opinions are delivered in 150 to 170 cases. Approximately 120 additional cases, primarily appeals, are disposed of without granting plenary review. The publication of a Term's written opinions, including concurring opinions, dissenting opinions and orders, approaches 5,000 pages. Some opinions are revised a dozen or more times before they are announced.



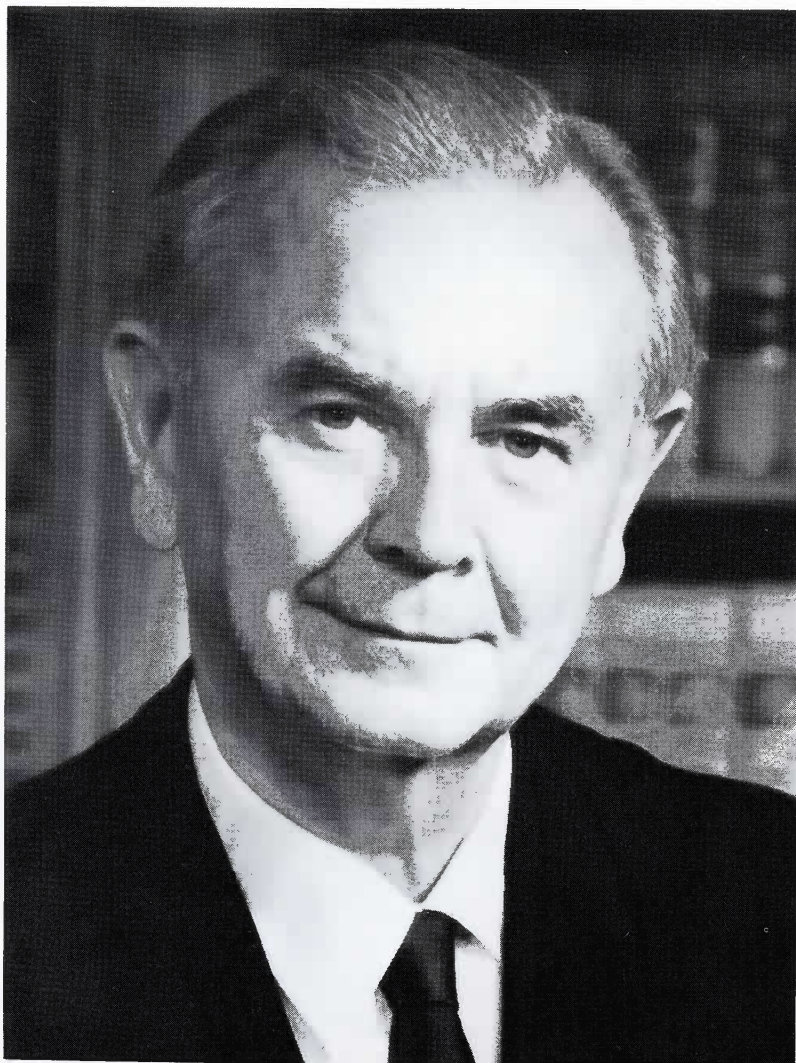
The Justices of the Supreme Court of the United States, seated left to right: Associate Justices Thurgood Marshall, William J. Brennan, Jr.; Chief Justice Warren E. Burger; Associate Justices Byron R. White, Harry A. Blackmun. Standing left to right: Associate Justices John Paul Stevens, Lewis F. Powell, Jr., William H. Rehnquist, Sandra Day O'Connor.





WARREN E. BURGER, Chief Justice of the United States, was born in St. Paul, Minnesota, September 17, 1907. He married Elvera Stromberg and has two children — Wade Allan and Margaret E. Mary Burger. He attended the University of Minnesota and received his LL.B. from St. Paul College of Law where he taught as an adjunct professor from 1931-45. He engaged in private practice from 1931-53. He served as Assistant Attorney General of the United States from 1953-56 and as a Judge of the United States Court of Appeals from 1956-69 by appointment of President Eisenhower. Nominated Chief Justice by President Nixon on May 22, 1969, he took his seat June 23, 1969. He is Honorary Chairman, Institute of Judicial Administration, the National Judicial College, and the Supreme Court Historical Society; Trustee, The National Gallery of Art; and Trustee Emeritus, Mitchell College of Law. By statute, he serves as Chairman of the Judicial Conference of the United States, Chairman of the Federal Judicial Center and Chancellor of the Smithsonian Institution.





