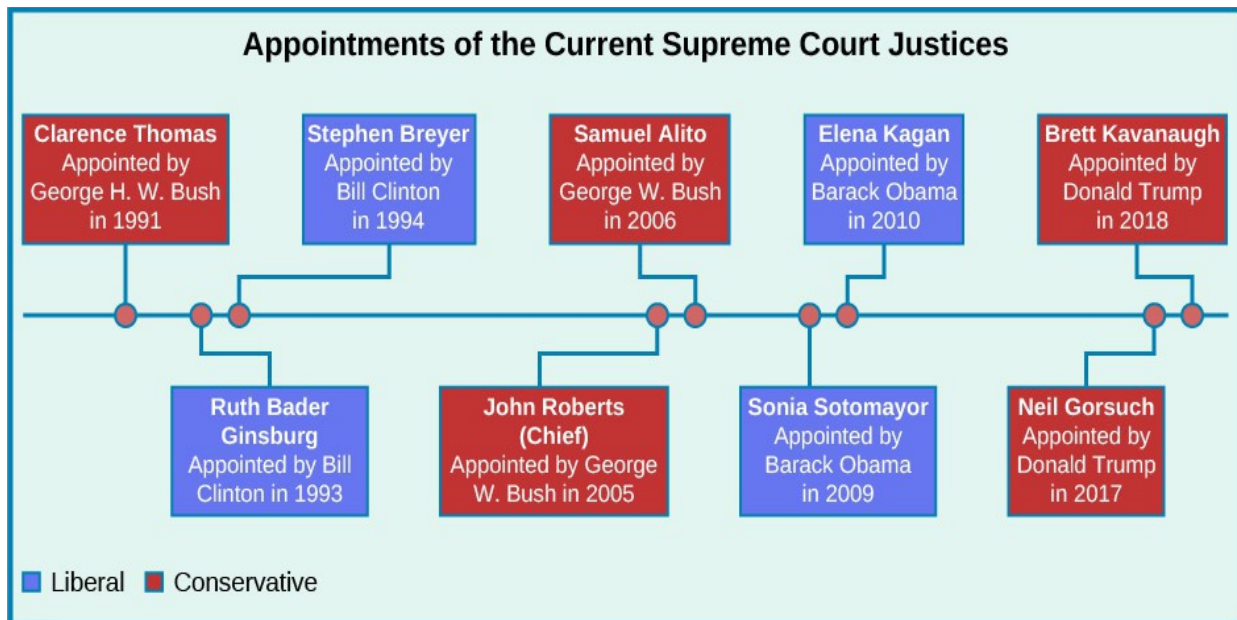


The Structure of the US Supreme Court

The original court in 1789 had six justices, but Congress set the number at nine in 1869, and it has remained there ever since. There is one chief justice, who is the lead or highest-ranking judge on the Court, and eight associate justices. All nine serve lifetime terms, after successful nomination by the president and confirmation by the Senate.

The current court is fairly diverse in terms of gender, religion (Christians and Jews), ethnicity, and ideology, as well as length of tenure. Some justices have served for three decades, whereas others were only recently appointed by President Trump. Figure 1 lists the names of the nine justices serving on the Court as of January 2019, along with their year of appointment and the president who nominated them.



Currently, there are five justices who are considered part of the Court's more conservative wing—Chief Justice Roberts and Associate Justices Thomas, Alito, Gorsuch, and Kavanaugh—while four are considered more liberal-leaning—Justices Ginsburg, Breyer, Sotomayor, and Kagan. Had the Merrick Garland nomination in March 2016 been allowed to proceed, or had the Democrats retained the presidency in 2016, the replacement for the spots on the court vacated in the wake of the death of Associate Justice Antonin Scalia in February 2016, or the retirement of “swing” vote Anthony Kennedy in July 2018, could have swung many key votes in a moderate or liberal direction. However, with Republican

Donald Trump winning the election and the Republicans retaining Senate control, the Court has become more conservative.

In fact, none of the justices works completely in an ideological bubble. While their numerous opinions have revealed certain ideological tendencies, they still consider each case as it comes to them, and they don't always rule in a consistently predictable or expected way. Furthermore, they don't work exclusively on their own. Each justice has three or four law clerks, recent law school graduates who temporarily work for him or her, do research, help prepare the justice with background information, and assist with the writing of opinions. The law clerks' work and recommendations influence whether the justices will choose to hear a case, as well as how they will rule. As the profile below reveals, the role of the clerks is as significant as it is varied.