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SUPREME COURT ETHICS

By Grant Williams

INTRODUCTION

While the Supreme Court was established in 1789, its current building was not completed until 1935.
Image from Structurae

Ratified in 1788, the United States Constitution devised a three-pronged system of federal governance composed of the legislative, executive, and judicial branches. While Article III, Section I of the Constitution outlines how the judicial branch's power is meant to be "vested in one Supreme Court," it was not until the Judiciary Act of 1789 that the Supreme Court — a body of six justices presiding over a larger federal court system — was formally established ("About the Court", 2023). This body was increased to nine justices shortly following the end of the Civil War and has remained unchanged since.

Despite having successfully managed to operate as an independent, regulatory element of the federal government since its inception over two centuries ago, the US Supreme Court, in the eyes of many pundits and politicians alike, faces an unprecedented crisis of legitimacy. Beyond merely being affected by the general 21st-century trend toward greater societal distrust of institutions, the US Supreme Court has also recently been plagued by high-profile controversies that have called into question its objectivity and political independence. These incidences range from sitting justices quietly accepting lavish donations from wealthy donors to Senate hearings involving sexual assault allegations of court nominees, and partisan gridlock within confirmation hearings.

Arguably, the single most significant development in the ongoing dissolution of the perceived integrity of the Supreme Court was the 2022 *Dobbs v. Jackson* decision in which the conservative-leaning court reversed the landmark 1973 *Roe v. Wade* decision establishing a woman's right to privacy and abortion. To many among the American partisan public, that decision represents the weaponization of a conservative, unchecked court against the will of the majority. Others, however, view it as a fulfillment of the decades

***25% of Americans** have confidence in the Supreme Court*

of promises from conservative politicians to strike down Roe v. Wade. This sentiment is reflected in a 2022 Gallup poll suggesting that only 25% of Americans have confidence in the Supreme Court, a record low in recent years (Jones, 2022).

It is thus the role of the Senate Judiciary Committee to reflect on this current lack of public trust in the judiciary system and deliberate on potential legislative solutions that could restore institutional integrity to the Supreme Court.

EXPLANATION OF THE ISSUE

Historical Development

In the centuries since the inception of the Supreme Court, there have been 17 Chief Justices and 104 Associate Justices ("About the Court", 2023). While the Constitution grants Congress the right to impeach Supreme Court Justices should they not exhibit "good behavior," at no point in the 230-year history of the Supreme Court has a justice been forcibly removed from office.

In 1804, Justice Samuel Chase perhaps came closest to this fate when, as an appointee of George Washington, he was impeached by the House of Representatives on the basis of "bias and partisan behavior," but, ultimately, was acquitted by the Senate (Elving, 2023).

Justice Williams O. Douglas
Image from Google

Two other justices have similarly found themselves subject to the threat of impeachment: Justices Abe Fortas and Williams O. Douglas. Due in part to allegations of nepotism and securities fraud, Justice Fortas voluntarily resigned from the nation's highest court in 1969, avoiding the possibility of an impeachment trial. Justice Douglas, on the other hand, found himself at the center of controversy largely due to a broader culture war. Perhaps one of the court's most liberal justices of all time, Douglas garnered the ire of many Republicans across the country — most particularly, President Gerald R. Ford. After publishing an article in *Playboy* and making controversial comments defending foreign movies that many Americans considered indecent, Douglas found himself at the center of a media frenzy. While a significant percentage of the American public sought his removal from the Court, the Senate committee did not pursue a formal vote, and Douglas remained a sitting justice until medical issues prompted him to retire. (Elving, 2023).

In recent years, removal of justices has re-entered conversations about the Supreme Court. In April 2023, investigative journalism newsroom *ProPublica* published an exposé on Justice Clarence Thomas and the manner in which he had been "treated to luxury vacations by billionaire Republican donor Harlan Crow" for over two decades without making any public financial disclosures (Kaplan et

al, 2023). This article, perhaps like none other in recent history, has brought the subject of Supreme Court ethics back to the forefront of public policy conversation.