WILLIAM J. BRENNAN, JR., Associate Justice, was born in Newark, New Jersey, April 25, 1906. In 1928, he married Marjorie Leonard and has three children — William J., III, Hugh Leonard, and Nancy. He received his B.S. from the University of Pennsylvania in 1928 and his LL.B. from Harvard Law School in 1931. He practiced law from 1931-42 and 1945-49. He served during World War II as an officer of the General Staff Corps, U.S. Army, with the rank of colonel. He first served on the Bench in the New Jersey Superior Court and was later appointed Associate Justice of the New Jersey Supreme Court. He was nominated to the United States Supreme Court by President Eisenhower and took his seat October 16, 1956.



BYRON R. WHITE, Associate Justice, was born in Fort Collins, Colorado, June 8, 1917. He married Marion Lloyd Stearns in 1946 and has two children— Charles Byron and Nancy Pitkin. He received a B.A. from the University of Colorado, was a Rhodes Scholar, Oxford, England, and received his LL.B. from Yale Law School. From 1942-46, he served in the U.S. Naval Reserve. He then worked as a law clerk to Chief Justice Vinson at the Supreme Court of the United States during the 1946-47 Term and practiced law in Denver, Colorado from 1947-60. From 1961-62, he was Deputy Attorney General of the United States. He was nominated to the Supreme Court by President Kennedy and took his seat April 16, 1962. His background includes membership on the College All-American Football Team 1937 and playing professional football with the Pittsburgh Steelers and the Detroit Lions; in 1954, he was named to the National Football Hall of Fame.





THURGOOD MARSHALL, Associate Justice, was born in Baltimore, Maryland, July 2, 1908. He married Cecilia A. Suyat and has two children — Thurgood, Jr. and John William. He did his undergraduate study at Lincoln University and in 1933 received his LL.B. from Howard University Law School in Washington, D.C. He entered private practice in Baltimore and became counsel for the Baltimore branch NAACP in 1934. In 1936, he joined the organization's national legal staff and in 1938 was appointed Chief Legal Officer. From 1940 until his appointment to the Federal Bench, he served as Director-Counsel of the NAACP Legal Defense and Educational Fund. He served as a Judge of the United States Court of Appeals for the Second Circuit from 1961-65 and as Solicitor General of the United States from 1965-67. President Johnson nominated him to the Supreme Court, and he took his seat October 2, 1967.



