To the Bag

Bobblerratum II

To the Bag:
You’ve probably been notified of this already, but your “bobblerratum” entry at 8 GREEN BAG 2D 1 has an error of its own. You state: “When O’Connor joined the Court in 1981, she was the only former state-court judge on that bench.” Not so. Justice Brennan, who had been on the Supreme Court for over two decades at the time SO’C joined, and would remain there for another decade, had previously served on the trial court and then the supreme court of New Jersey.

Trevor W. Morrison
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Alas, we had not, until Professor Morrison’s email. Now, having spent a little bit of time confirming that Justice O’Connor has overlapped with only two former state-court judges (David Souter – who was brought to our attention by Howard Bashman and Stephan Johnson – and William Brennan), we offer the following list of all members of the Court who once served on a state court, courtesy of Professor Henry Abraham’s authoritative work, Justices, Presidents, and Senators: Chief Justices Jay, Rutledge, Ellsworth, White, and Taft; and Justices Cushing, Blair, Iredell, T. Johnson, Chase, Moore, W. Johnson, Todd, Duval[l], Thompson, Trimble, McLean, Wayne, Barbour, Catron, Nelson, Woodbury, Grier, Davis, Field, Strong, Hunt, Harlan I, Matthews, Gray, Brewer, Peckham, Holmes, Day, Lurton, Van Devanter, J.R. Lamar, Pitney, Cardozo, Black, Murphy, Brennan, O’Connor, and Souter.

The Editors