Scope of the Problem

The Supreme Court's current crisis of confidence cannot be wholly attributed to one isolated concern or incident. It, instead, is the composite result of various controversies and institutional failures to promote transparency, impartiality, and professionalism. While imperfect buckets, the overarching concern over Supreme Court efficacy and ethics can be sorted into three issues: personal conduct of the Justices, partisanship and political maneuvering in the confirmation process, and ambiguity in recusal procedures.

Personal Conduct

All judges most disclose gifts in excess of $415

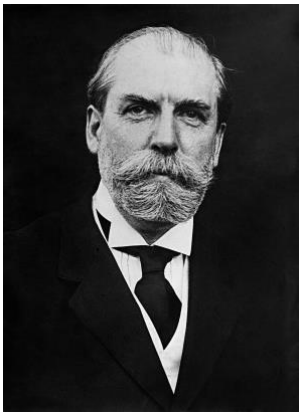
Unlike all other federal justices, the justices of the Supreme Court are not subject to the 1973 Code of Judicial Conduct. This Code of Conduct was established by the Judicial Conference, an administrative board overlooking the federal court system, and was initially instituted as a non-binding guide, or a general standard to which the federal court system wanted to hold itself accountable. The Brennan Center for Justice describes this document as a five-pronged constitution: 1) "uphold the integrity and independence of the judiciary"; 2) "avoid impropriety and the appearance of impropriety in all activities"; 3) "perform the duties of the office fairly, impartially and diligently"; 4) "engage [only] in extrajudicial activities that are consistent with the obligations of judicial office"; and 5) "refrain from political activity" (Kalb et al, 2019).

While this code was not legally binding at the time of its creation, additional legislation has codified aspects of this self-imposed constitution: the Judicial Conduct and Disability Act of 1980 established a mechanism for judicial oversight by the way of complaints and committee circuits. Violations of this code by federal justices can now result in sanction and investigation (Kalb et al, 2019). However, there still is little in the way of concrete punishments or penalties — it is up to the Senate Judiciary Committee to assess the severity of ethical breaches by judges on a case-by-case basis.

It was not until the passage of the Ethics Reform Act of 1989 that federal judges, including the Supreme Court, were legally obligated to disclose gifts in excess of $415 and refuse favors from anyone with legal ties to a given court case with which a judge would be involved. This law, however, exempts "personal hospitality," a clause which Justice Thomas has underscored following recent backlash, emphasizing that he and Harlan Crow are "dearest friends" (Crowley, 2023).

More than Justice Thomas, a number of Supreme Court justices have found themselves under the magnifying glass of public criticism in recent years. In 2016, Justice Ruth Bader Ginsburg was roundly criticized by legal scholars across the country for disparaging the then Republican presidential nominee, Donald Trump, as an unqualified "faker" (Shear, 2016). She quickly offered a statement of apology for tarnishing the veneer of objectivity and political separation to which judges are expected to abide, calling her comments "ill advised."

This public expectation of projecting political impartiality, however, is something of a modern development. It was not uncommon for justices in the early 20th-century to be more vocal about their political leanings and philosophies — Justice Charles Evans Hughes went so far as to resign from the Court in 1916 to make a bid for the presidency (Shear, 2016).



Justice Charles Evans Hughes
Image From Google

Confirmation Process

Under the United States Constitution, it is the role of the President to recommend a nominee to fill a Supreme Court vacancy. It is then the responsibility of the Senate to reject or accept that nomination. In the modern era, the procedural precedent is that the Senate Judiciary Committee holds televised hearings for a given nominee, a process that generally takes as long as several months. Nominees' judicial credentials, political philosophies, and past rulings are dissected by the committee, and then, the nomination is put up to a vote in the Senate. Between 1930 and 1968, Senators largely respected the right of the President to select a Justice, and 17 of the 24 Supreme Court nominations were passed unanimously by the Senate. However, in recent decades, the nomination process has become much more contentious and polarized. Many identify the 1991 hearing for Justice Clarence Thomas as a turning point in the culture and conditions of the confirmation process. After being accused of sexual harassment by Anita Hill, Justice Thomas was denied the recommendation of the Judiciary Committee but still confirmed 52-48 ("About Judicial Nominations", 2023).

