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John G. Roberts Jr.



**Current Job:** U. S. Court of Appeals for District of Columbia Circuit

**Born:** 1955 in Buffalo

**Education:** 1979: JD, Harvard Law School; 1976: BA, Harvard College

**Career Highlights:** Roberts was appointed to the U.S. Court of Appeals for the D.C. Circuit in 2003 by President Bush. Previously, he practiced law at D.C.'s Hogan & Hartson. Between 1989 and 1993, he was the principal deputy solicitor general in the first Bush administration. During the Reagan administration, he served as an aide to Attorney General William French Smith from 1981-1982 and as an aide to White House counsel Fred Fielding from 1982-1986. He was a law clerk for Judge Henry J. Friendly of the U.S. Court of Appeals for the 2nd Circuit, in New York, and later for Chief Justice William Rehnquist, who was then an associate justice.

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Tuesday, July 19, 2005; 1:16 PM

On July 19, President Bush nominated John G. Roberts Jr. to be associate justice of the Supreme Court.

Biography

John G. Roberts Jr., 50, has long been considered one of the Republicans' heavyweights amid the largely Democratic Washington legal establishment. Roberts was appointed to the U.S. Court of Appeals for the D.C. Circuit in 2003 by President George W. Bush. (He was also nominated by the first President Bush, but never received a Senate vote.) Previously, he practiced law at Washington's Hogan & Hartson from 1986-1989 and 1993-2003. Between 1989 and 1993, he was the principal deputy solicitor general in the first Bush administration, helping formulate the administration's position in Supreme Court cases. During the Reagan administration, he served as an aide to Attorney General William French Smith from 1981 to 1982 and as an aide to White House counsel Fred Fielding from 1982 to 1986.

With impeccable credentials -- Roberts attended Harvard College and Harvard Law School, clerked for Justice William H. Rehnquist on the Supreme Court and has argued frequently before the court -- the question marks about Roberts have always been ideological. While his Republican Party loyalties are undoubted, earning him the opposition of liberal advocacy groups, he is not a "movement conservative," and some on the party's right-wing doubt his commitment to their cause. His paper record is thin: As deputy solicitor general in 1990, he argued in favor of a government regulation that banned abortion-related counseling by federally funded family-planning programs. A line in his brief noted the Bush administration's belief that *Roe v. Wade* should be overruled.

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As a judge on the D.C. Circuit, Roberts voted with two colleagues to uphold the arrest and detention of a 12-year-old girl for eating french fries on the Metro train, though his opinion noted that "[n]o one is very happy about the events that led to this litigation." In another case, Roberts wrote a dissenting opinion that suggested Congress might lack the power under the Constitution's Commerce Clause to regulate the treatment of a certain species of wildlife.

-- Charles Lane

#### Documents & Links

##### Documents from the Reagan Library relating to Roberts' time as Associate Counsel to the President during the Reagan Administration

- The Ronald Reagan Presidential Library released 5,393 government documents on Aug. 15. [Here, these documents are presented as 135 PDF files.](#)

##### Roberts response to a Senate Judiciary Committee questionnaire in preparation for this September confirmation hearings.

- [Part I: Pages 1-25](#)
- [Part II: Pages 26-50](#)
- [Part III: Pages 51-76. Financial Disclosure Report](#)

##### Memos written by Roberts during his tenure as an assistant White House counsel and a special assistant to then-Attorney General William French Smith during the Reagan administration:

- [Letter Regarding Pardons For Those Convicted of Violence Against Abortion Clinics](#), February 10, 1986.
- [Memo Regarding a Request to Support "In God We Trust" Plagues in Kentucky Schools](#), May 24, 1985.
- [Draft Article on Judicial Restraint](#), undated. The article was written by Roberts but was to appear in an American Bar Association journal under Smith's name. A [Nov. 30, 1981 response](#) to Roberts's draft by Bruce Fein, then of the Justice Department, is also available.
- [Roberts's Summary of a Lecture on "The Right to Privacy" by Then-Solicitor General Erwin N. Griswold](#), Dec. 11, 1981.
- [Memorandum Regarding Supreme Court Appellate Jurisdiction](#), April 12, 1982
- [Proposal to Divest the Supreme Court of Appellate Jurisdiction](#)
- [Roberts on Anti-Busing Bill](#), Feb. 15, 1984
- [Roberts on the Clarksville Baptist Church](#), Aug. 2, 1984
- [Roberts on Grove City College](#), July 24, 1985
- [Roberts on the Ann Gorsuch Case](#), Dec. 23, 1982
- [Roberts on Fair Housing](#), Jan. 31, 1983
- [Roberts on Grenada](#), Jan. 13, 1984
- [Roberts on Immigration Reform and Control Act of 1983](#), Jan. 30, 1984
- [Roberts on Legislative Veto](#), Aug. 4, 1983

##### Oral arguments Roberts made before the Supreme Court when representing private clients:

- [Smith v. Doe](#), Nov. 13, 2002
- [Barnhart v. Peabody Coal Co.](#), Oct. 8, 2002
- [Gonzaga University v. Doe](#), April 24, 2002
- [Rush Prudential HMO, Inc. v. Moran](#), Jan. 16, 2002

- [Tahoe-Sierra Preservation Council v. Tahoe Regional Planning Agency](#) Jan. 7, 2002
- [Toyota Motor Mfg. v. Williams](#), Nov. 7, 2001

#### Other filings and Web sites:

[National Archives Records Pertaining to Roberts](#)

[Transcript of Senate Judiciary Committee Confirmation Hearing, Jan. 29, 2003 \(PDF\)](#)

[Transcript of Senate Judiciary Confirmation Hearing, April 30, 2003 \(PDF\)](#)

[Roberts Financial Disclosure Report, Fiscal Year 2003](#)

#### Key Decisions

- [Hedgepeth v. WMATA](#), the case involving a 12-year-old girl arrested for eating on the Metro.
- *Rancho Viejo, LLC v. Norton Gale*, Roberts [dissented](#) from the D.C. Circuit decision not to reconsider a three-judge panel's ruling that protected a rare California toad under the Endangered Species Act.
- [U.S. Brief](#) in *Rust v. Sullivan* dealing with the issue of abortion signed by Roberts.
- [U.S. Brief in Oklahoma City Public Schools v. Dowell](#) about school desegregation signed by Roberts.

#### Supreme Court Arguments

- [Smith v. Doe](#), Nov. 13, 2002
- [Barnhart v. Peabody Coal Co.](#), Oct. 8, 2002
- [Gonzaga University v. Doe](#), April 24, 2002
- [Rush Prudential HMO, Inc. v. Moran](#), Jan. 16, 2002
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