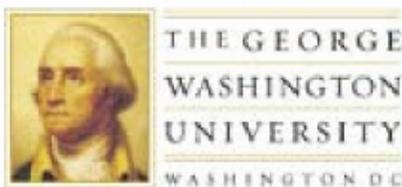


The Burger Court Opinion Writing Database

Blum v. Yaretsky

457 U.S. 991 (1982)

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

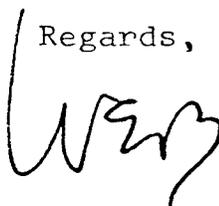
May 12, 1982

Re: 80-1952 - Blum v. Yaretsky

Dear Bill:

I join.

Regards,



Justice Rehnquist

Copies to the Conference

.85 10.15 6/15

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

CHAMBERS OF
JUSTICE Wm. J. BRENNAN, JR.

September 29, 1981

RE: No. 80-1952 Blum v. Yaretsky

Dear Byron:

The limited grant in the above, suggested in your memorandum of September 28, is satisfactory to me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bul", which is a common shorthand for Justice William J. Brennan, Jr.

Justice White

cc: The Conference

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

CHAMBERS OF
JUSTICE Wm. J. BRENNAN, JR.

April 5, 1982

RE: No. 80-1952 Blum v. Yaretsky

Dear Thurgood:

You and I are in dissent in the above. I'll
undertake the dissent.

Sincerely,

A handwritten signature in cursive script that reads "Bill".

Justice Marshall

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

CHAMBERS OF
JUSTICE Wm. J. BRENNAN, JR.

May 13, 1982

RE: No. 80-1952 Blum v. Yaretsky

Dear Bill:

I shall in due course prepare a dissent in
the above.

Sincerely,



Justice Rehnquist

cc: The Conference

To: The Chief Justice
 Justice White
 Justice Marshall
 Justice Blackmun
 Justice Powell
 Justice Rehnquist
 Justice Stevens
 Justice O'Connor

From: Justice Brennan

Circulated: JUN 15 1982

Recirculated: _____

FIRST DRAFT

Blum v. Yaretsky No. 80-1952

JUSTICE BRENNAN, dissenting.

If the Fourteenth Amendment is to have its intended effect as a restraint on the abuse of state power, courts must be sensitive to the manner in which state power is exercised. In an era of active government intervention to remedy social ills, the true character of the State's involvement in, and coercive influence over, the activities of private parties, often through complex and opaque regulatory frameworks, may not always be apparent. But if the task that the Fourteenth Amendment assigns to the courts is thus rendered more burdensome, the courts' obligation to perform that task faithfully, and consistent with the constitutional purpose, is rendered more, not less, important.

In deciding whether "state action"¹ is present in the context

¹As the Court noted in Lugar v. Edmondson Oil Co., _____ U.S. _____, _____ (1982), the state action necessary to support a claimed

Footnote continued on next page.

STYLISTIC CHANGES THROUGHOUT.

SEE PAGES: 1, 7-12

To: The Chief Justice
Justice White
Justice Marshall
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice Stevens
Justice O'Connor

From: Justice Brennan

Circulated: _____

Recirculated: JUN 17 1982

1st PRINTED DRAFT

SUPREME COURT OF THE UNITED STATES

No. 80-1952

BARBARA BLUM, COMMISSIONER OF THE NEW
YORK STATE DEPARTMENT OF SOCIAL
SERVICES, ET AL., PETITIONERS
v. WILLIAM YARETSKY, ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE SECOND CIRCUIT

[June —, 1982]

JUSTICE BRENNAN, with whom JUSTICE MARSHALL joins,
dissenting.

If the Fourteenth Amendment is to have its intended effect as a restraint on the abuse of state power, courts must be sensitive to the manner in which state power is exercised. In an era of active government intervention to remedy social ills, the true character of the State's involvement in, and coercive influence over, the activities of private parties, often through complex and opaque regulatory frameworks, may not always be apparent. But if the task that the Fourteenth Amendment assigns to the courts is thus rendered more burdensome, the courts' obligation to perform that task faithfully, and consistent with the constitutional purpose, is rendered more, not less, important.

In deciding whether "state action"¹ is present in the context of a claim brought under 42 U. S. C. § 1983, the ultimate

¹ As the Court noted in *Lugar v. Edmondson Oil Co.*, — U. S. —, — (1982), the state action necessary to support a claimed violation of the Fourteenth Amendment, and the action "under color of law" required by 42 U. S. C. § 1983, represent parallel avenues of inquiry in a case claiming a remedy under § 1983 for a violation of the Fourteenth Amendment's Due Process Clause. Of course, the "color of law" inquiry required by § 1983 focuses directly on the question whether the conduct of the particular § 1983 defendant is sufficiently connected with the state action that is present whenever the constitutionality of a state law, regulation, or prac-

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

CHAMBERS OF
JUSTICE Wm. J. BRENNAN, JR.