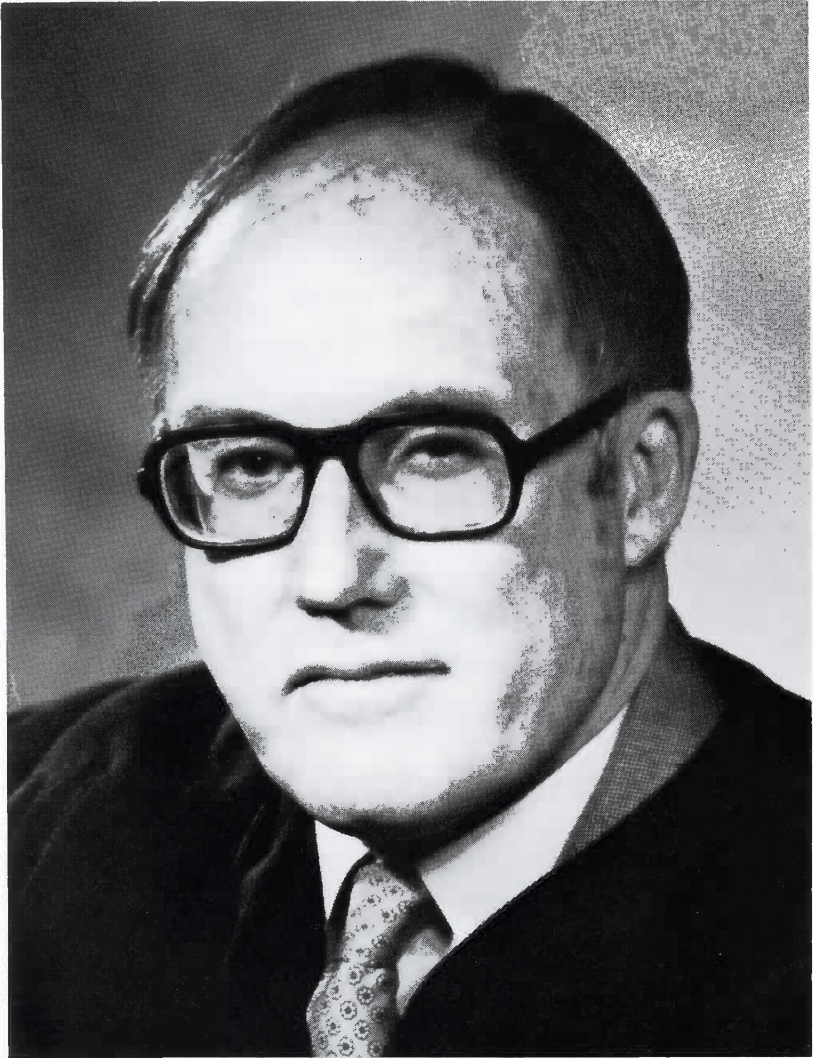


HARRY A. BLACKMUN, Associate Justice, was born in Nashville, Illinois, November 12, 1908. He married Dorothy E. Clark in 1941 and has three children — Nancy Clark, Sally Ann, and Susan Manning. He received his A.B. and LL.B. from Harvard and served as law clerk to the Honorable John B. Sanborn, Judge of the United States Court of Appeals for the Eighth Circuit from 1932-33. From 1934-50, he practiced law in Minneapolis and served on the faculties of St. Paul College of Law and the University of Minnesota Law School. He was resident counsel for the Mayo Clinic and Mayo Foundation from 1950-59. From 1959-70, he served as a Judge of the United States Court of Appeals for the Eighth Circuit. President Nixon nominated him to the Supreme Court, and he took his seat June 9, 1970.



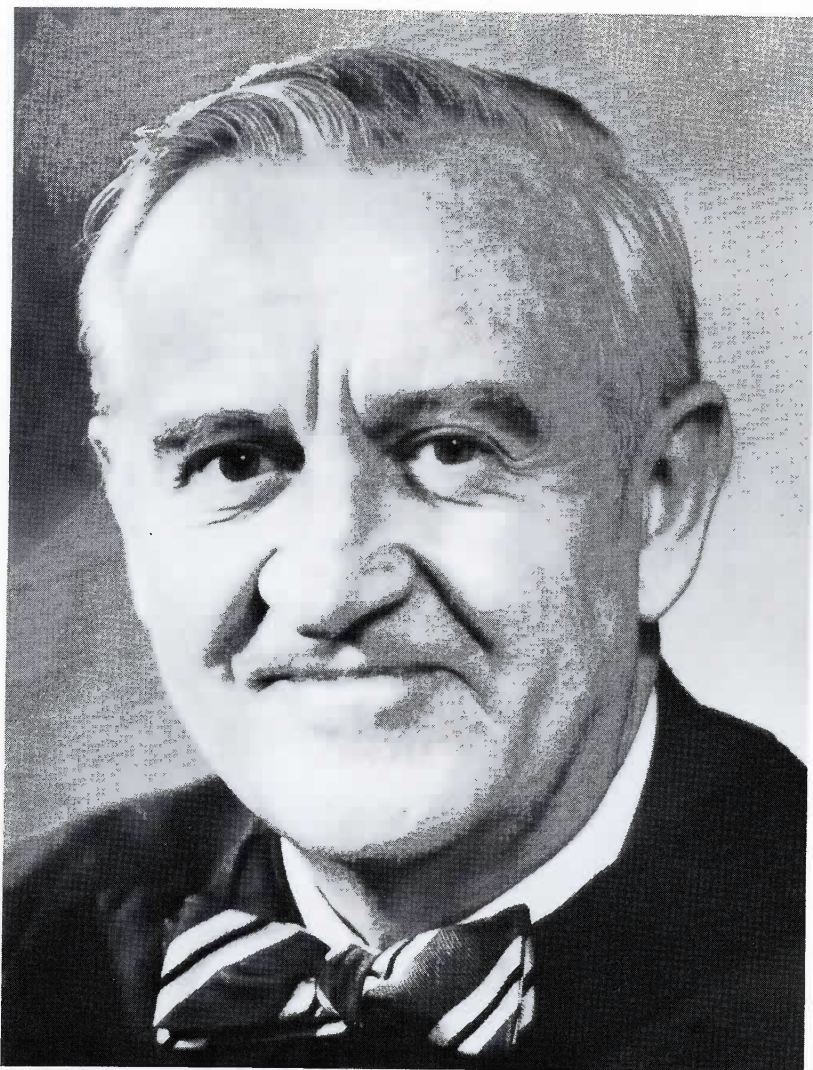
LEWIS F. POWELL, JR., Associate Justice, was born September 19, 1907, in Suffolk, Virginia. He married Josephine Pierce Rucker in 1936 and has four children — Mrs. Richard S. Smith, Mrs. Basil T. Carmody, Mrs. Christopher J. Sumner, and Lewis F. Powell, III. He received his B.S. and LL.B. from Washington and Lee University and his LL.M. from Harvard Law School. He practiced law in Richmond, Virginia, 1932-71, and from 1937 was a partner in Hunton, Williams, Gay, Powell and Gibson. He has a long record of public service that includes membership on the National Commission on Law Enforcement and Administration of Justice, National Advisory Committee on Legal Services to the Poor, and Virginia Constitution Revision Commission. He also has been President of the Virginia State Board of Education. He served with the U.S. Army Air Force during World War II and held ranks from first lieutenant to colonel. He has been President of the American Bar Association, the American College of Trial Lawyers and the American Bar Foundation. President Nixon nominated him to the Supreme Court, and he took his seat January 7, 1972.