Since then, confirmation hearings have continued to grow more divisive and partisan: Senate Republicans were widely criticized in 2015 for their decision to not consider President Obama's nomination of Merrick Garland following the death of Justice Antonin Scalia, instead opting to permit a nine-month vacancy and allow the next president to nominate a Supreme Court justice. The Senate confirmation process reached a new height of controversy in 2018 after Brett Kavanaugh was confirmed 50-48 on largely partisan lines after being accused of sexual assault by Christine Blasey Ford (Stolberg, 2018). Most recently, Senate Majority Leader, Mitch McConnell (R-KY), was roundly criticized for hypocrisy after expediting the hearings process for Justice Amy Coney Barrett,

ROBERTS

7% | 9% | 7% | 7% | 8%

KAGAN

16% | 17% | 14% | 17% | 25%

THOMAS

3% | 0% | 0% | 0% | 0%

Each percentage is the fraction of overall recusals in each term from 2022 to 2018 (left to right)

Bloomberg Law

permitting her to be confirmed just a week before the 2020 presidential election. This was in obvious conflict with his decision to block the hearings for Merrick Garland on the grounds that his nomination would be too close to Election Day (Hulse, 2020).

On all fronts, the confirmation process of a Supreme Court nominee has become mired in politicking, obstruction, and partisanship. The nominees themselves have grown younger in recent decades as presidents seek to shape the direction of the country and its laws far beyond their stay in the White House.

Recusals

Apart from one 1940 statute requiring justices to recuse themselves "in any proceeding in which their impartiality might reasonably be questioned," there is little governing a Supreme Court justice's decision to recuse themselves from a case (Savage, 2023). The specifics of 28 U.S. Code § 455 are vague, difficult to enforce, and permit that Supreme Court justices govern themselves. This has led to great disparities between justices in their rates of recusal: Justices Samuel Alito and Elena Kagan recused themselves between 15 and 20% of the time in the sessions after 2018 whereas Justice Thomas recused himself in only 3% of appeals over the same period (Crawley et al, 2023). Moreover, the justices rarely explain their recusal decisions, making it challenging for the public to know why a Justice has not participated in a given case.

This lack of oversight and direction has led to a good deal of controversy. Most notably, in high-profile cases such as those dealing with January 6, Justice Thomas has repeatedly declined to recuse himself despite his wife's suspected involvement in furthering claims of election fraud and attendance at the rally. Recently, Justice Jackson recused herself from a landmark case on affirmative action due to her own status on the Harvard Board of Overseers (Weiner, 2022).

With few concrete guidelines and no mechanism to enforce the recusal of justices, the Supreme Court itself has grown polarized and increasingly contentious, only worsening its lack of public confidence.

Congressional Action

At the end of April 2023, Senators Angus King (I-ME) and Lisa Murkowski (R-AK) introduced the "Supreme Court Code of Conduct Act," a bipartisan measure that would compel the Supreme Court to draft its own binding ethics code and appoint an official to review complaints and investigate potential violations (VanSickle, 2023). This bill is in addition to Senator Whitehouse of Rhode Island's "Supreme Court Ethics, Recusal, and Transparency Act of 2022," an earlier bill that gained little traction but sought to force the Supreme Court to adopt the same code of conduct measures to which the

federal courts are subject and codify more concrete conditions for recusal.

So far, both bills have been met with significant resistance from Republican leaders — Kentucky Senator Mitch McConnell declared the measures unnecessary and the products of activist Senators resentful about the Supreme Court's conservative lean.