June 22, 1982

No. 80-1952 -- Blum v. Yaretsky

Dear Bill:

In response to your changes in the opinion of the Court, I will make the following additions to my dissent. They will be reflected in the next circulation, or in the final print (whichever comes first).

NEW FOOTNOTE, at end of carryover paragraph on page 10, "implement that decision^{FN}."

The Court mistakes the significance of the DMS-1, and the relevant inquiry, when it attempts to characterize that form as merely an instrument for recording the exercise of an independently exercised medical judgment. See ante, at 14 n. 15. Of course, a medical background is essential in filling out the forms. But it remains clear that the State's standards are to be applied in making the transfer determination.

The Court concludes that the patient assessment standards prescribed by the State may be easily disregarded. But the regulations themselves clearly demonstrate that those standards are not merely precatory. Notably, the regulations specify that "patient assessment standards shall not be applied to residents admitted to the residential health care facility prior to March 1, 1977." 10 N.Y.C.R.R. §§416.9(a)(1), 421.13(a)(1) (emphasis added). See also 10 N.Y.C.R.R. §§416.9(b)(4)(vi), 421.13(b)(4)(vi). If the forms merely recorded the exercise of an independent medical judgment, rather than prescribed the standards upon which that judgment must be exercised, why

would it be necessary to exempt certain patients from the inquiry? Indeed, the regulations specifically provide for a different set of standards to be applied to the continued stay review of patients admitted to a facility prior to March 1, 1977. See 10 N.Y.C.R.R. §§416.9(b)(4)(vii), 421.13(b)(4)(vii) ("the standards for patients admitted to the facility prior to March 1, 1977 shall be developed by the utilization review agent and approved by the department"). Again, if the determination were in reality based on an independent medical assessment, it seems inconceivable to me that the State would have any interest in requiring different standards for different patients depending on when the patient had been admitted.

NEW FOOTNOTE, at end of first sentence of paragraph beginning on page 13 "substantive standardsFN."

The Court takes issue with our reliance on the nature of continued stay reviews performed by the utilization review agent, noting that "patient transfers to lower levels of care initiated by utilization review committees are simply not part of this case." Ante, at 15 n. 17. The Court's position with respect to the work of the utilization review committee is schizophrenic at best: The Court expressly relies on its characterization of the review committee's work as representing an independent physician's assessment in reaching its conclusion that the DMS-1 and DMS-9 do not supply the criterion controlling the nursing home operator's decision to admit or retain a patient in the home. Ante, at 14; see discussion at 10, infra. In any event, the Court simply misses the point. The nursing home operator is under a continuing duty "to make all efforts possible to transfer patients to the appropriate level of care or home as indicated by the patient's

medical condition or needs." 10 N.Y.C.R.R.
§§416.9(d)(1), 421.13(d)(1). Whether performed
through the utilization review agent, or
whether undertaken by the nursing home operator
directly, transfers premised on the "patient's
medical condition or needs" are to be made with
reference to the State's definition of "need."

Sincerely,

W.J.B., Jr.

Justice Rehnquist
Copies to the Conference

Changes per letter of June 22

To: The Chief Justice
Justice White
Justice Marshall
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice Stevens
Justice O'Connor

From: Justice Brennan

Circulated: _____

Recirculated: JUN 22 1982

2nd PRINTED DRAFT

SUPREME COURT OF THE UNITED STATES

No. 80-1952

BARBARA BLUM, COMMISSIONER OF THE NEW
YORK STATE DEPARTMENT OF SOCIAL
SERVICES, ET AL., PETITIONERS
v. WILLIAM YARETSKY ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE SECOND CIRCUIT

[June —, 1982]

JUSTICE BRENNAN, with whom JUSTICE MARSHALL joins,
dissenting.

If the Fourteenth Amendment is to have its intended effect as a restraint on the abuse of state power, courts must be sensitive to the manner in which state power is exercised. In an era of active government intervention to remedy social ills, the true character of the State's involvement in, and coercive influence over, the activities of private parties, often through complex and opaque regulatory frameworks, may not always be apparent. But if the task that the Fourteenth Amendment assigns to the courts is thus rendered more burdensome, the courts' obligation to perform that task faithfully, and consistent with the constitutional purpose, is rendered more, not less, important.

In deciding whether "state action"¹ is present in the context of a claim brought under 42 U. S. C. § 1983, the ultimate

¹ As the Court noted in *Lugar v. Edmondson Oil Co.*, — U. S. —, — (1982), the state action necessary to support a claimed violation of the Fourteenth Amendment, and the action "under color of law" required by 42 U. S. C. § 1983, represent parallel avenues of inquiry in a case claiming a remedy under § 1983 for a violation of the Fourteenth Amendment's Due Process Clause. Of course, the "color of law" inquiry required by § 1983 focuses directly on the question whether the conduct of the particular § 1983 defendant is sufficiently connected with the state action that is present whenever the constitutionality of a state law, regulation, or prac-

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

CHAMBERS OF
JUSTICE BYRON R. WHITE

September 28, 1981

MEMORANDUM TO THE CONFERENCE

Re: 80-1952 - Blum v. Yaretsky

(page 13)

I recommend that the grant in this case be limited to questions 1 and 2 stated in the petition. The first question involves the Article III jurisdictional issue and the second the state action question.



