The original documents are located in Box 62, folder "Supreme Court - Letters Recommending Potential Nominees" of the Philip Buchen Files at the Gerald R. Ford Presidential Library.

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Digitized from Box 62 of the Philip Buchen Files at the Gerald R. Ford Presidential Library

SNYDER, LOOMIS, EWERT, EDERER & PARSLEY

GEORGE W.LOOMIS OUENTIN A.EWERT RODGER T.EDERER WILLIAM D.PARSLEY JACK C.DAVIS KARL L.GOTTING PHILLIP J.BIRDSALL HARVEY J.MESSING JAMES R.NEAL I200 BANK OF LANSING BUILDING LANSING, MICHIGAN 48933 AREA CODE 517 489-5724

PLUMMER SNYDER (1900-1974)

October 23, 1975

Dear Phil:

Here is a summary of Judge Coleman's professional and other qualifications which I had intended to deliver to you in Washington last week.

Also, I have reviewed 17 principal cases reported in Volume 394 of the Michigan Reports in which Judge Coleman dissented 8 times, writing 7 dissenting opinions. It would appear that she might be an outstanding candidate for appointment to any committee concerned with appropriate liaison between the Federal Court and the state courts.

Cordially yours,

Mr. Philip W. Buchen Jefferson Hotel 16th and M Streets Washington, D.C. 20036

WASHINGTON

October 29, 1975

Dear Mr. Chief Justice:

Some time ago, you asked me about Justice Mary Stallings Coleman as a possibility for appointment to a committee.

I enclose a copy of her biographical data. I also find from one of my attorney friends, who has studied some of her recent opinions, that he is impressed with her qualifications as they are reflected in her work.

Very warmest regards.

Sincerely,

Philip W. Buchen Counsel to the President

The Honorable Warren E. Burger Chief Justice of the United States Washington, D. C. 20543

Enclosure



Coleman, margings

MARY STALLINGS COLEMAN JUSTICE, SUPREME COURT OF MICHIGAN 1973 -

Born in Texas

Education BA, University of Maryland (with teacher's certificate, secondary education) Alpha Omicron Pi social sorority (outstanding Michigan alumna award) Alpha Lambda Delta, Freshman Honorary Alpha Psi Omega, Drama Honorary Phi Kappa Phi, Scholastic Honorary Mortar Board; Scholastic-Citizenship Honorary Recipient of senior award as woman contributing most to the university Juris Doctor, George Washington University Phi Delta Delta Law Fraternity Honorary Degrees: Doctor of Humanities, Nazareth College Doctor of Laws, Alma College Doctor of Laws, Olivet College Doctor of Laws, Eastern Michigan University Doctor of Laws, Western Michigan University Doctor of Laws, Detroit College of Law Married to Creighton R. Coleman, Circuit Judge, formerly State Senator and majority leader Children Dr. Leslie Coleman (Mrs. Donald Jackson) Hagan (M.D.), two children, Miami, Florida Dr. Carol Coleman (Mrs. Ival Lee) Salyer (M.D.), Minneapolis, Minn. Church: St. Thomas Episcopal, Battle Creek Professional Member of Bar District of Columbia Michigan Formerly Probate and Juvenile Judge, Calhoun County, 1961-1973 Formerly law partner of Wunsch and Coleman Member American Bar Association Fellow American Bar Foundation American Judicature Society National Women Lawyers Association and Michigan Women Lawyers Assoc Among. State and National Activities Present: Member, State Bar Committee on Juvenile Problems (formerly chairman) Member, President's Commission on International

Women's Year

	Member,	National Advisory Council, Center for Administration of Justice
	Member,	Legislative Committee on Juvenile Justice System
	Member,	Committee on State Financing of Courts of Michigan
	Member, Guest le	Committee to Revise Code of Judicial Ethics ecturer at various universities, police schools and Michigan public and private schools
:		
	Governor's Commission on Law Enforcement and Criminal Justice (Chairman, Task Force on Delinquency) Governor's Youth Commission Governor's Crime Commission Governor's Commission on Delinquency President, Michigan Probate and Juvenile Court Judges Association	
	01	Association Count Law and Procedure Committee

Chairman, Juvenile Court Law and Procedure Committee, National Association of Women Lawyers

Member, Supreme Court Committee to draft Michigan Juvenile Court Rules of Procedure (Rules adopted in 1969)

Member, State Bar Committee to Revise the Criminal Code of Michigan (now in legislature)

Advisor to Western Michigan University on Court Services for Children

Advisor, Michigan Office of Youth Services Vice President, Children's Charter of the Courts of Michigan, Inc.

Among Non-Professional Activities - Present

Past

Trustee, Albion College (1971 - present) Member, American Legion Auxiliary, George E. Custer Post 54 Member, P.E.O. Member, Business & Professional Women Honorary Member: International Honorary Member Beta Sigma Phi Michigan Honorary Member Alpha Delta Kappa (Honorary Teacher's Fraternity) Junior League Altrusa International

Among Non-Professional Activities - Past

Chairman of Organization Committee which founded the United Arts Council of the Battle Creek Area and subsequently on Board of Directors

Founder, with husband, of Marshall Civic Theatre Formerly on Board of Directors and presently active in Battle Creek Civic Theatre

Board of Directors, Big Brothers of Battle Creek

First President, American Association of University Women, Marshall Branch and subsequently on Michigan Board of Directors (presently active in Battle Creek Branch) Member of Battle Creek Township Planning Commission Calhoun County Cancer Society Board of Directors for 16 years; Michigan Division Board of Directors and Executive Committee (Distinguished Service Award) First Board of Directors, Calhoun County Visiting Nurse Service Camp Fire Girls Board of Directors Family Counseling Service Board of Directors which effected

merger with Michigan Children's Aid Society

Awards

Business & Professional Women's Distinguished Woman Award (Michigan Religious Heritage of America Award as National Business & Professional Leader - Law

Alpha Omicron Pi (International) Wyman Award (for outstanding service to arts and humanities)

George Washington University, certificate of career achievement University of Maryland, Distringuished Alumni Award

Phi Kappa Phi Distinguished Member Award

Probate and Juvenile Court Judges (Michigan) - Service to children

Among awards from various facets of the community:

Enquirer & News "George" Award for outstanding community service

Calhoun County School Board Association, Distinguished service to the community

NAACP, Young Adult Council, community service to youth Fraternal Order of Police, service to youth Alnited States Senate

OFFICE OF THE MINORITY LEADER WASHINGTON, D.C. 20510

November 13, 1975

The President The White House Washington, D.C.