Other Policy Action

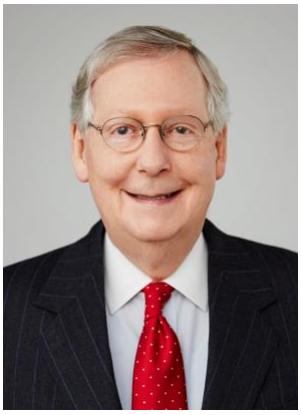
6 – 3 majority: Republican Justices to Democratic Justices

"adhere to the highest standards"

At a recent law dinner on May 24, 2023, Chief Justice Roberts acknowledged that there is more to be done to ensure that the Court will "adhere to the highest standards" of ethics, assuring that the Supreme Court justices are evaluating options to ensure objectivity and quell the concerns over recent controversies (Sherman, 2023). These comments came shortly after the Senate, in early May, held a hearing on judicial ethics reviewing the behavior of Justice Thomas detailed in the *ProPublica* exposé. Despite declining to testify at the hearing, Justice Roberts submitted a statement of ethics signed by all nine justices. This "Statement on Ethics Principles and Practices" included little in the way of new content, merely restating the Court's collective commitment to ethical principles without offering any definite accountability mechanisms (Gerstein, 2023).

IDEOLOGICAL VIEWPOINTS

Conservative View



Senate Minority Leader Mitch McConnell
Image From Google

Given that Republican presidents have nominated six of the nine current justices and that the Supreme Court has recently sided in favor with conservative opinions on many high-profile cases concerning hot topic subjects like abortion, affirmative action, and gun control, most conservatives are reluctant to consider efforts to rein in the power or jurisdiction of the Supreme Court. Senate Minority Leader Mitch McConnell has repeatedly extolled the "high ethical standards" of the court in the wake of the ProPublica scandal (VanSickle, 2023). In short, the leading conservative sentiment regarding the Supreme Court is that any efforts to undermine its credibility come from a place of partisan irritation from liberals who are bitter their party does not control the Supreme Court.

Conservatives are also much more likely to subscribe to **originalism**, interpreting the Constitution to have the same, literal meaning as it had at the time it was written. Thus, they tend to be far more traditional and averse to modifying any aspects of the Constitution or its interpretation — for example, any proposals to change the composition of the Supreme Court or revise the current nomination process would likely be unpopular among Republicans.

Liberal View

Liberals, on the other hand, are much more open to reinterpreting the Constitution and imposing a higher standard of conduct on the Supreme Court. Given that progressives occupy only three of the nine positions on the Supreme Court, many high-profile cases have not gone well for Democrats in recent years, and, hence, many Democrats would be eager to potentially replace any unethical judges and rein in their power.

On the liberal side of the aisle, too, there exists a great acknowledgment of how the court system has long been weaponized against marginalized communities throughout the history of the country. Thus, liberals are far more open to revising the mandate and composition of the Supreme Court such that it could be tailored to a more equitable, representative today rather than stay loyal to the originalist intentions and precedents of the nation's history.

AREAS OF DEBATE

There exist several proposed solutions to remedy the credibility crisis of the Supreme Court and restore American confidence in its ethical integrity. None, however, are without controversy or significant hurdles toward passage. These policy suggestions include the imposition of a code of conduct onto the Supreme Court, the introduction of term limits onto the Supreme Court, the resizing of the Supreme Court, the codification of a nomination timeline, and the development of standardized criteria for recusal.

Senator Lisa Murkowski
Image From Google

Impose a Code of Conduct

Perhaps the most often cited recommendation for allaying the Supreme Court's current credibility crisis is the imposition of a Code of Conduct. This option can take multiple forms, however. Some, like Senators Murkowski and King, have suggested that Congress obligate the Supreme Court to draft its own ethics constitution which the legislative branch would then enforce — a perspective likewise endorsed by the Brennan Center for Justice — whereas others have insisted that the Supreme Court cannot adequately police itself and suggested that Congress revisit the laws currently applied to the federal courts and expand their purview to the Supreme Court as well.

Political Perspectives on this Solution

While Senator Murkowski is a Republican, and, theoretically, applying a code of ethics to a non-partisan body of government should not be a divided issue, the reality is that many conservatives are very hesitant entertain any policy procedures which would cast

doubt on the legitimacy of the Supreme Court and its current conservative leanings or threaten its political power. Similarly, conservatives are concerned that any actions to modify the ethical standards of the Supreme Court could be construed as an attack on Justice Thomas or a means of reproving and censuring the conservative court. Democrats, on the other hand, are much more eager to impose a concrete framework of behavior onto the court. President Biden is likewise in support of this possibility.