WILLIAM H. REHNQUIST, Associate Justice, was born in Milwaukee, Wisconsin, October 1, 1924. He married Natalie Cornell and has three children — James, Janet, and Nancy. From 1943-46, he served in the U. S. Army Air Force. He received a B.A., M.A. and LL.B. from Stanford University and an M.A. from Harvard University. He served as a law clerk for Justice Robert H. Jackson of the Supreme Court and practiced law in Phoenix, Arizona, from 1953-69. He served as Assistant Attorney General, Office of Legal Counsel from 1969-71. President Nixon nominated him to the Supreme Court, and he took his seat January 7, 1972.



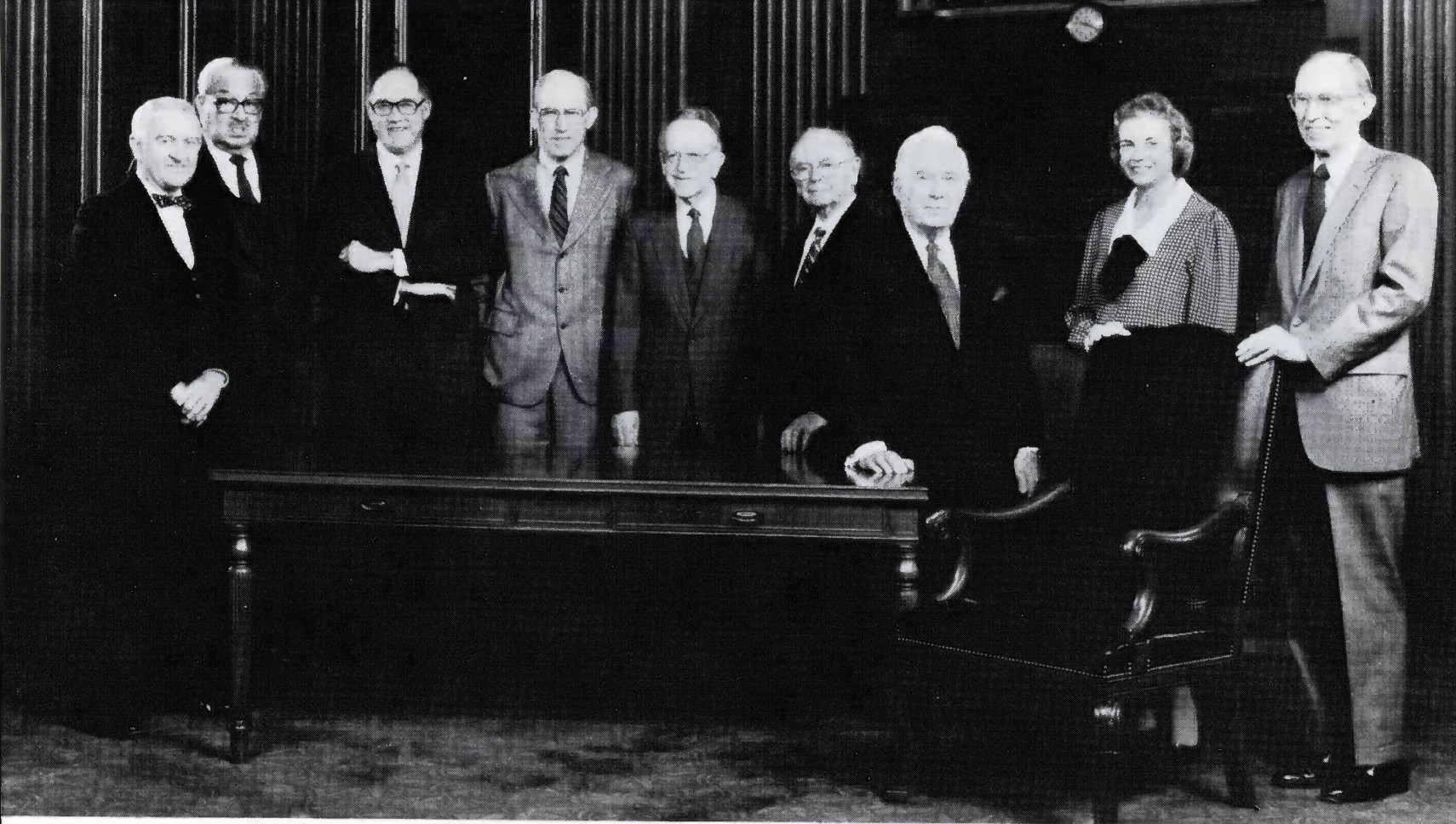


JOHN PAUL STEVENS, Associate Justice, was born in Chicago, Illinois, April 20, 1920. He married Maryan Mulholland Simon and has four children — John Joseph, Kathryn Stevens Jedlicka, Elizabeth Jane, and Susan Roberta. He received an A.B. from the University of Chicago in 1941 and a J.D. from Northwestern University School of Law in 1947. He served in the United States Navy 1942-45, and was a law clerk to Justice Wiley Rutledge of the Supreme Court during the 1947-48 Term. He was admitted to law practice in Illinois in 1949. He was Associate Counsel to the Subcommittee on the Study of Monopoly Power of the Judiciary Committee of the United States House of Representatives, 1951-52, and a member of the Attorney General's National Committee to Study Anti-trust Law, 1953-55. From 1970-75 he served as a Judge of the United States Court of Appeals for the Seventh Circuit. President Ford nominated him as an Associate Justice of the Supreme Court, and he took his seat December 19, 1975.



