

# Answers to the SCOCA trivia challenge

And now the answers to the SCOCA justices trivia quiz. Thanks again to the friendly law librarians, who were good sports and kindly donated their time and expertise to checking these facts.

## **1. The only justice to serve on the U.S. Supreme Court.**

Stephen Johnson Field served on the California Supreme Court for about five and half years (as the court's fifth chief justice for part of that time) before serving nearly 35 years on the U.S. Supreme Court.

## **2. The only justice born in the 1700s.**

Alexander Outlaw Anderson was born November 10, 1794 at Soldier's Rest in Tennessee. Presumably his mother, Only Patience Outlaw, gave him that swaggering middle name.

## **3. The first justice born in the 1900s.**

Roger John Traynor, born February 12, 1900. The court's 23rd chief justice and one of only three members to serve 30+ years; Mosk and Shenk are the others.

## **4. The longest serving justice.**

Morey Stanley Mosk served 37 years from 1964 to 2001. One of the greats, he is missed.

## **5. The youngest justice when appointed.**

Hugh Campbell Murray, age 26 when appointed. He was the court's third chief justice. There's a story that in 1849 he took a ship from Panama to California, but it made such slow progress that he disembarked at Cabo San Lucas and walked the rest of the way to San Francisco.

## **6. The shortest tenure as chief justice.**

Royal Tyler Sprague died in office after serving about eight weeks as the 11th chief justice from January to February 1872. Sprague became chief justice in unique circumstances. Rhodes was the 10th chief justice, and when he began a new term in January 1872 the court had to decide whether he would remain chief justice because he had the oldest commission, or give way to Sprague who had the shortest time to serve. The court referred the issue to a panel of three San Francisco attorneys, who decided for Sprague because the state constitution required the justice with the shortest remaining term to serve.

## **7. What number chief justice is the current chief justice?**

Chief Justice Tani Cantil-Sakauye is the court's 28th chief justice.

## **8. The current justices who share a birthday (in different years).**

Chief Justice Canti-Sakauye and Justice Liu were both born on October 19.

## **9. The only justice elected without his knowledge after being nominated in absentia while traveling in Europe.**

Edward Norton was in Europe on vacation when he was nominated and elected to a seat on the court. Norton returned to Europe shortly after leaving the court, remaining there until he died in London in 1872.

## **10. The only member of the five-member court retained for the new seven-member court.**

Elisha Williams McKinstry was part of the five-member court before it switched to the seven-member court in May 1879, and was the only justice elected as a member of the new court. McKinstry turned down a chance to become chief justice after Morrison (the 13th chief justice) died in office in 1887.

## **11. The justice seated after the longest vacancy.**

Justice Groban, taking Werdegar's seat 16 months after she retired. No other vacancy compares; the second-longest vacancy is Kennard's seat remaining open for

nine months. Governor Jerry Brown gets credit for both.

**12. The only two siblings to serve as justices.**

Jeremiah Francis Sullivan and his brother Matt Ignatius Sullivan, the 16th chief justice, are the only siblings (or even family members) to serve on the court.

**13. How many individuals have served as justices?**

118 unique people have served on the court. We only count Temple once; see next.

**14. The only justice to serve three separate, distinct terms.**

Jackson Temple served on the court three separate times: 1870-72 (appointed to fill a vacancy, but defeated to succeed himself), 1886-89 (elected, but resigned due to poor health), and 1895 to 1902 (elected and served until his death).

**15. Two justices who died on the same day.**

Jackson Temple and Walter Van Dyke both died on December 25, 1905. Van Dyke was the last justice whose service started in the 1800s.

**16. The first justice with a verifiable law degree.**

Oscar Lovell Shafter (Harvard). This is a tough one to verify: formal law degrees programs were rare until the 1900s. One of those rare exceptions is Harvard Law School, which touts itself as operating continuously since 1817; by comparison, Hastings College of the Law opened in 1878. Shafter's biography says he "put in the whole school year of 1837-1838 at Harvard Law School, where one of his teachers was Joseph Story." Bancroft's History of California similarly says "he studied law at the Harvard law school, under Judge Story." And his memorial by the court in 1874 says "he entered the law school of Harvard University, under Judge Story, where he *completed* his law studies." The law degree at the time was an LL.B. Shafter was also awarded an LL.D. by the College of California.

**17. The last justice who never earned a law degree.**

William Patrick Clark, Jr. was a rancher, and managing his land forced him to drop

out of Stanford University and Loyola Law School. He passed the California bar exam anyway, and was appointed by Governor Reagan in 1973. Of the court's 118 members, 65 justices had law degrees (55%), and 53 never earned law degrees (45%).

**18. The most justices earned law degrees from this school.**

Nine justices have law degrees from Hastings, the most of any single school. After that: USC and UC Berkeley are tied at seven each, followed by Yale with six, and Harvard and Stanford are tied at five each. The University of California combined dominates with 19 justices as alumni. The "school of life" is also a potential answer: 53 justices became lawyers after reading law.

**19. This justice's father founded the Alaska Commercial Company.**

Marcus Cauffman Sloss, known as M.C. Sloss, was the son of Louis Sloss, who founded Louis Sloss & Co. (later named the Alaska Commercial Company) which sold gold prospecting supplies.

**20. This justice cofounded the Sierra Club (and was later expelled from the Sierra Club).**

Trick question! Warren Olney, Jr. worked in the law offices of his father Olney Sr., and the Sierra Club was founded in those offices with John Muir. Olney Senior was expelled from the Sierra Club because he supported flooding the Hetch Hetchy Valley.

**21. The only justice to stab a man (who lived), shoot a man (who died), and be shot dead by a federal marshal.**

David Smith Terry led an interesting life. Just one anecdote: Terry was in trial when the defendant interrupted his argument several times, called Terry a liar, and stood to challenge him. Terry stabbed the defendant, and was fined for contempt. The fine may have been one dollar, or fifty dollars; as his biography observes, "for a courtroom stabbing, it was a bargain at either price."

Thanks to everyone who played along. We hope you had fun with this and maybe

learned something.

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