Among items to consider in this Code of Conduct are financial disclosures, parameters determining conflicts of interest, and the extent to which the personal behavior of a sitting justice could compromise his/her perceived ethical impartiality — criminal allegations, inappropriate comments, etc.

Term Limits

While a proposal popular with the public, the introduction of term limits onto the Supreme Court is unlikely to be received favorably by both the current Supreme Court and the ruling party in power.

67% of Americans favor term limits

The Brookings Institute, in a recent study, determined that 67 percent of Americans favor term limits for the Supreme Court justices, reasoning that this change would limit the power of a sitting president to radically alter the composition of the Court decades beyond their departure from the Oval Office. This has been a common frustration among pundits as recent Presidents have engaged in races to nominate the youngest qualified justices possible (Eisen et al, 2022).

Political Perspectives on this Solution

Justices Kagan, Breyer, and Roberts have all publicly favored the implementation of tenure limits on the Court. This would allow a predictable, rotating flow of new justices. One of the most common suggestions for a term limit is 18 years, such that no single president can wield too much influence beyond the two decades past his/her exit.

Given that Republican nominees currently have spent longer on the bench, they would likely be hesitant to impose any term limits, especially given that these term limits could have the effect of immediately removing Justice Thomas, and, very soon, removing Justices Roberts and Alito, all conservatives.

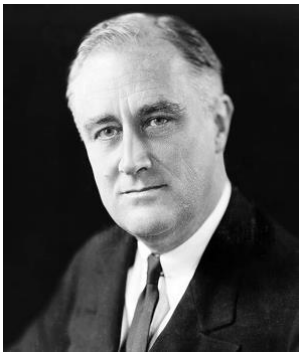
Court Resizing

Possibly the most contentious of the various policy solutions is the matter of court resizing. The Constitution does not specify a number of Supreme Court justices, but all presidents since 1869 have fixed the size of the court to nine justices. President Franklin D.

Roosevelt spoke publicly of his intentions to "pack" the court during the Great Depression after many of his New Deal resolutions were being declared unconstitutional, but many politicians and members of the US public alike found this strategy to be unfair a, so he backed away from the threat.

President Biden has likewise expressed discomfort with the suggestion, echoing sentiments that such a maneuver would only exacerbate the perception of a partisan, biased court.

Political Perspectives on this Solution



President Franklin D. Roosevelt
Image From Google

Within the American public, and, particularly, on the left, there exists a good amount of support for such a measure. Many liberals, disenchanted with a Supreme Court that has ruled out of step with public opinion on voting rights and abortion, are supportive of expanding the number of seats on the Supreme Court to the number of circuit courts, 13, a proposition expressed by Senator Bernie Sanders of Vermont. Republicans however are very opposed to such an idea on both the grounds of tradition and the threat such a change could pose to their current **supermajority.**

Think tanks like the Brennan Center for Justice have postulated other possibilities, like permitting each president to nominate two justices at the beginning of each term and letting the size of the court fluctuate (Bannon, 2021). Another, less feasible but nonetheless interesting recommendation forwarded by the current Secretary of Transportation, Pete Buttigieg, is the introduction of a Supreme Court composed of five Republicans, five Democrats, and five apolitical Justices selected by the other 10 Justices. This possibility, however, is blatantly unconstitutional given that it is the president's responsibility to nominate justices. Additionally, Justices are not outwardly meant to be affiliated with any political party.

Codify Nomination Timeline

Throughout the history of the United States, the Senate procedures to review, hold hearings for, and ultimately confirm a potential Supreme Court justice have varied widely. With the recent denial of a hearing to Merrick Garland, however, many politicians have expressed frustration at the perceived corruption and patent partisanship of the hearings process. One remedy to this issue would be codifying a set standard of how long a nomination process should take, what it would be composed of, and how long before an election day it could occur.

