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## Supreme Court Justice Antonin Scalia and Calif. Attorney General Lockyer To Visit Chapman

- Aug. 29 event will be part of 10th anniversary of Chapman School of Law, as well as Chapman University's Welcome Week festivities

- California Attorney General Bill Lockyer joins Justice Scalia in re-enactment of landmark *Lochner v. New York* case with Chapman students.

- Justice Scalia gives annual Madison Lecture that evening. Events are open to the public.

**ORANGE, Calif., July 11, 2005** -- U.S. Supreme Court Associate Justice Antonin Scalia will make a one-day visit to Chapman University on Monday, August 29 to take part in a 3:30 p.m. re-enactment of the famous 1905 *Lochner v. State of New York* case by students and faculty from the Chapman School of Law and Wilkinson College of Letters and Sciences. He is joined by California Attorney General Bill Lockyer for the historical re-enactment.

Justice Scalia will also give the School of Laws annual Madison Lecture at 7:30 p.m. that evening as part of campus Welcome Week festivities. The events are held as part of the 10th anniversary of the Chapman School of Law, and also commemorate the 100th anniversary of the controversial *Lochner* decision, which for a time barred legislative regulation of working conditions.

Both events are free and open to the public. Seating for the re-enactment, which will be in 950-seat Memorial Hall (Chapman Auditorium), is not reserved and will be available on a first-come, first-served basis. The re-enactment also will be carried via a live [webcast](#). Seating for the Madison Lecture is also in Memorial Hall and will also be on a first-come, first-served basis. The public can call (714) 628-2610 for more information.

Parking restrictions in downtown Orange will be lifted from 2-8 p.m. the day of the event to accommodate event attendees.

This is Justice Scalia's first visit to Chapman and marks the first time the university has hosted a U.S. Supreme Court Justice since Justice Clarence Thomas gave the opening address at the 1999 dedication of Donald P. Kennedy Hall, the home of the Chapman School of Law. It also marks the first time that Attorney General Lockyer has visited the university.

The re-enactment will take place at 3:30 p.m. on the stage of Memorial Hall. Justice Scalia will

be joined on the bench by Chapman students from the School of Law and from the Wilkinson College of Letters and Sciences' undergraduate Legal Studies and History programs in a centennial re-creation of the historic 1905 *Lochner v. New York* case, which resulted in a landmark U.S. Supreme Court decision that remains highly controversial today. Known for what some legal scholars consider to be the judicial activism of the majority, as well as the famous dissents by Oliver Wendell Holmes and John Marshall Harlan, *Lochner* which was overturned in 1937 remains central to current ideological battles over the Court's role in the conflict between the free-market and the regulatory state.

Scalia will take the role of Chief Justice Melville Weston Fuller in the case, in which the Court ruled that a law limiting bakers working hours violated bakery owners property rights and interfered with a right to contract implicit in the due process clause. Lockyer will take the part of counsel for the State of New York, and Chapman School of Law professor John Eastman will argue on behalf of Joseph Lochner, challenging the New York law. There will be a very limited number of seats available to students and the public in the Appellate Courtroom in Chapmans Kennedy Hall, and the event will also be broadcast live to several overflow rooms on campus (locations to be announced). All seats are free.

Following the re-enactment, Wilkinson College will host a reception at 5 p.m. in Kennedy Halls foyer. At that time, the Chapman School of Laws new Milestones on the Road to Freedom Wall will be unveiled. Engraved on the marble wall of the foyer will be the words of significant world documents that have sought to establish laws, freedom and democracy among humankind, including the Code of Hammurabi, the Ten Commandments, the Magna Carta, the Declaration of Independence and the Bill of Rights. The wall is a gift from Chapmans Town & Gown support group.

Justice Scalias public presentation of the Madison Lecture will take place in Chapmans Memorial Hall at 7:30 p.m., and will also focus on the *Lochner* case, unenumerated rights and how the Supreme Court defines and enforces them. The lecture is free and open to the public, and serves as the spotlight event of Chapman Universitys Welcome Week festivities (classes begin that day, Monday, August 29).

To prepare the students for this event, we will hold a series of moot courts in the weeks leading up to the re-enactment, said Professor Eastman. This will serve to familiarize them with talking in court and possibly even interrupting our noted guests.

The Chapman School of Laws annual tradition of historic case re-enactments is one of a kind, says Dr. James L. Doti, president of Chapman University. The fact that we have law students participating alongside noted jurists is quite unique to Chapman. If you talk to the students afterward, they all will tell you it was one of the greatest experiences of their lives.