SANDRA DAY O'CONNOR, Associate Justice, was born in El Paso, Texas, March 26, 1930. She married John Jay O'Connor III in 1952 and has three sons—Scott, Brian, and Jay. She received her B.A. and LL.B. from Stanford University. She served as Deputy County Attorney of San Mateo County, California from 1952-1953 and as Civilian Attorney for Quartermaster Market Center, Frankfurt, Germany from 1954-1957. From 1958-1960 she practiced law in Maryvale, Arizona, and served as Assistant Attorney General of Arizona from 1965-1969. She was appointed to the Arizona State Senate in 1969 and was subsequently reelected to two two-year terms. In 1975 she was elected judge of the Maricopa County Superior Court and served until 1979 when she was appointed to the Arizona Court of Appeals. President Reagan nominated her as an Associate Justice of the Supreme Court, and she took her seat September 25, 1981.





Left to right: Associate Justices John Paul Stevens, Thurgood Marshall, William H. Rehnquist, Byron R. White, Harry A. Blackmun, William J. Brennan, Jr., Chief Justice Warren E. Burger, Associate Justices Sandra D. O'Connor, Lewis F. Powell, Jr.

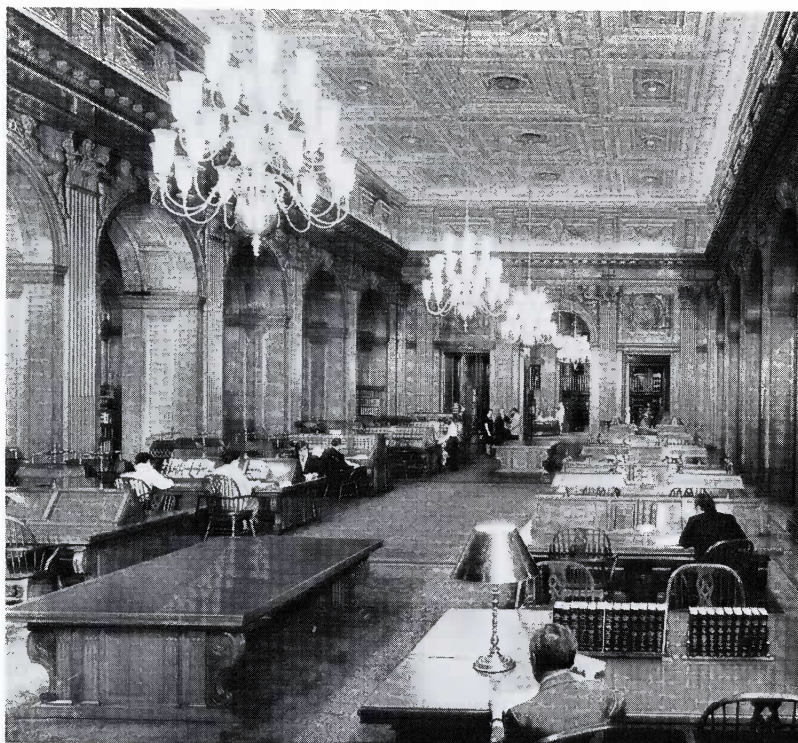




*Two self-supporting elliptical spiral staircases constructed of marble and bronze connect five stories. Few others exist in the world. The Paris Opera, the Vatican and the Minnesota State Capitol are among those with similar structures.*

## **The Court Building**

"The Republic endures and this is the symbol of its faith." These words, spoken by Chief Justice Charles Evans Hughes, in laying the cornerstone for the Supreme Court Building on October 13, 1932, express the central importance of the Supreme Court in the American system.



