



the CLARIFIER

CLAREMONT ROTARY NEWSLETTER

SERVICE ABOVE SELF

Claremont Rotary Year 91 | Week 41 | October 11, 2019

Program: Politics of the Supreme Court, Dr. Christopher Krewson

Tom Shelley introduced our speaker, Christopher Krewson, Assistant Professor of Politics and Government at Claremont Graduate University. He earned his BA in American Studies from Brigham Young University, and his MA and PhD in Political Science from the University of Wisconsin-Madison. His presentation was based upon a paper that he and an assistant professor at the university of Mississippi are writing.

Dr. Krewson started with a sketch of the current Supreme Court justices listening to the argument of a single lawyer. He pointed out how intently the justices are listening to the attorney, but he said that we should also be aware of the human side of the justices. He said that when the justices retire to chambers after hearing a case, they typically leave behind their papers. Recently, the content of some of the personal notes they exchange during a hearing was released. One of these said, "the Reds just went ahead on a homerun." Another said, "Harry, wake up." Yet, they indeed are paying heed, and framing deeper thoughts about what they are hearing.

Dr. Krewson told us a bit about Court deliberations and then posed the research question, "what are the justices thinking about in order to achieve their policy goals?," the foundation of the paper that they are writing. He means the word "policy" in general terms, because justices are not supposed to be setting



policy—a legislative prerogative. Instead the justices are looking at this in a broad context, like: "The constitution is vague as it relates to this; both attorneys made compelling arguments.

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PAUL HARRIS FELLOWS

Foundation Committee Chair John Tulac presented a Paul Harris Fellow pin to **Nona Tirre**, who has done so much for the Club.

A certificate and pin were also awarded to **Bacon Bits**, who, thanks to everyone in the Club, donated \$1000!

CLAREMONT ROTARY: THE MEETING *(submitted by Buff Wright)*

President Cameron called the meeting to order and songleader **Karen Sapio** led us in Smile and God Save the Queen, er My Country Tis of Thee. The Four Way Test was again invited to center stage for a recitation.



INSPIRATIONAL THOUGHT FOR THE DAY

Lark Gerry has a neighbor who is an Arabic speaking Christian refugee from Syria. Over the years, they have greeted each other but she never paid much attention to her until yesterday when the neighbor brought her a squash, and needed to let her know she couldn't accept it because she was leaving town. Lark opened her phone and started to use the translator app. The neighbor used hers as well and they "talked" for about an hour. Lark learned that she came here with two sons and husband, but left a daughter, son and grandchildren behind. She's flying to Damascus for Christmas holiday knowing that it's dangerous, and will look for her daughter who she hasn't heard from for five years. With that experience in mind, Lark found these quotes:



"Tough times never last but tough people do." (Dr. Robert Schuller)

"In times of great stress or adversity, it is best to keep busy, to plow your anger and your energy into something positive." (Lee Iacocca)

There's always someone who is worse off to remind us how fortunate we are.

GUESTS AND VISITING ROTARIANS

Ron Coleman's guest was Rotarian **Francis Limbe** – a member of NY6 Rotary Club in New York City. Francis is from Sudan and lives in Claremont.

Susie Ilsley introduced **Ned Paniaqua**, who will soon be inducted as a new member, and his wife **Chrissie**.

Buff Wright introduced her guest **Blanca Aguiar**, who enjoyed the water glass choir that followed as we welcomed every guest and visiting Rotarian.



ANNOUNCEMENTS AND EVENTS

President Cameron gave thanks for everyone planning and participating in the BBQ.

Networking Social -- **Nona Tirre** announced that the next Social is Thursday, Oct. 17 at Wine Merchant on first street from 6:00 to 8:00 pm. Bring a friend!

World Polio Day is Oct 24. Our Club and the Sunrise Club are co-sponsors of an ad in the Courier. Stacie who also did the ad and logo for us for the 90th anniversary, designed this ad. Watch for it!

Rotary Work Day – **Jerry Goldman** and **John Howland** have planned a work day with Inland Valley Hope Partners at 1753 N. Park Avenue in Pomona. We'll paint their main office on Saturday, Nov. 2 to bring its decor into this century! There are sign up sheets. Please work a shift in the morning or afternoon.



Corazon Superbuild – November 2 in Tecate. The event is apparently full. Look for another in May.