Dear Mr. President:

May I respectfully pass on to you some thoughts I have regarding the existing vacancy on the Supreme Court.

If the appointment does not come from Congress, I strongly urge you to name the honorable Arlin Adams, a distinguished and highly competent jurist on the Third Judicial Circuit of the United States Court of Appeals in Philadelphia. He is one of very few judges to be found "exceptionally well qualified" by the American Bar Association. That designation places him among the top jurists in the United States.

Again, if the appointment does not go to a member of Congress, I would suggest as my second choice, the honorable Carla Hills, Secretary of Housing and Urban Development, who served with the Department of Justice and whose legal qualifications are excellent.

If it is a member of Congress, I recommend my friend and colleague, Senator Robert Griffin of Michigan.

Of course, I am not aware of your intentions, but it will be essential to name someone who can avoid a lengthy period of confirmation, since the Court functions best at full strength.

Sincerely, Hugh

Republican Leader

Aug. Ct.

Miniled States Denate

WASHINGTON, D.C.

November 12, 1975

The Honorable Gerald R. Ford The White House Washington, D.C.

Dear Mr. President:

The resignation of Justice William O. Douglas will bring forth a number of suggestions for a replacement. I want to bring to your attention, as I did earlier to former President Nixon, the name of Judge Alfred T. Goodwin. Currently, Judge Goodwin is a judge on the Ninth Circuit Court of Appeals.

Judge Goodwin would bring credit to the Court as a firstrate legal scholar. He was trained originally as a journalist. His opinions are clearly written, and often appear in legal textbooks. He is a man I was proud to nominate to the state judiciary when he was in his thirties. He has served as a state trial judge, an Oregon State Supreme Court Justice, and a Federal District Court judge.

His Senate hearing after he was nominated to the Federal District Court was the first district court hearing following Senate review of the Haynsworth and Carswell Supreme Court nominations. Senator Hruska, in his questions to me and to Judge Goodwin, was thorough in raising any possible personal, ethical or financial issues.

I will contact you with more details about Judge Goodwin at a later date.

Sincerely,

Mark O. Hatfield United States Senator

MOH:wer

bcc: Philip W. Buchen



Alnited States Senate

OFFICE OF THE MINORITY LEADER WASHINGTON, D.C. 20510

November 13, 1975

The President The White House Washington, D.C.

Dear Mr. President:

May I respectfully pass on to you some thoughts I have regarding the existing vacancy on the Supreme Court.

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If it is a member of Congress, I recommend my friend and colleague, Senator Robert Griffin of Michigan.

Of course, I am not aware of your intentions, but it will be essential to name someone who can avoid a lengthy period of confirmation, since the Court functions best at full strength.

Sincerely, Hugh ott Republican Leader

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BIOGRAPHICAL INFORMATION ON JUDGE JOHN PAUL STEVENS

Dec.1

Judge John Paul Stevens was appointed United States Circuit Judge for the Seventh Circuit Court of Appeals on October 14, 1970, and has been serving as a Circuit Judge since that date.

Judge Stevens was born in Chicago, Illinois, on April 20, 1920. He graduated from the University of Chicago (AB 1941) and the Northwestern University School of Law (JD 1947), where he was Co-Editor of the Law Review. His academic record was outstanding, both at Chicago where he was Phi Beta Kappa and at Northwestern where he was graduated <u>magna cum laude</u> and first in his class. From 1942 to 1945 Judge Stevens served in the United States Navy and was decorated with the Bronze Star Medal.

Following his graduation from law school, Judge Stevens was law clerk to Supreme Court Justice Wiley Rutledge. He then entered private practice, specializing primarily in litigation, antitrust law and commercial law matters, first with the firm of Poppenhusen, Johnston, Thompson and Raymond in Chicago from 1948 until 1951, and again from January 1952 to June 1952, and later as a partner in the firm of Rothschild, Stevens, Barry & Myers in Chicago from 1952 until his appointment to the Seventh Circuit Court of Appeals.

In 1951, Judge Stevens served as Associate Counsel to the Subcommittee on the Study of Monopoly Power of the Committee on the Judiciary of the United States House of Representatives. From 1953 to 1955 he was a member of the Attorney General's National Committee to Study the Antitrust Laws.

From 1952 to 1956, Judge Stevens taught part time, first at Northwestern University Law School and then at the University of Chicago Law School, teaching antitrust law and related courses. He was admitted to the Illinois Bar in 1949 and to the United States Supreme Court in 1954. While in private practice, Judge Stevens authored numerous articles on antitrust matters.

Judge Stevens is married to the former Elizabeth Jane Sheeren. They have four children and reside at 9260 South Bell Avenue, Chicago, Illinois 60620,

> Hone - 312 - PR-9-1845 Ale - 312 - FR 2- 2345 L 105 S. La Solle ST Giv. 201, 60603

WASHINGTON

November 26, 1975

Dear Ms. Colom:

Thank you for your correspondence concerning the appointment of a woman to the Supreme Court.

The President appreciates your thoughtful recommendation, and he is giving careful consideration to individuals of various backgrounds. You can be sure that the President is resolved that the person he appoints shall be from among those who have excellent judgment and intellectual strength and who are most qualified in every other respect to assume the highly important responsibilities of a Justice of the Supreme Court of the United States.

We are grateful for your interest in expressing your views on this matter.

With best wishes.

Sincerely,

Philip **V**. Buchen Counsel to the President

Ms. Audrey Rowe Colom National Women's Political Caucus 1921 Pennsylvania Avenue, N. W. Washington, D. C. 20006

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WHD035 139P EST NOV 13 75 WAE147(1301)(2-020103E317)PD 11/13/75 1238 1975 NOV 13 PM 1 40 ICS IPMRNCZ CSP 2027852911 TDRN WASHINGTON DC 109 11-13 1258P EST PMS PHILLIP BUCHEN. WUX VASHINGTON DC THE FOLLOWING IS A COPY OF A MESSAGE THAT WAS SENT TO PRESIDENT 11 12 GERALD FORD 13 "THE UNTIMELY RETIREMENT OF JUSTICE WILLIAM O DOUGLAS OFFERS YOU THE 14 OPPORTUNITY TO BE THE FIRST PRESIDENT TO APPOINT A WOMAN TO THE 16 SUPREME COURT. SUCH AN APPOINTMENT IS LONG OVERDUE. THERE ARE MANY 17 18 EXCEPTIONALLY QUALIFIED WOMAN JURISTS WHO WOULD BRING EXPERIENCE. 19 KNOWLEDGE AND INTELLECT TO THE COURT. WE URGE YOU TO CONSULT WITH 20 21 VOMENS GROUPS, CONGRESSWOMEN AND LEGAL EXPERTS BEFORE YOU EXERCISE 22 YOUR AVESONE POVER OF APPOINTMENT. WE ARE CURRENTLY PREPARING A LIST 23 24 OF RECOMMENDED CANDIDATES WHICH WE WOULD LIKE TO SUBMIT TO YOU IN A 25 MEETING AT YOUR EARLIEST CONVENIENCE." 26

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2 3 4 5 6 AUDREY ROVE COLON NATIONAL CHAIRVONAN NATIONAL VOMENS POLITICAL 1921 Pa. Ave., N.W. Suite 300 CAUCUS NNNN RM OBOS FRENTED BY THE STANDA

WASHINGTON

November 26, 1975

Dear Governor Ray:

Thank you for your recent correspondence in which you recommend that David W. Belin be appointed as an Associate Justice of the Supreme Court.