Last year, the Chapman School of Law re-enacted the landmark *Brown v. Board of Education* case on its 50th anniversary, with Judge Johnnie B. Rawlinson of the U.S. Court of Appeals, Ninth Circuit, serving in the role of Chief Justice Earl Warren, and Judge Kenneth W. Starr, former solicitor general of the United States, filling the lead counsel chair that the late Thurgood Marshall occupied in 1954. In 2003, the law school presented a bicentennial re-enactment of the famous 1803 *Marbury v. Madison* case, with guest judge Jerry E. Smith of the U.S. Court of Appeals for the Fifth District (Texas) taking the role of Chief Justice John Marshall.

For more information, the public hotline number is (714) 628-2610. Media should contact Danny Bueno or Mary Platt in the Chapman Communications office, (714) 997-6607.

### **BIOGRAPHY: U.S. Supreme Court Associate Justice Antonin Scalia**

Antonin Scalia (born in 1936 in Trenton, NJ) began his career of government service during the Nixon Administration, when he served as general counsel, Office of Telecommunications Policy, and played a leading role in setting up the framework for the growth of cable television. From 1974 to 1977, he served President Gerald Ford as assistant attorney general for the Office of Legal Counsel at the Justice Department. After a brief stint teaching law at the University of Chicago and Stanford, Scalia was appointed in 1982 to the U.S. Court of Appeals, District of Columbia Circuit, by President Ronald Reagan. He served on this court, considered second in importance only to the Supreme Court, for four years.

On June 17, 1986, Reagan appointed Scalia to the Supreme Court, to fill the seat left vacant by the elevation of William Rehnquist to Chief Justice. Scalia was confirmed unanimously three months later, becoming the Courts first Italian-American justice. From the beginning of his tenure on the Court, Scalia has continued to express often in a lone concurring or dissenting opinion his conviction that the judicial branch is the protector of the separation of powers crafted by the founders of the United States. While he is often said to be the most consistently conservative justice (forming the Courts current right wing with Thomas and Rehnquist), his literal interpretation of the text of the Constitution has sometimes produced alliances with the more liberal members of the Court. One example was his support for flag-burning as an expression of free speech.

### **BIOGRAPHY: California Attorney General Bill Lockyer**

Bill Lockyer became Californias 30th attorney general in 2002. A native Californian and graduate of the University of California, Berkeley, he earned his law degree from McGeorge School of Law in Sacramento while serving in the State Senate. He also received a teaching credential from California State University, Hayward. Lockyer's wife, Nadia, is a civil rights and public education attorney. Lockyer has a daughter, Lisa, an attorney who works at NASA Ames

Research Center, and a son, Diego.

### **The Chapman University School of Law**

The mission of Chapman University School of Law is to provide a personalized education that stimulates intellectual inquiry, embraces diverse ideas and viewpoints, and fosters the development of competent, ethical members of the legal profession. Chapman's ABA-approved law school, which celebrates its 10th anniversary in 2005, is housed in Donald P. Kennedy Hall, which provides a dynamic environment and state-of-the-art amenities. The curriculum balances the delivery of a broad knowledge base necessary as a foundation for legal and business practice with practical legal skills, an advanced elective curriculum and externships.

## **SCHEDULE OF EVENTS**

### **Monday, August 29, 2005**

#### **3:30 p.m.**

Re-enactment of Oral Arguments, *Lochner v. State of New York* (1905)

By Chapman School of Law Faculty and Students

With Associate Justice Antonin Scalia of the United States Supreme Court in the role of Chief Justice Melville Fuller, California Attorney General Bill Lockyer as counsel for the State of New York, and Chapman School of Law professor John Eastman as counsel for Joseph Lochner.

Location: Chapman Auditorium, Memorial Hall

Admission: Public, free, not reserved.

#### **5 p.m.**

Reception and Unveiling of Milestones on the Road to Freedom Wall

Refreshments will be offered

Location: Kennedy Hall Foyer

Admission: Public, free

#### **6 p.m.**

Dinner Celebrating 10th Anniversary of Chapman School of Law

Location: Tent in front of Memorial Hall, on the Bert Williams Mall.

Admission: Chapman School of Law donors and friends (ticketed event)

#### **7:30 p.m.**

Madison Lecture

Speaker: Associate Justice Antonin Scalia of the United States Supreme Court

Location: Chapman Auditorium, Memorial Hall

Admission: Public, free, not reserved