Political Perspectives on this Solution

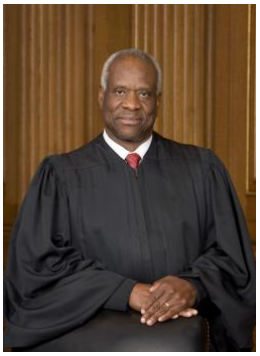
Conservatives would be hesitant to admit fault in the handling of the expedited hearing of Justice Amy Coney Barrett compared to Merrick Garland's nonexistent hearing. Still, it is possible for bipartisan support on this issue given that standardizing the

nomination timeline would not affect the current composition of the court or alter anything retroactively.

Recusal Standards

On the subject of recusal standards, there is likely to be concern among both parties that laws could prove unnecessarily onerous and not offer the justices discretion to recuse themselves as they see best fit.

Given that liberal judges in the Supreme Court tend to recuse themselves more often than the conservative ones, there could also be an aversion among Republicans in the Senate to impose more restrictions on the more conservative judges and obligate them to sit out on potentially significant court cases, like those involving January 6 and Justice Thomas. One solution proposed by the Brennan Center for Justice is a law requiring justices to disclose their reasons for recusing or not recusing from any given cases. Some have suggested that such a requirement would be unnecessarily burdensome and a misplacement of time and resources.



Justice Clarence Thomas
Image From Google

Political Perspectives on this Solution

Conservatives are more likely to be resistant to the enforcement of recusal standards, but, given the introduction of a truly independent board or oversight committee, bipartisan cooperation could be possible.

BUDGETARY CONSIDERATIONS

Most of the proposed policy solutions to concerns over Supreme Court ethics would involve minimal budgetary resources; however, any expenses from implementing oversight or restructuring the composition of the Supreme Court or its nomination process should still be considered.

CONCLUSION

The Supreme Court, as the head of the Judicial System, wields immense political power and control over the direction of the American democracy. As such, maintaining public confidence in the institution as objective and fair is paramount to preserving stability for decades and centuries to come.

It is thus critical that you, as elected representatives, come to the committee prepared to negotiate and compromise with one another. Though this subject is of immense importance, it is mired in political partisanship and divisiveness, and reaching an agreement will likely require compromise and collaboration amongst lawmakers.

GUIDE TO FURTHER RESEARCH

Given that the Supreme Court is a 200-year-old institution, there is much to be gleaned from its records. Rather than simply reading up on the current happenings of the Supreme Court in the modern era, research how its confirmation, recusal, and nomination processes have changed over time. Also, feel free to study past controversies among Supreme Court justices and other ethical dilemmas that have affected the nation's highest court in the past. These incidents will inform you as you evaluate potential solutions and compromises. Also, please peruse the articles included in the bibliography.

Congress.gov and Senate.gov are two great resources to read up on past, pending, and current bills and laws. Study the measures and stipulations included in these bills as they might give you novel ideas of how to approach the dilemmas facing the Supreme Court.

Congress.gov

Senate.gov

GLOSSARY

Originalism – The philosophy that the US Constitution should be interpreted according to the meaning intended at the time of its writing.

Supermajority – Any time when the Supreme Court has a partisan majority at or in excess of 6-3 between conservatives and liberals.

BIBLIOGRAPHY

"28 U.S. Code § 455 - Disqualification of Justice, Judge, or Magistrate Judge." *Legal Information Institute*, www.law.cornell.edu/uscode/text/28/455. Accessed 2 June 2023.

"About Judicial Nominations: Historical Overview." *U.S. Senate: About Judicial Nominations | Historical Overview*, 17 Feb. 2022, www.senate.gov/about/powers-procedures/nominations/judicial-nominations-overview.htm.

"About the Court." *United States Courts*, www.uscourts.gov/about-federal-courts/educational-resources. Accessed 2 June 2023.

Bannon, Alicia. "An Overlooked Idea for Fixing the Supreme Court." *Brennan Center for Justice*, 12 Mar. 2021,

www.brennancenter.org/our-work/analysis-opinion/overlooked-idea-fixing-supreme-court.

