

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

**Chandler Belden Beach** 

## 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

single volume guide to the New Hampshire Constitution The Oxford Commentaries on the State Constitutions of the United States is an important series that reflects a renewed international interest in constitutional history and provides expert insight into each of the 50 state constitutions Each volume in this innovative series contains a historical overview of the state s constitutional development a section by section analysis of its current constitution and a comprehensive guide to further research Under the expert editorship of Professor G Alan Tarr Director of the Center on State Constitutional Studies at Rutgers University this series provides essential reference tools for understanding state constitutional law Books in the series can be purchased individually or as part of a complete set giving readers unmatched access to these important political documents The New Hampshire State Constitution Susan E. Marshall, 2011-03-18 Prepared in 1776 the constitution of New Hampshire is the nations first written state constitution. The 1776 constitution was a brief 15 sentences but it laid out a form of government dedicated to popular control and limited government powers that have remained a central theme of New Hampshire constitutional law to this day The detail of the framing of the original state constitution the first in the nation provides a context for understanding and appreciating the traditions which has marked the states political and constitutional history even after 144 amendments and over 200 years The New Hampshire State Constitution includes the full text of each article of the constitution and an analysis of each articles development Susan E Marshall includes a description of amendments to the text and references to cases decided by the New Hampshire Supreme Court She offers a historical overview of the development and application of the New Hampshire constitution and provides a general constitutional history and an article by article commentary including a discussion of important cases Also included are a bibliographical essay table of cases tables relating to constitutional conventions and amendments and a general index offering significant sources for further study Previously published by Greenwood this title has been brought back in to circulation by Oxford University Press with new verve Re printed with standardization of content organization in order to facilitate research across the series this title as with all titles in the series is set to join the dynamic revision cycle of The Oxford Commentaries on the State Constitutions of the United States The Oxford Commentaries on the State Constitutions of the United States is an important series that reflects a renewed international interest in constitutional history and provides expert insight into each of the 50 state constitutions Each volume in this innovative series contains a historical overview of the states constitutional development a section by section analysis of its current constitution and a comprehensive guide to further research Under the expert editorship of Professor G Alan Tarr Director of the Center on State Constitutional Studies at Rutgers University this series provides essential reference tools for understanding state constitutional law Books in the series can be purchased individually or as part of a complete set giving readers unmatched access to these important political documents The Impeachment Trial of the New Hampshire Supreme Court Chief Justice Mary E. Brown, 2001 The author was one of 22 New Hampshire State Senators who served as judges and jurors in the impeachment

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 Book News Inc David Hackett Souter Tinsley E. Yarbrough, 2005-09-22 When the first President Bush chose David Hackett Souter for the Supreme Court in 1990 the slender 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 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

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