The President appreciates your thoughtful recommendation, and he is giving it careful consideration. You can be sure that the President is resolved that the person he appoints shall be from among those who have excellent judgment and intellectual strength and who are most qualified in every other respect to assume the highly important responsibilities of a Justice of the Supreme Court of the United States.

We are grateful for your interest in expressing your views on this matter.

With best wishes.

Sincerely,

Philip W. Buchen Counsel to the President

The Honorable Robert D. Ray Governor of Iowa Des Moines, Iowa 50319

1131P EST NOV 14 75 WAD384(2319) (2-059789E318)PD 11/14/75 2319 ICS IPMENGZ CSP 875 NOV 14 PN 11 47 5152797571 TDBN DES MOINES IA 152 11-14 1119P EST PMS MR PHILLIP BUCHEN CARE WHITE HOUSE WASHINGTON DC DEAR MR BUCHEN: PERHAPS NO PRESIDENTIAL APPOINTMENT IS OF GREATER IMPORTANCE TO THE FUTURE DIRECTION OF OUR COUNTRY THAN THE APPOINTMENT OF A SUPREME COURT JUSTICE. THE VOTES AND OPINIONS OF THE PERSON CHOSEN TO SUCCEED JUSTICE DOUGLAS WILL HAVE A MEANINGFUL IMPACT ON THE LIVES OF AMERICANS FOR YEARS TO COME. WITH THAT UNDERSTANDING, I RESPECTFULLY SUBMIT FOR YOUR CONSIDERATION THE NAME OF DAVID W BELIN OF DES MOINES IOWA. MR

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BELIN'S SERVICE TO OUR COUNTRY AS LEGAL COUNSEL TO THE WARREN COMMISSION AND AS EXECUTIVE DIRECTOR OF YOUR COMMISSION ON CIA

ACTIVITIES IS WELL KNOWN TO YOU.

MR BELIN IS A NOTED LEGAL SCHOLAR WITH A KEEN SENSITIVITY TO HUMAN RIGHTS. HE IS A MAN OF ABILITY AND A MAN OF ABSOLUTE INTEGRITY. I AM CONFIDENT THAT DAVID BELIN WOULD MAKE AN OUTSTANDING CONTRIBUTION TO OUR COUNTRY AS A JUSTICE OF THE SUPREME COURT.

WARMEST PERSONAL REGARDS, SINCERELY

ROBERT D RAY, GOVERNOR OF IOWA

NNNN

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Sup ct

Friday 11/28/75

Congressman Burgener (of California) called to talk 12:05 225-3906 Will be in his office for a while, but, can with you, be reached at home after that 524-0039

The FBI called him about Clifford Wallace. He has known him personally for 25 years. He's a Federal Judge, and he wants to recommend him -- in the highest possible manner. He's only 46 -- he's the highest level judge there can be, Highly respected by the Judiciary. Republican and conservative. Clean as a hound's tooth. There'd be absolutely no problem with the Congress to confirm him.

They takend



THE WHITE HOUSE WASHINGTON November 28, 1975

Dear George:

Thank you for your recent correspondence in which you recommend that Judge Cornelia Kennedy be appointed as an Associate Justice of the Supreme Court.

The President appreciates your thoughtful recommendation, and he is giving it careful consideration. You can be sure that the President is resolved that the person he appoints shall be from among those who have excellent judgment and intellectual strength and who are most qualified in every other respect to assume the highly important responsibilities of a Justice of the Supreme Court of the United States.

We are grateful for your interest in expressing your views on this matter.

With best wishes.

Sincerely,

Philip W. Buchen Counsel to the President

The Honorable George R. Cook Judge

United States Court of Appeals for the Seventeenth Circuit Grand Rapids, Michigan 49502



THE WHITE HOUSE WASHINGTON

November 28, 1975

Dear Clark:

Thank you for your recent correspondence in which you recommend that Congressman Charles Wiggins be appointed as an Associate Justice of the Supreme Court.

The President appreciates your thoughtful recommendation, and he is giving it careful consideration. You can be sure that the President is resolved that the person he appoints shall be from among those who have excellent judgment and intellectual strength and who are most qualified in every other respect to assume the highly important responsibilities of a Justice of the Supreme Court of the United States.

We are grateful for your interest in expressing your views on this matter.

With best wishes.

Sincerely,

Philip W. Buchen Counsel to the President

The Honorable Clark MacGregor Vice President United Technologies Corporation 1125 - 15th Street, N. W. Washington, D. C. 20005



Supreme ct.

WASHINGTON

November 28, 1975

Dear Margaret:

Thank you for your recent correspondence in which you recommend that Cornelia Kennedy be appointed as an Associate Justice of the Supreme Court.

The President appreciates your thoughtful recommendation, and he is giving it careful consideration. You can be sure that the President is resolved that the person he appoints shall be from among those who have excellent judgment and intellectual strength and who are most qualified in every other respect to assume the highly important responsibilities of a Justice of the Supreme Court of the United States.

We are grateful for your interest in expressing your views on this matter.

With best wishes,

Sincerely,

Philip W. Buchen Counsel to the President

Ms. Margaret Cook Vice President Old Kent Bank & Trust Company One Vandenberg Center Grand Rapids, Michigan 49502

buprence of

WASHINGTON

November 28, 1975

Dear Mr. Milligan:

Thank you for your correspondence concerning the appointment of an Associate Justice to the Supreme Court.

The President appreciates your thoughtful recommendation and is giving careful consideration to individuals from varied backgrounds. You can be sure that the President is resolved that the person he appoints shall be from among those who have excellent judgment and intellectual strength and who are most qualified in every other respect to assume the highly important responsibilities of a Justice of the Supreme Court of the United States.

