

The Burger Court Opinion Writing Database

Philbrook v. Glodgett

421 U.S. 707 (1975)

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



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

CHAMBERS OF
THE CHIEF JUSTICE

June 4, 1975

148-9

Re: (73-1820 - Philbrook v. Glodgett
(74-132 - Weinberger v. Glodgett

Dear Bill:

Please join me.

Regards,

WB

Mr. Justice Rehnquist

Copies to the Conference

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

CHAMBERS OF
JUSTICE WILLIAM O. DOUGLAS

June 2, 1975

Dear Bill:

Please join me in 73-1820, PHILBROOK
v. GLODGETT AND 74-132, WEINBERGER v.
GLODGETT.

WJD/Sandra

William O. Douglas

Mr. Justice Rehnquist

cc: The Conference

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

CHAMBERS OF
JUSTICE W. J. BRENNAN, JR.

May 27, 1975

RE: Nos. 73-1820 and 74-132 Philbrook and Weinberger
v. Glodgett

Dear Bill:

I agree.

Sincerely,

Bill

Mr. Justice Rehnquist

cc: The Conference

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

CHAMBERS OF
JUSTICE POTTER STEWART

May 28, 1975

No. 73-1820, Philbrook v. Glodgett
No. 74-132, Weinberger v. Glodgett

Dear Bill,

I am glad to join your opinion for
the Court in these cases.

Sincerely yours,

RG

Mr. Justice Rehnquist

Copies to the Conference

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

CHAMBERS OF
-STICE BYRON R. WHITE

May 29, 1975

Re: No. 73-1820 & No. 74-132 - Philbrook v.
Glodgett

Dear Bill:

Please join me in your circulation of
May 29.

Sincerely,



Mr. Justice Rehnquist

Copies to Conference

Supreme Court of the United States

Washington, D. C. 20543

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

May 28, 1975

Re: No. 73-1820, Paul R. Philbrook v. Jean Glodgett
No. 74-132, Caspar W. Weinberger v. Jean Glodgett

Dear Bill:

Please join me.

Sincerely,

J. R.

Mr. Justice Rehnquist

cc: The Conference

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

May 30, 1975

Re: No. 73-1820 - Philbrook v. Glodgett
No. 74-132 - Weinberger v. Glodgett

Dear Bill:

Please join me.

Sincerely,



Mr. Justice Rehnquist

cc: The Conference

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

May 28, 1975

No. 73-1820 Philbrook v. Glodgett
No. 74-132 Weinberger v. Glodgett

Dear Bill:

Please join me.

Sincerely,

L. F. P.

Mr. Justice Rehnquist

lfp/ss

cc: The Conference

WHR
WHR
WHR

TO: The Chief Justice
Mr. Justice Douglas
Mr. Justice Brennan
Mr. Justice White
Mr. Justice Stewart
Mr. Justice Marshall
Mr. Justice Black
Mr. Justice Powell

From: Rehnquist, : ✓

Circulated: MAY 2 2 1975

Recirculated: _____

1st DRAFT

SUPREME COURT OF THE UNITED STATES

Nos. 73-1820 AND 74-132

Paul R. Philbrook, Etc. Appellant, 73-1820 v. Jean Glodgett et al.	On Appeals from the United States Dis- trict Court for the District of Vermont.
Caspar W. Weinberger, Secre- tary of Health, Education, and Welfare, Appellant, 74-132 v. Jean Glodgett et al.	

[May —, 1975]

MR. JUSTICE REHNQUIST delivered the opinion of the Court.

In these consolidated appeals we are called upon to construe a provision of the Social Security Act of 1935 (Act), as amended, and to ascertain whether a Vermont welfare regulation impermissibly conflicts with that provision. A three-judge District Court held that it did, 368 F. Supp. 211 (Vt. 1973), and we noted probable jurisdiction in the appeal of appellant Philbrook, Commissioner of the Vermont Department of Social Services, in No. 73-1820, and postponed consideration of the question of jurisdiction in the appeal of appellant Weinberger, Secretary of the Department of Health, Education, and Welfare, in No. 74-132. 419 U. S. 963 (1973). Philbrook's appeal presents only the question of whether the Vermont welfare regulation in question conflicts with § 407 (b)(2)(C)(ii) of the Act, as amended, 42 U. S. C.

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

From: Rehnquist, J.

Circulated: May 6, 1975

Recirculated: _____

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

Nos. 73-1820 AND 74-132

Paul R. Philbrook, Etc.
Appellant,

73-1820 *v.*

Jean Glodgett et al.

Caspar W. Weinberger, Secretary of Health, Education, and Welfare, Appellant,

74-132 *v.*

Jean Glodgett et al.

On Appeals from the United States District Court for the District of Vermont.

[May —, 1975]

MR. JUSTICE REHNQUIST delivered the opinion of the Court.

In these consolidated appeals we are called upon to construe a provision of the Social Security Act of 1935 (Act), as amended, and to ascertain whether a Vermont welfare regulation impermissibly conflicts with that provision. A three-judge District Court held that it did, 368 F. Supp. 211 (Vt. 1973), and we noted probable jurisdiction in the appeal of appellant Philbrook, Commissioner of the Vermont Department of Social Services, in No. 73-1820, and postponed consideration of the question of jurisdiction in the appeal of appellant Weinberger, Secretary of the Department of Health, Education, and Welfare, in No. 74-132. 419 U. S. 963 (1973). Philbrook's appeal presents only the question of whether the Vermont welfare regulation in question conflicts with § 407 (b)(2)(C)(ii) of the Act, as amended, 42 U. S. C.