District 5300 Peace Conference —Nov. 16 in Las Vegas at the Treasure Island Hotel. [Sign up soon!](#)

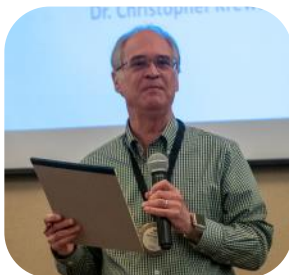
Bikes for Kids -- **Tom Shelley** explained that we are working with schools to nominate kids. We plan to buy 30 bikes this year. The giveaway will be Dec. 14 at the Presbyterian Church, and the bike build is Dec. 7th at Tom's house. Bikes will cost a bit more this year due to new tariffs, maybe \$140 per bike. We have some funds in the budget, and Tom is accepting additional donations to the Rotary Foundation. Check memo: Bill's Bikes for Kids.



Holiday Party – Scheduled for Saturday, December 7th at the Hughes Center. **Anita Boling** is chairing the committee. Please volunteer to help!

ANOTHER FINE DAY WITH JOHN TULAC

Sergeant **John Tulac** and the Sergeants committee have no problem getting material and havespies everywhere. John began by recognizing the BBQ committee for a job well done. Special recognition was given to **Paul Steffen** in his fireman's hat. **Jerry Tambe** brought tequila and **Lark Gerry** sipped a shot all night long – Jerry says she emptied the bottle. Either way, Feed the pig!



Harry Sparrow took a 3 week road trip to national parks in August and recently got back from Tanzania and Kenya. It was a special trip with his son, who allowed Harry to pay his way. He gained a full appreciation for the importance of Rotary water projects. He saw a rare white giraffe – there are only 2. He also saw a wildebeast crossing. There's a future program in this!!



Chuck Cable and his wife celebrated their 50th anniversary three weeks ago. Fine! (Check's in the mail.)

Roger House was welcomed back from West Virginia.

Ron Coleman expressed sincere condolences to Dodger Fans. John gave him a \$1000 fine and told him to sit down!

Karen Sapio was fined for a hair raising experience (a new cut)

Why does **Brett O'Connor** always get mentioned in articles about our successful athletes? (He has a cozy relationship from feeding the Courier stories) He was fined for wearing pink gear for breast cancer awareness: a pink hat, pink sunglasses, and a pink mustache. **Jim Elsasser** was fined in absentia for laughing at the mustache.

Zoe TeBeau, no.... **Bernadette Kendall** was fined for being last in. Penultimate **Zoe** was fined instead for the Estate Sale chez **Hauducoeur**. There's a rumor that Bob will be included in the sale.



Bernadette Kendall paid the pig to announce that tickets were available online for the weekend Claremont Heritage Home tour.

Buff Wright paid a ceremonial fine for Past President **Don Gould's** misdirected masterpiece, a check for \$93 (dues?) to the Rotary Foundation account (not for Operations), addressed to long-since- deceased Rotarian **Nelson C. Bell**. And some of you trust Don with your money?

THREE TRUTHS AND A LIE

Jerry Goldman thought we meant 3 lies and a truth, but he left figuring it out to us.



1. I was born in Boyle Heights and lived within a few blocks of LA County Hospital, near El Tepeyac (home of the Hollenbeck Burrito).
2. I played trumpet in the high school band and marched in the Rose Parade.
3. Opting for an internship in Medicine, I did not finish my Ph.D. thesis.
4. I will be visiting my daughter next year in Zambia after she settles into her new job.

Several wrong answers were offered. Jerry did indeed work on a PhD, which is still not finished. The lie? In high school, he played an E Flat Alto Sax.



Supreme Court, *cont'd*

There are multiple options I can take with this. What will be the consequences of the different alternatives?" Dr. Krewson offered up the example of assessing each alternative by thinking, "If I chose alternative A, will the justices on the lower courts be able to implement this as they hear new cases." Working through this thought process is what our speaker meant by achieving policy goals.

There are many factors that can constrain a justice's decision, for example: precedents, their perception of the ability of congress to overturn their decision; public opinion. Relative to the latter, analysis shows there is a strong correlation between liberal decisions and liberal public opinion, or similarly, conservative, even though the justices are not typically partisan.

The Court achieves its policy goals by the rules, or legal doctrine that decisions will set for the future. While precedent can be overturned by a future Supreme Court, precedent is still a major consideration. The many justices in the judicial hierarchy below the Supreme Court must implement the decisions of the Supreme Court whether they agree or not.