We are grateful for your interest in expressing your views on this matter.

With best wishes,

Sincerely,

Philip M. Buchen Counsel to the President

Thomas S. Milligan, Chairman Indiana Republican State Committee 150 West Market Street Suite 200 Indianapolis, Indiana 46204

bifneme Ct.

November 28, 1975

Dear Dick:

Thank you for your recent correspondence in which you recommend that Cornelia Kennedy be appointed as an Associate Justice of the Supreme Court.

The President appreciates your thoughtful recommendation, and he is giving it careful consideration. You can be sure that the President is resolved that the person he appoints shall be from among those who have excellent judgment and intellectual strength and who are most qualified in every other respect to assume the highly important responsibilities of a Justice of the Supreme Court of the United States.

We are grateful for your interest in expressing your views on this matter.

With best wishes.

Sincerely,

Philip W. Buchen Counsel to the President

Mr. Richard C. Van Dusen Dickinson, Wright, McKean, Cudlip & Moon 800 First National Building Detroit, Michigan 48226



Supreme H.

Supreme ct.

WASHINGTON

November 28, 1975

Dear Skip:

Thank you for your correspondence concerning the appointment of an Associate Justice to the Supreme Court.

The President appreciates your thoughtful recommendation. You can be sure that the President is resolved that the person he appoints shall be from among those who have excellent judgment and intellectual strength and who are most qualified in every other respect to assume the highly important responsibilities of a Justice of the Supreme Court of the United States.

We are grateful for your interest in expressing your views on this matter.

With best wishes.

Sincerely,

Philip W. Buchen Counsel to the President

Mr. George P. Williams P. O. Box 749 Alexandria, Virginia 22313 THE WHITE HOUSE WASHINGTON November 28, 1975

Dear Frank:

Thank you for your recent correspondence in which you recommend that Arlin Adams be appointed as an Associate Justice of the Supreme Court.

The President appreciates your thoughtful recommendation, and he is giving it careful consideration. You can be sure that the President is resolved that the person he appoints shall be from among those who have excellent judgment and intellectual strength and who are most qualified in every other respect to assume the highly important responsibilities of a Justice of the Supreme Court of the United States.

We are grateful for your interest in expressing your views on this matter.

With best wishes.

Sincerely,

Philip W. Buchen Counsel to the President

Frank C. P. McGlinn, Esq. 135 South Broad Street Philadelphia, Pennsylvania 19109

Supreme Ct

THE WHITE HOUSE WASHINGTON November 28, 1975

Dear Ms. Solo:

Thank you for your recent correspondence in which you recommend that Judge Shirely M. Hufstedler be appointed as an Associate Justice of the Supreme Court.

The President appreciates your thoughtful recommendation, and he is giving it careful consideration. You can be sure that the President is resolved that the person he appoints shall be from among those who have excellent judgment and intellectual strength and who are most qualified in every other respect to assume the highly important responsibilities of a Justice of the Supreme Court of the United States.

We are grateful for your interest in expressing your views on this matter.

With best wishes.

Sincerely,

Philip W. Buchen Counsel to the President

Ms. Gail Solo Legislative Aide Room 5091 State Capitol Sacramento, California 95814



Supreme U.

Presiding Officer Jill Ruckelshaus

Alan Alda Ethel Allen Anne L. Armstrong Margaret Long Arnold Margaret Long Arnold Elizabeth Athanasakos Barbara R. Bergmann Patricia T. Carbine Weston Christopherson Mary Stallings Coleman Helen K. Copley Audrey Rowe Colom Richard Cornuelle Winfield Dunn Casey Eike Paula Gibson Gilda Bojorquez Gjurich Ella T. Grasso Hanna Holborn Gray Martha Griffiths Katharine Hepburn Velma Murphy Hill Patricia Hutar Rita Z. Johnston Ellen Groves Kirby Dorothy Vale Kissinger **Clare Boothe Luce** William Crawford Mercer Ersa H. Poston Sister Joel Read Betty Smith **Barbara** Walters Annie Dodge Wauneka Gerridee Wheeler Rep. Bella Abzug, New York Sen. Birch Bayh, Indiana Rep. Margaret Heckler, Mass. Sen. Charles Percy, Illinois

IWY Coordinator Mildred Marcy Room 1004 U.S. Department of State Washington, D.C. 20520 202-632-8888 NATIONAL COMMISSION ON THE OBSERVANCE OF INTERNATIONAL WOMEN'S YEAR, 1975

9~32

November 17, 1975

The President The White House

Dear Mr. President:

The United States of America is on the threshold of its 200th birthday. Yet the Supreme Court of this great country, the Supreme Court for all the people, has not yet included even one member from the majority among its citizens, women.

Such an appointment is decades overdue, and the failure of previous Presidents to appoint a woman to the Court has been deeply disappointing to over 52% of the population. There are many women qualified by training and experience who would serve their country with distinction as a member of the Supreme Court.

We urge you, Mr. President, in the name of simple justice too long denied, to take this opportunity to place a woman, at last, on the Supreme Court of the United States.

Sincerely,

I fucket have

Jill Ruckelshaus Presiding Officer

THE WHITE HOUSE WASHINGTON November 26, 1975

Dear Ms. Ruckelshaus:

The President has asked me to thank you for your recent correspondence concerning the appointment of a woman to the Supreme Court.

The President appreciates your thoughtful recommendation, and he is giving careful consideration to individuals from various backgrounds. You can be sure that the President is resolved that the person he appoints shall be from among those who have excellent judgment and intellectual strength and who are most qualified in every other respect to assume the highly important responsibilities of a Justice of the Supreme Court of the United States.

We are grateful for your interest in expressing your views on this matter to the President.

With best wishes.

Sincerely,

Philip . Buchen Counsel to the President

Ms. Jill Ruckelshaus
National Commission on the Observance of International Women's Year
U. S. Department of State
Washington, D. C. 20520

November 17, 1975

The President The White House

Dear Mr. President:

The United States of America is on the threshold of its 200th birthday. Yet the Supreme Court of this great country, the Supreme Court for all the people, has not yet included even one member from the majority among its citizens, women.

Such an appointment is decades overdue, and the failure of previous Presidents to appoint a woman to the Court has been deeply disappointing to over 52% of the population. There are many women qualified by training and experience who would serve their country with distinction as a member of the Supreme Court.

We urge you, Mr. President, in the name of simple justice too long denied, to take this opportunity to place a woman, at last, on the Supreme Court of the United States.

Sincerely,

Jill Ruckelshaus Presiding Officer

WASHINGTON

November 26, 1975

Dear Stan:

Thank you for your recent correspondence in which you recommend that Bob Bork be appointed as an Associate Justice of the Supreme Court.