*Main reading room, Supreme Court Library*

Yet surprisingly, despite its role as a coequal branch of government, the Supreme Court was not provided with a building of its own until 1935, the 146th year of its existence.

Initially, the Court met in the Royal Exchange Building in New York City. When the national capital moved to Philadelphia in 1790, the Court moved with it, establishing Chambers first in Independence Hall and later in the City Hall.

When the Federal Government moved, in 1800, to the permanent capital, Washington, the District of Columbia, the Court again moved with it. Since no provision had been made for a Supreme Court building, Congress lent the Court space in the new Capitol building. The Court was to change its meeting place a half dozen times within the Capitol. Additionally, the Court convened for a short period in a private house after the British had used Supreme Court documents to set fire to the Capitol during the War of 1812. Following this episode, the

Court returned to the Capitol and met from 1819 to 1860 in a chamber that has recently been restored as the "Old Supreme Court Chamber." Then from 1860 until 1935, the Court sat in what is now known as the "Old Senate Chamber."

Finally in 1929, former President William Howard Taft, who was Chief Justice from 1921 to 1930, persuaded Congress to end this arrangement and authorize the construction of a permanent home for the Court. Architect Cass Gilbert was charged by Chief Justice Taft to design "a building of dignity and importance suitable for its use as the permanent home of the Supreme Court of the United States."

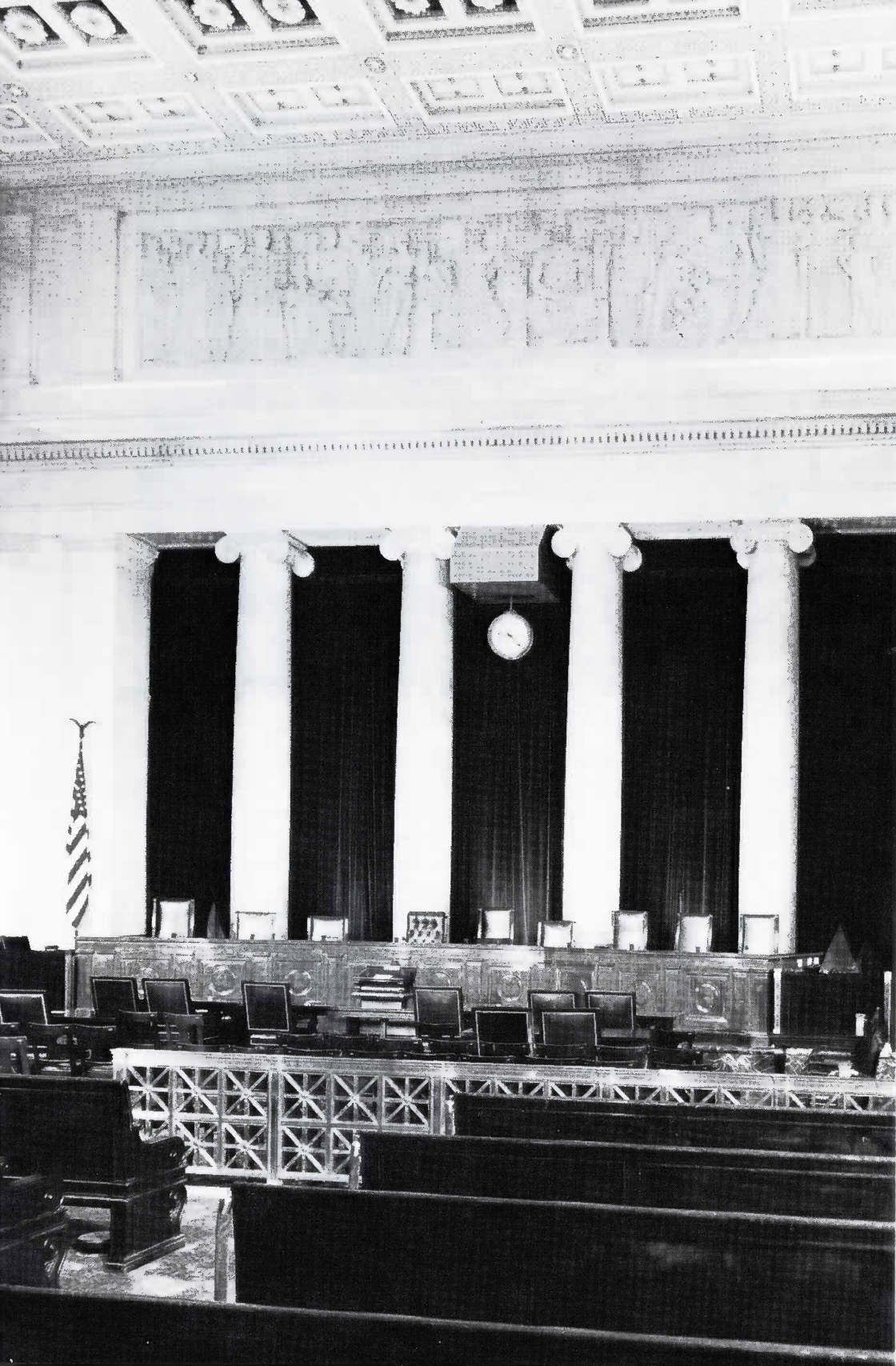
Neither Taft nor Gilbert survived to see the Supreme Court Building completed. Construction proceeded under the direction of Chief Justice Hughes and architects Cass Gilbert, Jr. and John R. Rockart. The construction, begun in 1932, was completed in 1935, when the Court was finally able to occupy its own building.