This form of reasoning applies to not only the cases accepted for hearing, but the ones they don't. For every case the Supreme Court takes on, 99 are not accepted and 5000 that are decided at the lower court level are never appealed to the Supreme Court. Our speaker's theory is that whether a justice may be liberal or conservative, thinking through their policy goals clearly influences the decisions about what cases to take on and what to not.

Once the court decides to issue or modify a legal rule, it must decide on the form and structure of that rule. The form and structure, depending on how specific they are, can achieve either tightly defined or broadly defined policy objectives. The factors that are in play are scope, clarity and flexibility. For "flexibility" he used the speed of an automobile as an example. The court can set a specific speed limit (rigid) or recognize a speed that is "safe for the conditions" (discretionary). The justices have to walk a fine line of allowing some level of discretion, without making the rule so broad that lower court judges can in effect establish their own rules.

What he and his co-author are trying to determine is whether trust in the lower courts is the major factor in flexibility or whether there is a correlation between the ideological makeup of the Supreme Court over time and the flexibility of the judicial rules they establish. One hypothesis would be that conservative courts would establish specific "rules" and liberal courts would establish "standards." Has this been the case? The condition that might be the



best indicator is when a Supreme Court ruling altered an existing precedent. He showed a plot that ran from the 1940s to the present of such decisions to show where a decision had altered the precedent to a standard or to a rule.

The surprise finding is that the justices haven't been consistent in establishing rules in one era of the court and standards in another. The data don't show this to be a reliable, global predictor for the court's decisions. The data indicate that trust in the lower courts is a key factor and it has resulted in contrarian outcomes. When the justices have less trust in the lower courts they are more likely to establish standards and when they have more trust, they establish rules.

So, that says ideology is not a factor in the decisions of the Supreme Court, right? According to Dr. Krewson, if you take a deeper dive and subdivide the cases into "criminal" and "all other," you do find a correlation with ideology. As regards criminal cases, conservative courts tend to opt for standards rather than rules, just as liberal courts do. However, when it comes to the "all other" category, conservative courts opt for rules and liberal courts still opt for standards.

Overall, Dr. Krewson has concluded that ideology and case facts, not trust in the lower courts, are the primary factors in how a justice will rule on a case.

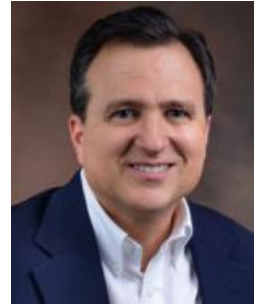
This was an enlightening in-depth treatment of a subject many of us were clueless about. Our layman's takeaway might be that the politics of Supreme Court justices aren't easy to dissect, which should give us reason to pause and reconsider easy conclusions when the Court issues controversial decisions or when the Senate conducts its next confirmation hearing.

This is a very interesting time for students of politics and courts. The students at Claremont Graduate University are fortunate to have a thoughtful professor like Dr. Krewson.



the CLARifier

The Clarifier, P.O. Box 357, Claremont, CA 91711



Cameron Troxell
Claremont Rotary
President
2019-2020



UPCOMING PROGRAMS & EVENTS

Oct 18	Claremont Then and Now, John Neuber
Oct 25	March of Dimes, Natalie Michney
Nov 1	Licensed Woman Farrier, Ada Gates
Nov 2	Corazon Build; Rotary Work Day

Photo of the Week



SILVER LAKE



The award was nice, but I feel kinda funny

Bacon Bits

Let's fill up the pig!

Some-one has to be!



Sergeants committee meets every Friday at 11:30 AM in the Orchard Lounge at the DoubleTree Hotel and anyone with information to share is welcome!!

Website

Information about the club and back editions of this newsletter are always available on DACdb and www.claremontRotary.org

Join us on Facebook:

www.facebook.com/RotaryofClaremont

October Birthdays

- Betty Sheldon 10/1
- Tom Shelley 10/7
- Sean Gallagher 10/13
- Rich Laughton 10/13
- Jim Lehman 10/20
- Chuck Carpenter 10/25
- Nona Tirre 10/30



Notes: Buff Wright (meeting), Harry Sparrow (program). Photos: Steve Schenck
The Claremont Rotary Club meets at the Claremont DoubleTree on Foothill at 12:10pm

Clarifier Committee

- Bill Burrows
- Mike DeWees
- Lark Gerry
- Bobby Hyde
- Dan Kentner
- Jim Lehman
- Steve Schenck
- Chris Shaner
- Harry Sparrow
- Peter Weinberger
- Buff Wright, editor