The President appreciates your thoughtful recommendation, and he is giving it careful consideration. You can be sure that the President is resolved that the person he appoints shall be from among those who have excellent judgment and intellectual strength and who are most qualified in every other respect to assume the highly important responsibilities of a Justice of the Supreme Court of the United States.

We are grateful for your interest in expressing your views on this matter.

With best wishes.

Sincerely,

Philip W. Buchen Counsel to the President

Mr. Stanley Ebner Vice President and General Counsel Timmons and Company, Incorporated 1776 F Street, N. W. Washington, D. C. 20006



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TIMMONS AND COMPANY, INCORPORATED

1776 F STREET, N.W. WASHINGTON, D.C. 20006 (202) 331-1760

November 13, 1975

Pob . 3

WILLIAM E. TIMMONS President

TOM C. KOROLOGOS Vice President and Director of Legislative Affairs

> STANLEY EBNER Vice President and General Counsel

W. EUGENE AINSWORTH Vice President and Secretary-Treasurer PERSONAL

Dear Phil:

You will be getting more advice than you need on Justice Douglas' replacement on the Supreme Court. However, this is a matter of such enormous importance to me as a friend of the President, as a lawyer, and as an American, that I feel the need to pass on my views as forcefully as I know how.

Difficult as it may be for the President, and for the nominee. I urge in the strongest possible terms that <u>Bob Bork</u> be selected for the vacant seat. Of all the potential candidates whom I know either personally or by reputation, Bob is far and away the best qualified. The soundness of his judicial philosophy, the brilliance of his mind, the suitability of his background and experience, his powers of pursuasion, and his age, all combine to make him the premier selection. I say this with full knowledge of the political liabilities occasioned by his involvement in the "Saturday Night Massacre."

Bork's nomination would require a significant act of political courage, but President Ford has this kind of courage. His exercise of it on occasion has, in my view, accounted for the highest points in public opinion he has achieved during his term. More than this, however, is the enduring nature of a Supreme Court appointment. With all respect, the issue is undoubtedly bigger than any of us -- even than the Presidency itself at this point. I am convinced that Bob Bork on the Court could make that much difference, and I hope and suspect you are too.

If Bob knew I were writing this, he might discourage it. Perhaps he is unwilling to go through the trauma which the confirmation process would undoubtedly provide (although I



Honorable Philip W. Buchen

Page Two

doubt that). If so, then Ed Levi would in my estimation be a fine second choice. However, at this point in our judicial history Bork presents the closest thing to an ideal selection we are likely to come across in a period of great fallibility and uncertainty for America. In my view, it would be far better for the President to try and fail than for a "compromise" candidate to be chosen. The potential rewards for all of us far outweigh the risks involved.

I know the President will be relying on you heavily, Phil, in making this difficult decision. Your recommendation of Bob Bork would be the greatest contribution to your profession and country that I can imagine.

Warm regards.

Sincerely,

Stanley Ebner

Honorable Philip W. Buchen Counsel to the President The White House Washington, D. C. 20500

WASHINGTON

November 26, 1975

Dear Ted:

The President has asked me to thank you for your recent correspondence in which you recommend that Judge Cornelia Kennedy be appointed as an Associate Justice of the Supreme Court.

The President appreciates your thoughtful recommendation, and he is giving it careful consideration. You can be sure that the President is resolved that the person he appoints shall be from among those who have excellent judgment and intellectual strength and who are most qualified in every other respect to assume the highly important responsibilities of a Justice of the Supreme Court of the United States.

We are grateful for your interest in expressing your views on this matter.

With best wishes.

Sincerely,

Philip W. Buchen Counsel to the President

Dean Theodore J. St. Antoine The University of Michigan Law School Hutchins Hall Ann Arbor, Michigan 48104



Supreme

OFFICE OF THE DEAN HUTCHINS HALL

November 17, 1975

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Philip W. Buchen, Esq. Special Counsel to the President The White House Washington, D.C.

Dear Mr. Buchen:

Following up our telephone conversation today, I should like to urge the most serious consideration of Judge Cornelia Kennedy of the United States District Court for the Eastern District of Michigan as a candidate for the United States Supreme Court. She has outstanding academic credentials; she has experience on both the state and federal trial courts; and she would be an appointee who could be truly regarded as highly qualified for the post, regardless of sex.

Judge Kennedy (nee Groefsema) received her J.D. with honors from this Law School in 1947. She was a member of the Law Review during her last two years. Following graduation, she served as a law clerk to Justice Harold M. Stephens of the United States Court of Appeals for the District of Columbia Circuit.

From 1948 until 1967 Judge Kennedy engaged in private practice in Detroit. From 1967 to 1970 she served on the Wayne County Circuit Court, the court of general jurisdiction in the Michigan judicial system. In October 1970, President Nixon appointed her to the federal bench.

Judge Kennedy has earned an exceptional reputation among the lawyers of Michigan for her conscientiousness, her fairness in dealing with all kinds of people, and her unusually well-balanced judgment in dealing with the most sensitive legal issues. Judge Kennedy has been quoted as saying that she is "not an activist in the use of the law," and that she doesn't think a court "should substitute itself for the Legislature."



Philip W. Buchen, Esq. November 17, 1975 Page 2

Thus, she can probably be classified as a moderate conservative, which would seem to me to be the type of candidate desired at this time.

Colleagues regard Judge Kennedy as congenial and cooperative. She is totally lacking in the excessive egotism that sometimes afflicts federal trial judges, and should have no trouble fitting in smoothly with a varied group of Justices. As one of the bare handful of women currently serving as federal court judges, Judge Kennedy stands out in my mind as one who would be universally recognized as both able and widely acceptable. Both symbolically and actually, I think her appointment would be genuinely distinguished.

Sincerely,

Tud St.A.

Theodore J. St. Antoine Dean

TJS:s



WASHINGTON

November 26, 1975

Dear Congressman Fountain:

The President has asked me to thank you and the members of the North Carolina Congressional Delegation concerning the appointment of the Honorable Susan Marshall Sharp as an Associate Justice of the Supreme Court.

The President appreciates your thoughtful recommendation, and he is giving it careful consideration. You can be sure that the President is resolved that the person he appoints shall be from among those who have excellent judgment and intellectual strength and who are most qualified in every other respect to assume the highly important responsibilities of a Justice of the Supreme Court of the United States.

We are grateful for your interest in expressing your views on this matter to the President.

With best wishes.