The classical Corinthian architectural order was selected because it best harmonized with nearby congressional buildings. The building was designed on a scale in keeping with the importance and dignity of the Court and the Judiciary as a coequal, independent branch of the United States Government, and as a symbol of "the national ideal of justice in the highest sphere of activity."

The general dimensions of the foundation are 385 feet east and west, from front to back, and 304 feet north and south. At its greatest height, the building rises four stories above the terrace or ground floor. Marble was chosen as the principal material to be used and three million dollars' worth was gathered from foreign and domestic quarries. Vermont marble was used for the exterior, while the four inner courtyards are of crystalline flaked, white Georgia marble. Above the basement level, the walls and floors of all corridors and entrance halls are either wholly or partially of creamy Alabama marble. The wood in offices throughout the building such as doors, trim, paneled walls, and some floors is American quartered white oak.

Somewhat suprisingly, the Court Building cost less than the \$9,740,000 that was authorized for its construction. Not only was the final and complete cost of the building within the appropriation, but all furnishings were also procured, even though it had initially been expected that the project would require additional appropriations. Upon completion of the project, \$94,000 was returned to the Treasury.





Its replacement cost was estimated at \$127 million in 1982 by George M. White, Architect of the Capitol.

## **Touring the Building**

The main entrance to the Supreme Court Building is on the west side, facing the United States Capitol. A few low steps lead up to the 100-foot-wide oval plaza in front of the building. Flanking these steps is a pair of marble candelabra with carved panels on their square bases depicting: Justice, holding sword and scales, and The Three Fates, weaving the thread of life. On either side of the plaza are fountains, flagpoles and benches. Flower gardens are planted throughout the grounds and courtyards.

The bronze flagpole bases are crested with symbolic designs of the scales and sword, the book, the mask and torch, the pen and mace, and the four elements: air, earth, fire, and water.

On either side of the main steps are seated marble figures. These large statues are the work of sculptor James Earle Fraser. On the left, is a female figure, the Contemplation of Justice. On the right, is a male figure, the Guardian or Authority of Law.

Sixteen marble columns at the main west entrance support the portico. On the architrave above is incised "Equal Justice Under Law." Capping the entrance is the pediment, filled with a sculpture group by Robert Aitken, representing Liberty Enthroned guarded by Order and Authority. On either side are groups of three figures depicting Council and Research which Aitken modelled after several prominent personalities concerned with the law or the creation of the Supreme Court Building. At the left are Chief Justice Taft as a youth, Secretary of State Elihu Root and the architect Cass Gilbert. Seated on the right are Chief Justice Hughes, the sculptor Aitken and Chief Justice Marshall as a young man.

Too often, visitors do not see the corresponding pediment and columns on the east front. Here the sculpture group is by Herman A. McNeil and the marble figures represent great lawgivers, Moses, Confucius, and Solon, flanked by symbolic groups representing Means of Enforcing the Law, Tempering Justice with Mercy and Carrying on of

---

*The Courtroom* (opposite page)

Civilization and Settlement of Disputes Between States. The architrave bears the legend: "Justice the Guardian of Liberty."

One can enter the building through the opened bronze doors of the west front, each of which weights six and one-half tons and slides into a wall recess when open. The door panels, sculpted by John Donnelly, Jr., depict historic scenes in the development of law: the trial scene from the shield of Achilles, as described in the *Iliad*; a Roman praetor publishing an edict; Julian and a pupil; Justinian publishing the *Corpus Juris*; King John sealing the Magna Carta; The Chancellor publishing the first Statute of Westminster; Lord Coke barring King James from sitting as a Judge; and Chief Justice Marshall and Justice Story.

