



# The Impeachment Trial Of The New Hampshire Supreme Court Chief Justice

**Tinsley E. Yarbrough**



## **The Impeachment Trial Of The New Hampshire Supreme Court Chief Justice:**

The Impeachment of Chief Justice David Brock John Cerullo, David C. Steelman, 2017-11-22 At this juncture in American history some of our most hard fought state level political struggles involve control of state supreme courts New Hampshire witnessed one of the most dramatic of these culminating in the impeachment of Chief Justice David Brock in 2000 but the issues raised by the case are hardly confined to New Hampshire They involved the proper nature and operation of judicial independence within a populist civic culture that had long assumed the primacy of the legislative branch extolled its citizen legislators over insulated and professionalized elites and entrusted those legislators to properly supervise the judiciary In the last few decades of the 20th Century New Hampshire's judiciary had been substantially reconfigured constitutional amendments and other measures endorsed by the national judicial modernization movement had secured for it a much higher level of independence and internal unification than it had historically enjoyed However a bipartisan body of legislators remained committed to the principle of legislative supremacy inscribed in the state constitution of 1784 The 1980s and 1990s witnessed a series of clashes over court administration allegations of judicial corruption and finally a bitter and protracted battle over Court decisions on educational funding Chief Justice Brock publicly embodied the judicial branch's new status and assertiveness When information came to light regarding some of his administrative actions on the high court deepening antipathy toward him exploded into an impeachment crisis The struggle over Brock's conduct raised significant questions about the meaning and proper practice of impeachment itself as a feature of democratic governance When articles of impeachment were voted by the House of Representatives the state Senate faced the difficult task of establishing trial protocols that would balance the political and juridical responsibilities devolved on them simultaneously by the state constitution Having struck that balance the trial they conducted would finally acquit Brock of all charges Nevertheless David Brock's impeachment was a highly consequential ordeal that provided a needed catalyst for reforms intended to produce a productive recalibration of legislative judicial relations

The New Hampshire State Constitution Lawrence

Friedman, 2015-03-16 In this newly revised work Lawrence Friedman presents a comprehensive and accessible survey of New Hampshire constitutional history and constitutional law One of the oldest written constitutions in the United States the New Hampshire Constitution pre dates the federal constitution and with the Massachusetts Constitution served as a model for many of the state constitutions that followed This volume recounts the history of its drafting and development over the past 200 years and reviews in detail both the constitutional provisions that frame the state government as well as those that secure individual rights against government infringement The book reviews the major cases decided under each provision and provides commentary on the continued development of state constitutional law in New Hampshire The second edition provides revisions throughout the book updating each commentary with the latest cases including those involving the state constitutional right to education along with cutting edge issues of search and seizure law making it the most comprehensive

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trial of New Hampshire Supreme Court Justice David Brock in the year 2000 She has written this account to put the impeachment proceedings in a historical perspective to seek out the truth and discover possible ways to avoid similar events in the future and to express her own impressions of the event as well as the views of a wide variety of other participants c

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New Englander with the shy demeanor and ambiguous past was quickly dubbed a stealth candidate. Since his appointment, Souter has embraced a flexible, evolving and highly pragmatic judicial style that embraces a high regard for precedent, even liberal decisions of the Warren and Burger Courts with which he may have personally disagreed. Ultimately, Yarbrough contends, Souter has become the principal Rehnquist Court opponent of the originalist, text-bound jurisprudence that many of the more conservative Justices profess to champion. Sifting through Souter's opinions, papers of the Justice's contemporaries and other relevant records and interviews, esteemed Supreme Court biographer Tinsley Yarbrough here gives us the real David Souter, crafting a fascinating account of one of the heretofore most elusive Justices in the history of the Court.

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