Sincerely,

Philip W. Buchen Counsel to the President

The Honorable L. H. Fountain U. S. House of Representatives Washington, D. C. 20515



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L. H. FOUNTAIN SECOND DISTRICT NORTH CAROLINA

MEMBER: COMMITTEE ON GOVERNMENT OPERATIONS

SUBCOMMITTEES: CHAIRMAN, INTERGOVERNMENTAL RELATIONS AND HUMAN RESOURCES CONSERVATION, ENERGY AND NATURAL RESOURCES

COMMITTEE ON INTERNATIONAL RELATIONS

SUBCOMMITTEES: INTERNATIONAL SECURITY AND SCIENTIFIC AFFAIRS SPECIAL SUBCOMMITTEE ON INVESTIGATIONS

> The President The White House Washington, D. C. 20500

Dear Mr. President:

Congress of the United States House of Representatives Mashington, D.C. 20515

November 14, 1975

WASHINGTON OFFICE: WALTER J. PITTMAN ADMINISTRATIVE ASSISTANT

MB

TED L. DANIEL EXECUTIVE ASSISTANT

MISS MARGARET S. BAYOL SECRETARY

2188 RAYBURN HOUSE OFFICE BUILDING WASHINGTON, D.C. 20515 TELEPHONE: (202) 225-4531

> DISTRICT OFFICE: MRS. PATRICIA GUPTON SECRETARY

Post Office Building Tarboro, North Carolina 27886 Telephone: (919) 823-4200

Let me enclose my personal recommendation of The Honorable Susie Marshall Sharp to fill the newly-created vacancy on the Supreme Court of the United States.

You no doubt know of her splendid qualifications for this position, and I fully concur with the praise of Chief Justice Sharp which appears in the letter from the Delegation. In my view, she is an exceedingly capable jurist, who I feel has views consistent with your philosophic outlook. In North Carolina, she is considered a respected and responsible conservative.

Incidentally, a quick review leads us to the conclusion that Chief Justice Sharp may likely be the first woman Chief Justice of a State Supreme Court in the history of the United States. I have been told that she is one of only five women currently serving as a Justice on State Supreme Courts in the United States.

With kindest personal regards and best wishes, I am

Sincerely,

1. Foundain

L. H. Fountain



LHF:dms

L. H. FOUNTAIN SECOND DISTRICT NORTH CAROLINA

MEMBER: COMMITTEE ON GOVERNMENT OPERATIONS

SUBCOMMITTEES: CHAIRMAN, INTERGOVERNMENTAL RELATIONS AND HUMAN RESOURCES CONSERVATION, ENERGY AND NATURAL RESOURCES

COMMITTEE ON INTERNATIONAL RELATIONS

SUBCOMMITTEES: INTERNATIONAL SECURITY AND SCIENTIFIC AFFAIRS SPECIAL SUBCOMMITTEE ON INVESTIGATIONS **Congress of the United States** House of Representatives Mashington, D.C. 20515

November 14, 1975

WASHINGTON OFFICE: WALTER J. PITTMAN ADMINISTRATIVE ASSISTANT

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Post Office Building TARBORO, NORTH CAROLINA 27886 TELEPHONE: (919) 823-4200

The President The White House Washington, D. C.

Dear Mr. President:

We, the undersigned members of the North Carolina Congressional Delegation, respectfully urge the nomination of the Honorable Susie Marshall Sharp to the vacancy on the Supreme Court of the United States of America, created by the resignation of Justice William O. Douglas.

Ideally suited for this nomination by reason of intellect, great legal ability, thorough training, broad judicial experience, and a distinguished record of service in the judicial system of the State of North Carolina, the Honorable Susie Marshall Sharp has the distinction of being the first woman ever to be elected Chief Justice of the North Carolina Supreme Court.

Her election to this post was a resounding testimony to the high regard North Carolinians have for her personal qualifications and for the gifted, dedicated, responsible way in which she has contributed to the course of justice in North Carolina.

The appointment of Chief Justice Susie Sharp to the Supreme Court of the United States would not only mean that her keen legal mind, seasoned judgment, and previous judicial ability would contribute mightily to the vital work of the Supreme Court, but also that an historic step would have been taken--the appointment of the first woman to our Nation's highest tribunal. The President Page 2 November 14, 1975

Born in Rocky Mount, North Carolina, Chief Justice Sharp received her undergraduate degree from North Carolina College for Women, and her law degree from the University of North Carolina at Chapel Hill.

In 1928, she became a member of the Bar and was in private law practice for 20 years with her father in Reidsville, North Carolina.

Appointed to be a Special Judge of the Superior Court of North Carolina in 1949, Chief Justice Sharp was appointed to the State Supreme Court Bench in 1962 and won full election to that tribunal in the same year.

In 1972, Justice Sharp became the first woman to serve on the North Carolina Supreme Court as Chief Justice.

We feel, Mr. President, that no other person in our Country has finer credentials for the honor and challenge of service upon the Supreme Court of the United States of America than the Honorable Susie Marshall Sharp.

Sincerely, Lon

The President Page 3 November 14, 1975

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W.

Mr. Broyhill and Mr. Martin were in Raleigh, North Carolina, at the time of this signing and consequently, were unable to affix their signatures.

WASHINGTON

November 14, 1975

MEMORANDUM FOR:

PHIL BUCHEN

FROM:

No doubt this has been brought to your attention, but Congressman Fountain of North Carolina mentioned to me that he felt an individual who should be considered for appointment to the Supreme Court is a very outstanding jurist from his state. This individual is a woman and serves on the North Carolina Supreme Court.

cc: Dick Cheney



WASHINGTON

November 22, 1975

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR:

PHILIP W. BUCHEN

FROM:

JAMES E. CONNOR

The following notation is sent to you from the Presidential outbox:

Telephone call from:

''Governor Milliken

1) Bob Griffin.

- a) for him
- b) he wants."

cc: Dick Cheney



Luprene Cl. THE WHITE HOUSE WASHINGTON 24 Date R MEMO TO: Ohil FROM: PAT LINDH For appropriate handling_ For your information Per your request Remarks: 1080





Judge Margaret G. Schaeffer District Court, State of Michigan, 47th District (Farmington and Farmington Hills)

Born in Michigan, Cornelia and Margaret each did their undergraduate and graduate law studies at the University of Michigan, graduating with top honors. Margaret received her degree in 1945, Cornelia in 1947. Each was associated in the practice of law with their father, the late Elmer H. Groefsema, and, after his death, with the law firm of Markle and Markle, Detroit.