The main corridor is known as the Great Hall. At each side, double rows of monolithic marble columns rise to a coffered ceiling. Busts of all former Chief Justices are set alternately in niches and on marble pedestals along the side walls. The frieze is decorated with medallion profiles of lawgivers and heraldic devices.

At the east end of the Great Hall, oak doors open into the Court Chamber. This dignified room measures 82 by 91 feet and has a 44-foot ceiling. Its 24 columns are Old Convent Quarry Siena marble from Liguria, Italy; its walls and friezes are Ivory Vein marble from Alicante, Spain; and its floor borders are Italian and African marble.

The raised Bench behind which the Justices sit during sessions, and other furniture in the Courtroom are mahogany. The Bench was altered in 1972 from a straight-line to a "winged" or half-hexagon shape to provide sight and sound advantages over the original design.

At the left of the Bench is the Clerk of the Court's desk. The Clerk is responsible for the administration of the Court's dockets and arguments calendars, the supervision of the admission of attorneys to the Supreme Court Bar and other related activities. To the right is the desk of the Marshal of the Court. The Marshal is the timekeeper of Court sessions, signalling the lawyer by amber and red lights as to time limits. The Marshal's responsibilities include the maintenance and security of the building and serving as the Court's building manager, reporting to the Chief Justice.

The attorneys arguing cases before the Court occupy the tables in front of the Bench. When it is their turn to argue, they address the Bench from the lectern in the center. A bronze railing divides the public section from that reserved for the Supreme Court Bar.



Representatives of the press are seated in the red benches along the left side of the Courtroom. The red benches on the right are reserved for guests of the Justices. The black chairs in front of those benches are for the officers of the Court, visiting dignitaries, and include a special chair for the President of the United States, although the President's attendance is rare and limited to important ceremonial occasions.

Overhead, along all four sides of the Chamber, are sculpted marble panels, the work of Adolph A. Weinman:

- Directly above the Bench are two central figures, depicting Majesty of the Law and Power of Government. Between them is a tableau of the Ten Commandments. The group at the far left represents Safeguard of the Rights of the People, and Genii of Wisdom and Statecraft. At the far right is the Defense of Human Rights.

- To the right of visitors is a procession of historical lawgivers of the pre-Christian era: Menes, Hammurabi, Moses, Solomon, Lycurgus, Solon, Draco, Confucius and Augustus. They are flanked by figures symbolizing Fame and History.

- To the left are historical lawgivers of the Christian era: Napoleon, John Marshall, William Blackstone, Hugo Grotius, Saint Louis, King John, Charlemagne, Mohammed and Justinian. Figures representing Liberty and Peace and Philosophy appear at either end.

- Symbolized on the back wall frieze is Justice with the winged female figure of Divine Inspiration, flanked by Wisdom and Truth. At the far left the Powers of Good are shown, representing Security, Harmony, Peace, Charity, and Defense of Virtue. At the far right the Powers of Evil are represented by Corruption, Slander, Deceit, and Despotic Power.

The main floor is largely occupied by the Justices' Chambers; included are offices for law clerks and secretaries, the large, formal East and West Conference Rooms, the offices of the Marshal, an office for the Solicitor General, the lawyers' lounge, and the private conference room and robing room of the Justices. This office space surrounds four courtyards with central fountains.

Most of the second floor is devoted to office space including the offices of the Reporter of Decisions. The Justices' library reading room and the Justices' dining room are also located here.

The library occupying the third floor has a collection of over 250,000 volumes. To meet the informational needs of the Court, li-

brarians draw on electronic retrieval systems and a growing microform collection in addition to books. The library's main reading room is paneled, pilastered in hand carved oak. The wood carving here, as throughout the building, is the work of Matthews Brothers.

The ground floor is devoted to offices and public services, including the offices of the Clerk of the Court, the offices of the Administrative Assistant to the Chief Justice, security headquarters, the Public Information office and Press Room, the Curator's office and the Personnel office. A museum was established in the past decade depicting some of the Court's history; and a film further acquaints visitors with the history and workings of the Court. Here visitors can view one of the two marble, spiral staircases. Each ascends five stories and is supported only by overlapping steps and by their extensions into the wall. Additionally on the ground floor, there are a cafeteria and snack bar, public telephones, and restrooms.

#### **BUILDING HOURS FOR THE PUBLIC**

The Supreme Court Building is open to the public from 9 a.m. until 4:30 p.m. daily, Monday through Friday. It is closed on Saturdays, Sundays, and holidays. A half-million visitors come to the building each year, with a peak influx in the spring. Courtroom lectures are available when the Court is not sitting. A cafeteria (ground floor) is open to the public for breakfast and lunch.