Crawley, John, and Kimberly Strawbridge Robinson. "Alito, Kagan Top Justices in Supreme Court Recusal 'Black Box.'" *Bloomberg Law*, 13 Feb. 2023, news.bloomberglaw.com/us-law-week/alito-kagan-top-justices-in-supreme-court-recusal-black-box-1.

Crowley, Matthew. "Why Doesn't the Supreme Court Have a Formal Code of Ethics?" *Poynter*, 17 Apr. 2023, www.poynter.org/fact-checking/2023/why-doesnt-the-supreme-court-have-a-formal-code-of-ethics/.

Eisen, Norman, and Sasha Matsuki. "Term Limits-a Way to Tackle the Supreme Court's Crisis of Legitimacy." *Brookings*, 30 Sept. 2022, www.brookings.edu/blog/fixgov/2022/09/26/term-limits-a-way-to-tackle-the-supreme-courts-crisis-of-legitimacy/.

Elving, Ron. "Congress Has Clashed with Supreme Court Justices over Ethics in the Past." *NPR*, 22 Apr. 2023, www.npr.org/2023/04/22/1171289725/congress-has-clashed-with-supreme-court-justices-over-ethics-in-the-past.

Hulse, Carl. "How Mitch McConnell Delivered Justice Amy Coney Barrett's Rapid Confirmation." *The New York Times*, 27 Oct. 2020, www.nytimes.com/2020/10/27/us/mcconnell-barrett-confirmation.html.

Jones, Jeffrey M. "Confidence in U.S. Supreme Court Sinks to Historic Low." *Gallup.Com*, 31 May 2023, news.gallup.com/poll/394103/confidence-supreme-court-sinks-historic-low.aspx.

Kalb, Johanna, and Alicia Bannon. "Supreme Court Ethics Reform." *Brennan Center for Justice*, 24 Sept. 2019, www.brennancenter.org/our-work/research-reports/supreme-court-ethics-reform.

Kaplan, Joshua, et al. "Clarence Thomas Secretly Accepted Luxury Trips from GOP Donor." *ProPublica*, 6 Apr. 2023, www.propublica.org/article/clarence-thomas-scotus-undisclosed-luxury-travel-gifts-crow.

Shear, Michael. "Ruth Bader Ginsburg Expresses Regret for Criticizing Donald Trump." *The New York Times*, 14 July

2016, www.nytimes.com/2016/07/15/us/politics/ruth-bader-ginsburg-donald-trump.html.

Savage, Charlie. "Tightening Supreme Court Ethics Rules Faces Steep Hurdles." *The New York Times*, 5 May 2023, www.nytimes.com/2023/05/05/us/politics/supreme-court-ethics-rules-justice-thomas-crow.html.

Sherman, Mark. "Chief Justice Roberts Says Supreme Court Looking at Ethics Standards, Provides No Specifics." *PBS*, 24 May 2023, www.pbs.org/newshour/politics/chief-justice-roberts-says-supreme-court-looking-at-ethics-standards-provides-no-specifics.

Stolberg, Sheryl Gay. "Kavanaugh Is Sworn in after Close Confirmation Vote in Senate." *The New York Times*, 6 Oct. 2018, www.nytimes.com/2018/10/06/us/politics/brett-kavanaugh-supreme-court.html.

Gerstein, Josh. "Supreme Court's New Ethics Declaration Stops Short of Concrete Action." *Politico*, 26 Apr. 2023, www.politico.com/news/2023/04/26/supreme-court-ethics-rules-message-00094091.

VanSickle, Abbie. "In Bipartisan Bill, Senators Urge Supreme Court to Adopt Ethics Code." *The New York Times*, 26 Apr. 2023, www.nytimes.com/2023/04/26/us/politics/senate-bill-supreme-court-ethics.html?action=click&module=RelatedLinks&pgtype=Article.

Weiner, Lisa. "Examining What's Involved with a Supreme Court Justice's Recusal." *NPR*, 15 Apr. 2022, www.npr.org/2022/04/15/1093005963/examining-whats-involved-with-a-supeme-court-justices-recusal.