Judge Margaret G. Schaeffer served as law clerk to the Honorable Thomas F. McAllister, U.S. Court of Appeals Cincipneti Obio



Judge Cornelia G. Kennedy U.S. District Court Eastern District of Michigan

(1968-1973); has served on many community commissions and committees; and is a member of the ABA, Michigan State Bar, California State Bar, Federal Bar Association, Oakland County Bar Association, Women Lawyers' Association of Michigan, and National Association of Women Lawyers. She is married to Marvin G. Schaeffer, and they are the parents of four children.

Judge Cornelia G. Kennedy served as law clerk to the late of Michigan, and as director of the Detroit Bar Association—the only woman to serve in those positions. She is a fellow of the American Bar Foundation; a member of the ABA, the State Bar of Michigan, Detroit Bar Association, American Judicature Society, American Trial Lawyers Association, Federal Bar Association, Michigan Association of the Professions, and National Association of Women Lawyers. She has served as chairman of the National Conference of Federal Trial Judges. She is married to Charles S. Kennedy, Jr., and they have one son. So far as we know, Margaret and Cornelia are the only two sisterjudges in the United States.

MORE HONORS FOR JUDGE SYLVIA BACON, Superior Court, District of Columbia. She is the first woman member elected to the Board of Directors of the National Center for State Courts. The new president is Justice James A. Finch, Jr., Missouri Supreme Court, succeeding Justice Louis H. Burke (Ret.), California Supreme Court.

CONFERENCES – 1975

19th CONFERENCE OF THE INTER-AMERICAN BAR ASSOCI-ATION will be held September INTERNATIONAL LEGAL EX-CHANGE PROGRAM-ABA; for information, write to Ms. Katherine Ebert Program Director ABA

is Kenneth Schoen, Minnesota Commissioner of Corrections. 100 WOMEN LAWYERS JOURNAL

sity of Nevada, Box 8000, Reno, Nevada 89507.

WASHINGTON

Supreme

November 24, 1975

MEMORANDUM FOR:

KEN LAZARUS

FROM:

PHIL BUCHEN

I have talked with Mark Hatfield in response to this letter and told him I would make a point of seeing Judge Goodwin when he is at the Judicial dinner. I suggest no further reply now to this letter or to the earlier one from Hatfield, but I assume that I should write him later on.

Attachment



WASHINGTON

November 21, 1975

MEMORANDUM FOR:

PHIL BUCHEN

FROM:

DICK CHENEY

Phil, Senator Eastland called and recommends Judge J. P. Coleman of the 5th Circuit for the Supreme Court.

The name definitely should be submitted to the ABA.

Make sure you get the name over to Levi to be checked out.



Supreme

Monday 11/17/75

296-2142

11:55 Commissioner Henry Smith of the International Joint Commission (former Cong.) called to give you his views of the recommendation of Charles Wiggins for the Supreme Court. He has written a letter to the President strongly recommending him and wanted to tell you how strongly he feels about Mr. Wiggins.



Thursdayl1/13/75

4:10 Lillian Levy Senior Science Writer at NASA had a suggestion for you for the appointment to the Supreme Court -- Rita Hauser.

> She said she is very very good. She is of very high caliber and has a good understanding of the Constitution.



SUPREME COURT NOMINATION

Monday 11/17/75

9:35 Just had a call from a CPA in Altoona, Pa. ... Merrill Doran -- wanted to recommend for Supreme Court a letter by the name of Merle J. Evey (partner in the law firm of Patterson, Evey, Routch, Black and Behrens in Hollidaysburg, Pa.).

(814) 695-4441

Exceptionally brilliant lawyer.



WASHINGTON

December 2, 1975

Dear Mr. Volpe:

Your letter to the President on November 24 was received and your recommendation was duly conveyed to the President. By now you know, however, that after careful consideration of the various individuals recommended to him, the President has determined to nominate Judge Stevens from the 7th Circuit Court of Appeals in Chicago.

The President very much appreciated your interest in this matter and your thought-ful recommendation.

Sincerely,

Philip W. Buchen Counsel to the President

Mr. John A. Volpe 91 Beach Bluff Avenue Swampscott, Massachusetts





91 Beach Bluff Avenue Swampscott, Massachusetts November 24, 1975

Dear Don:

The enclosed letter is a follow up to my recent conversation with the President. I greatly appreciate your bringing it to the President's attention.

With very best wishes,

Sincerely, John A. Volpe Enclosure

Mr. Donald Chaney The White House Washington, D. C.



91 Beach Bluff Avenue Swampscott, Massachusetts November 24, 1975

Dear Mr. President,

As a follow up to our recent conversation, I respectfully recommend for appointment to the Supreme Court the name of Judge Joseph L. Tauro who for the past three years has served with distinction as a member of the United States District Court for Massachusetts.

Judge Tauro has excellent professional credentials. He is a graduate of Brown University and the Cornell Law School. He was an extremely active and successful lawyer with offices in Lynn and Boston, Massachusetts and had an "AV" Martindale Hubbell rating. His professional reputation is underscored by the fact he was elected by his fellow lawyers as a member of the Boston Bar Association Advisory Council and was recently selected by the Trustees of Cornell as a member of the Law School's Advisory Council.

From 1964-1968 he served me as Chief Legal Counsel to the Governor, coordinating my legislative program as well as other matters of policy. As such he worked closely



The President Page 2 November 24, 1975

and well with Ed Brooke and Elliot Richardson in their capacities as Attorney General and Lieutenant Governor.

For approximately a year prior to his appointment to the bench, Judge Tauro was the United States Attorney for Massachusetts. In 1959 he served as an Assistant United States Attorney to then United States Attorney Elliot Richardson.

Judge Tauro is a highly respected member of the federal bench. Massachusetts judges have a substantial and complex caseload. Judge Tauro's productivity in terms of case dispositions far exceeds the national averages. He has written opinions in a number of challenging areas and enjoys an enviable appellate record. He has consistently demonstrated ideal judicial temperament. His even handed manner has earned him the respect of conservative and liberal lawyers alike.

At 44 he is approximately the same age as were Justices Douglas, Stewart, White and Rehnquist when appointed to the Supreme Court. He has a demonstrated capacity for achievement and growth in his professional career that would assuredly continue during his service on the Supreme Court.



The President Page 3 November 24, 1975

Judge Tauro is of Italian background and bears a name that is recognized and respected nationally among Americans of Italian heritage. You are undoubtedly aware that his father, G. Joseph Tauro serves as Chief Justice of the Massachusetts Supreme Judicial Court. His appointment would be the first of an Italian-American to the Supreme Court, a long overdue recognition that would be greatly appreciated by that very significant segment of the American population.

