

Not Just a Justice: True Stories from the Supreme Court

Chief Judge Ann Bailey Smith

Much has been written about President Jimmy Carter since his death at the age of 100 years old on December 29, 2024. The focus of many of these articles has been on his legacy as the 39th president of the United States, as well as his post-presidential legacy of humanitarian aid both at home and abroad. There were two footnotes to his inspiring legacy which took me by surprise: 1) he was the first United States president to be born in a hospital and 2) he's the only president who served a full-term and left office without appointing a Supreme Court justice. He may have been the first president to be born in a hospital only because his mother worked at the hospital where she gave birth. Still, I would not have guessed that he was the first in this regard. On the other hand, I would have guessed other presidents who only served one full-term would also have not had the opportunity to appoint a Supreme Court justice. President Carter did, however, appoint Ruth Bader Ginsburg to the D.C. Circuit Court of Appeals, which then led to her appointment to the Supreme Court by President Bill Clinton. These interesting little tidbits of information led me to read about some of our past United States Supreme Court justices to see what I could learn about them.

In no particular order, I will start with Justice Louis D. Brandeis who was born in Louisville, Kentucky on November 13, 1856, and who was appointed to the Supreme Court on June 5, 1916, by President Woodrow Wilson. He was the first Jewish justice on the Supreme Court. And, probably because of his Jewish faith, his confirmation process was contentious, taking four months. But it was hard to question his credentials, including the fact that he had the highest grade point average in Harvard Law history, enrolling at the age of 18. Justice Brandeis was a big fan of vacations and time away from the office, famously stating, "I could do a year's work in eleven months, but I can't do it in twelve."

Justice Charles Evans Hughes served two stints on the Supreme Court for a total of 17 years, having first been appointed by President Taft and then as chief justice by President

Hoover. Hughes had a photographic memory which exhibited itself when as a three-year-old he could recite passages from the Bible. He was fluent in Greek by age eight and by age nine had read all of Shakespeare's plays. He graduated from high school at the age of 13 and enrolled in college the following year. He attended Columbia Law School and passed the bar with a near perfect score. He served as governor of New York, as secretary of state under President Harding, and as a justice and then chief justice of the Supreme Court. He was well regarded as a talented administrator as chief justice, so much so that Justice Felix Frankfurter praised him by saying "[t]o see him preside was like witnessing Toscanini lead an orchestra."

Justice John Paul Stevens was appointed to the Supreme Court by President Gerald Ford in 1975. He served for almost 35 years as a justice of the Supreme Court and died in 2019 at the age of 99. Justice Stevens was a lifelong Chicago Cubs baseball fan. One of the highlights of his life was the opportunity on September 14, 2005, at the age of 85, to throw the first pitch at a game between the Cubs and the Cincinnati Reds played at Chicago's Wrigley Field. Notably, he was in the stands for Game 3 of the 1932 World Series when the Cubs played the Yankees and Babe Ruth hit his famous "called shot" home run.

Justice Thurgood Marshall served on the Supreme Court from 1967 until 1991, having been appointed by President Lyndon Johnson. He was the first African American to serve on the Court. His parents named him Thoroughgood but he felt the name was too long, so he had his first name legally changed to Thurgood. He enjoyed drinking, smoking, dancing and the company of women. He was famously known to say about his position as a Supreme Court justice that "I have a lifetime appointment and I intend to serve it. I expect to die at 110, shot by a jealous husband." He was also known to be a soap opera junkie as he suspended deliberations every day at 1 p.m. so that he could retire to his chambers to watch "Days of Our Lives."

I will conclude this brief survey of lesser-known facts about our Supreme Court justices with Justice Sandra Day O'Connor, the first woman to serve on the Court, who was appointed by President Ronald Reagan in 1981. The other "first" that she brought to the Court was Jazzercise. She hired a YWCA employee to teach a daily Jazzercise class for Court employees in the Supreme Court's gym (it's unknown whether any of the other justices participated). Justice O'Connor believed that physical fitness was crucial to mental fitness and the ability to do the work of the Court. She had t-shirts printed with slogans that read "Exercise Defends Your Constitution" and "Supreme Sport and the Highest Court." In her later years serving on the Court, she attended Pilates and yoga classes with Justice Ruth Bader Ginsburg.

Next month, Chief Judge Jessica Moore of Jefferson District Court will be writing this column, and I look forward to reading her article.

Chief Judge Ann Bailey Smith presides in Division 13 of Jefferson Circuit Court. ■



Free Scam Alert Resources Available on Kentucky Courts Website



The Administrative Office of the Courts has launched a scam alert webpage to help protect Kentuckians from payment scams, including those involving fake arrest warrants and missed jury service. The webpage went live during the Federal Trade Commission's Identity Theft Awareness Week at the end of January.

Explore the scam alert webpage and bookmark it to check back for alerts anytime at <https://kcoj.info/CourtsScamAlert>.

The new webpage aims to help the public stay informed of common fraud schemes, offers tools to help citizens protect themselves and provides an outlet for reporting fraud and getting further assistance. Among the resources on the webpage are a video about tactics criminals use to scam people to get money and personal information, a link to jury service information by county, a fraud fact and tip sheet and contact information for reporting scams. ■

Bowles & Byer

• Listen • Resolve •

Over 40 years of
Judicial experience
and 20 years of
Mediation experience
combined.

Judge Joan Byer
Ret.

✉ judgebyer@gmail.com

☎ 502-216-9030

Judge Jerry Bowles
Ret.

✉ judgejerrybowles@gmail.com

☎ 502-558-6142

William F. McMurry & Associates, PLLC

Trust us to handle your clients'
Legal Malpractice Claims

William F. McMurry

Board Certified as a Legal Malpractice Specialist
by the American Board of Professional Liability Attorneys
(ABPLA.ORG)

The ABPLA is accredited by the ABA to certify specialist
in the field of Legal Malpractice - SCR 3.130 (7.40)

Bill@courtroomlaw.com

(502) 326-9000

William F. McMurry will personally handle each case while
some services may be provided by others.