

# The Burger Court Opinion Writing Database

## *Morton v. Ruiz*

415 U.S. 199 (1974)

Paul J. Wahlbeck, George Washington University  
James F. Spriggs, II, Washington University  
Forrest Maltzman, George Washington University



Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
THE CHIEF JUSTICE

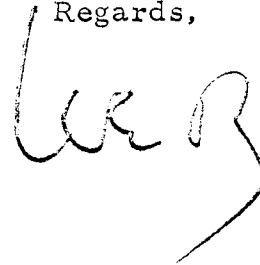
February 14, 1974

Re: 72-1052 - Morton v. Ruiz

Dear Harry:

Please join me.

Regards,

A handwritten signature in dark ink, appearing to be "W. E. Burger", written in a cursive style.

Mr. Justice Blackmun

Copies to the Conference

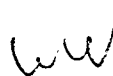
Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE WILLIAM O. DOUGLAS

January 30, 1974

Dear Harry:

Please join me in your opinion for  
the Court in 72-1052, Morton v. Ruiz, et  
UX.



William O. Douglas

Mr. Justice Blackmun

cc: The Conference

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE WM. J. BRENNAN, JR.

January 29, 1974

RE: No. 72-1052 - Morton v. Ruiz

Dear Harry:

I agree.

Sincerely,

*Bill*

Mr. Justice Blackmun

cc: The Conference

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE POTTER STEWART

January 31, 1974

72-1052 - Morton v. Ruiz

Dear Harry,

I am glad to join your opinion  
for the Court in this case.

Sincerely yours,

PS.  
/

Mr. Justice Blackmun

Copies to the Conference

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE BYRON R. WHITE

January 30, 1974

Re: No. 72-1052, Morton v. Ruiz

Dear Harry:

Please join me. As to whether the agency, rather than the District Court, should be given the first chance to define "near," I shall leave to you.

Sincerely,



Mr. Justice Blackmun

Copies to Conference

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Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE THURGOOD MARSHALL

January 31, 1974

Re: No. 72-1052 -- Rogers C. B. Morton v. Ruiz et ux.

Dear Harry:

Please join me in your opinion in this case.

Sincerely,

  
T. M.

Mr. Justice Blackmun

cc: The Conference

To: The Chief Justice  
 Mr. Justice Douglas  
 Mr. Justice Brennan  
 Mr. Justice White  
 Mr. Justice Rehnquist  
 Mr. Justice Souter  
 Mr. Justice Ginsburg  
 Mr. Justice Breyer  
 Mr. Justice Kagan  
 Mr. Justice Roberts

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1st DRAFT

SUPREME COURT OF THE UNITED STATES

No. 72-1052

From: Hon. J. Edgar Hoover  
 Circular: 1/31/74  
 Received: 2/1/74

Rogers C. B. Morton, Secretary of the Interior, Petitioner, <i>v.</i> Ramon Ruiz et ux.	}	On Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit.
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[February —, 1974]

MR. JUSTICE BLACKMUN delivered the opinion of the Court.

This case presents a narrow but important issue in the administration of the federal general assistance program for needy Indians:

"Are general assistance benefits available only to those Indians living *on* reservations in the United States (or in areas regulated by the Bureau of Indian Affairs in Alaska and Oklahoma), and are they thus unavailable to Indians (outside Alaska and Oklahoma) living *off*, although near, a reservation?"

The United States District Court for the District of Arizona answered this question favorably to petitioner, the Secretary of the Interior, when, without opinion and on cross-motions for summary judgment, it dismissed the respondents' complaint. The Court of Appeals, one judge dissenting, reversed. 462 F. 2d 818 (CA9 (1972)). We granted certiorari because of the significance of the issue and because of the vigorous assertion that the judgment of the Court of Appeals was inconsistent with long-established policy of the Secretary and of the Bureau. 411 U. S. 947 (1973).



To: The Chief Justice  
Mr. Justice Douglas  
Mr. Justice Brennan  
Mr. Justice Stewart  
Mr. Justice White  
Mr. Justice Marshall  
Mr. Justice Powell  
Mr. Justice Rehnquist

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 72-1052

Submitted: 2/11/74

Rogers C. B. Morton, Secretary of the Interior,  
Petitioner.  
v.  
Ramon Ruiz et ux

On Writ of Certiorari to  
the United States Court  
of Appeals for the Ninth  
Circuit

[February —, 1974]

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Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE LEWIS F. POWELL, JR.

January 31, 1974

No. 72-1052 Morton v. Ruiz

Dear Harry:

Your careful opinion persuades me to change my vote.

Please join me.

Sincerely,

*Lewis*

Mr. Justice Blackmun

lfp/ss

cc: The Conference

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE WILLIAM H. REHNQUIST

January 31, 1974

Re: No. 72-1052 - Morton v. Ruiz, et ux.

Dear Harry:

I was on the other side at conference, but you have convinced me.

Sincerely,



Mr. Justice Blackmun

cc: The Conference

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