In short Judge Tauro's unique combination of professional credentials, public service, age and ethnic background makes him a strong candidate for this important assignment. He has first hand appreciation of the problems facing practicing lawyers, prosecutors, federal trial judges as well as those involved in the operation of state government. I respectfully urge that you give him careful consideration.

With best wishes,

ohn A. Volpe

The Honorable Gerald R. Ford President of the United States The White House Washington, D.C.

United States District Court

Office of the Clerk United States Court House Roston, Massachusetts 02109

GEORGE F. MCGRATH CLERK

BIOGRAPHICAL SKETCH

OF

JUDGE JOSEPH L. TAURO

Joseph L. Tauro of Marblehead, Massachusetts was inducted as a United States District Judge for the District of Massachusetts on November 2, 1972.

Tauro, born on September 26, 1931, was appointed to the Federal Bench by the President on September 12, 1972 and was confirmed by the Senate on October 12, 1972. He had served since January 6, 1972 as United States Attorney for the District of Massachusetts. Appointed by the President on November 24, 1971 and confirmed by the Senate on December 2, 1971, Tauro was the 42nd United States Attorney for the District of Massachusetts in the 183 year history of the office.



He is a graduate of Swampscott High School (1949), Brown University (1953) and the Cornell Law School (1956). At Brown he was varsity letterman in baseball and soccer and was a member of the Interfraternity Governing Board. At Cornell he was the Secretary Treasurer of the Law Student Association.

Tauro served in the Army for two years as a Launching Control Officer at Nike sites in Virginia and Texas and was discharged in 1958 as a First Lieutenant.

From 1958 to 1960 he practiced law in association with his father G. Joseph Tauro (now Chief Justice of the Massachusetts Supreme Judicial Court).

From 1960 to 1961 he served as Assistant United States Attorney under the then United States Attorney Elliot L. Richardson.



-2-

In October 1961, following his father's appointment to the Superior Court Bench, Tauro formed the law firm of Jaffee and Tauro and, until his appointment as United States Attorney, maintained offices in Boston, Lynn, and Washington, D. C.

From 1964 through 1968, in addition to practicing law, Tauro served as Chief Legal Counsel to then Governor John A. Volpe of Massachusetts, and did so as a dollar a year man.

Tauro is a past Trustee of the Massachusetts General Hospital and past Director of the Security National Bank. He resigned both positions because of his federal appointments.

He was elected by the Cornell Alumni to membership on the Executive Committee of the Cornell Law Association and by the Cornell Board of Trustees to the Law School's Advisory Council.

- 3 -

He was elected by the members of the Boston Bar Association to the Advisory Council of the Boston Bar Association, that organization's governing board.

In 1966 he was selected as one of Greater Boston's Ten Outstanding Young Men.

Tauro is married to the former Elizabeth Quinlan of Hempstead, New York and is the father of three children, Joseph, Jr. 14, Elizabeth H. 13, and Christopher 7.

He holds memberships in the Wianno Club, Osterville, Massachusetts and the Corinthian Yacht Club, Marblehead, Massachusetts.

His outside interests include tennis, skiing, boating and photography.

- 4 -

WASHINGTON

November 26, 1975

MEMORANDUM FOR:

PHILIP BUCHEN H.P. GOLDFIELD Supreme Ct.

FROM:

SUBJECT:

Proposed Follow-Up to Letters from Members of Congress Recommending Nominees for Associate Supreme Court Justice

The White House received approximately 30 letters from various members of Congress recommending persons to be the President's nominee to fill retiring Associate Justice Douglas' vacancy on the Court.

The Congressional Office responded to each of these letters individually, and Bobbie and Jay concur in my feeling that a general follow-up letter from you would be repetitive and unnecessary.

Doug Bennett's office has kept a listing of <u>all</u> letters received from members of Congress concerning the nomination and has conveyed to the President by memorandum the names of each member of Congress who has written and the person or persons recommended by that individual.

I would suggest, however, that, once the President has decided upon a nominee and made his announcement, each member on Bennett's list be sent a letter from the President informing that individual of the final decision, <u>i.e.</u>, the name of the nominee, as well as conveying the President's personal thanks and appreciation for having the benefit of that member's views on the matter. Such a note of thanks from the President would I think be well received by the members of Congress.

December 2, 1975

H.P.,

In view of the fact that the President will not be returning to Washington until December 9, I believe it will not be possible to carry out your suggestion in a timely fashion.

UNITED STATES COURT OF APPEALS SECOND CIRCUIT

CHAMBERS OF HENRY J. FRIENDLY CIRCUIT JUDGE U. S. COURTHOUSE NEW YORK, N. Y. 10007

November 20, 1975

The President The White House Washington, D. C.

Dear Mr. President:

I have hesitated for some days about burdening you with this letter. Normally I would send it to the Attorney General but, for reasons that will become obvious, that is impossible in this instance.

The press is carrying the names of many men and women whom you have under consideration to fill the vacancy created by Mr. Justice Douglas' resignation on the Supreme Court. Most of those whom I know would be competent as a member of the Court. But there is one name that stands leagues ahead of the others, namely, that of Edward H. Levi.

What the Court requires is not simply a competent Justice -- it already has eight of them. What it needs is someone with the elements of greatness. My acquaintance with Ed Levi, going back to his days of service in the Department of Justice and including his remarkable deanship of the Law School of the University of Chicago and his services as Provost and then as President of that University, and my study of his legal writings (especially his classic Introduction to Legal Reasoning) convince me that he has that potential. He has thought deeply about the Constitution and as to what must be done to continue to make it a workable document in our complex society. His ability to command respect from persons holding exceedingly different views was demonstrated when he, the son of a rabbi and grandson of another rabbi, was chosen almost by acclamation to be president of a Baptist-oriented university.

A LIVE TANK

The President Page 2 November 20, 1975

The opportunity that is now afforded you is reminiscent of that which President Hoover grasped when he appointed Judge Cardoza to fill the vacancy created by the resignation of Mr. Justice Holmes. I understand it is said that Ed Levi is too old and that he lacks judicial experience. While actuarial tables are useful in predicting the longevity of a mass of people, they are of little value in connection with individuals; the experience of President Roosevelt in rejecting Judge Learned Hand partly because of age, in favor of Judge Rutledge, should be a sufficient example. So far as concerns judicial experience, the Court already has five judges who had served on state or inferior federal courts; history shows that many of the greatest Justices, for example, Marshall, Brandeis and Stone, had none.

Needless to say, the Attorney General does not know that I am writing this letter and would probably object if he did.

Very respectful





To: Philip Buchen

From: Harold R. Tyler, Jr.