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

CHAMBERS OF
JUSTICE BYRON R. WHITE

May 18, 1982

Re: 80-1952 - Blum v. Yaretsky

Dear Bill,

I shall await Bill Brennan's dissent in
this case.

Sincerely yours,



Justice Rehnquist

Copies to the Conference

cpm

To: The Chief Justice
 Justice Brennan
 Justice Marshall
 Justice Blackmun
 Justice Powell
 Justice Rehnquist
 Justice Stevens
 Justice O'Connor

From: Justice White

Circulated: 6/16/82

Recirculated: _____

No. 80-1952 - Blum v. Yaretsky
 No. 80-2102 - Rendell-Baker v. Kohn

JUSTICE WHITE, concurring in the judgments.

The issue in Blum v. Yaretsky, No. 80-1952, is whether a private nursing home's decision to discharge or transfer a Medicaid patient satisfies the state action requirement of the Fourteenth Amendment. To satisfy this requirement, respondents must show that the transfer or discharge is made on the basis of some rule of decision for which the state is responsible. Lugar v. Edmondson Oil Co., No. 80-1730, Slip. Op. 14-15. It is not enough to show that the state takes certain actions in response to this private decision. The rule of decision implicated in the actions at issue here appears to be nothing more than a medical judgment. This is the clear import of the majority's conclusion that the "decisions ultimately turn on medical judgments made by private parties according to professional standards that are not established by the State," ante, at 14, with which I agree.

Similarly, the allegations of the petitioners in Rendell-Baker v. Kohn, No. 80-2102, fail to satisfy the state action requirement. In this case, the question of state action focuses on an employment decision made by a private school that receives most its funding from public sources and is subject to state regulation in certain respects. For me, the critical factor is the absence of any allegation that the employment decision was itself based upon some rule of conduct or policy put forth by the State. As the majority states, "in contrast to the extensive regulation of the school generally, the various regulators showed relatively little interest in the school's personnel matters." Ante, at 11. The employment decision remains, therefore, a private decision not fairly attributable to the state.

Accordingly, I concur in the judgments.

To: The Chief Justice
 Justice Brennan
 ✓ Justice Marshall
 Justice Blackmun
 Justice Powell
 Justice Rehnquist
 Justice Stevens
 Justice O'Connor

From: **Justice White**

Circulated: _____

Recirculated: 21 JUN 1982

1st PRINTED DRAFT

SUPREME COURT OF THE UNITED STATES

Nos. 80-1952 AND 80-2102

BARBARA BLUM, COMMISSIONER OF THE NEW
 YORK STATE DEPARTMENT OF SOCIAL
 SERVICES, ET AL., PETITIONERS
v. WILLIAM YARETSKY ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
 APPEALS FOR THE SECOND CIRCUIT

SHEILA RENDELL-BAKER, ET AL., PETITIONERS, *v.*
 SANDRA KOHN ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
 APPEALS FOR THE FIRST CIRCUIT

[June —, 1982]

JUSTICE WHITE, concurring in the judgments.

The issue in *Blum v. Yaretsky*, No. 80-1952, is whether a private nursing home's decision to discharge or transfer a Medicaid patient satisfies the state action requirement of the Fourteenth Amendment. To satisfy this requirement, respondents must show that the transfer or discharge is made on the basis of some rule of decision for which the state is responsible. *Lugar v. Edmondson Oil Co.*, No. 80-1730, Slip. Op. 14-15. It is not enough to show that the state takes certain actions in response to this private decision. The rule of decision implicated in the actions at issue here appears to be nothing more than a medical judgment. This is the clear import of the majority's conclusion that the "decisions ultimately turn on medical judgments made by private parties according to professional standards that are not established by the State," *ante*, at 14, with which I agree.

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

May 13, 1982

Re: No. 80-1952 - Blum v. Yaretsky

Dear Bill:

I await the dissent.

Sincerely,

T.M.
T.M.

Justice Rehnquist

cc: The Conference

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

June 15, 1982

Re: No. 80-1952 - Blum v. Yaretsky

Dear Bill:

Please join me in your dissent.

Sincerely,

J.M.
T.M.

Justice Brennan

cc: The Conference

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

May 7, 1982

Re: No. 80-1952 - Blum v. Yaretsky

Dear Bill:

Please join me in your circulation of May 6.

Sincerely,



Justice Rehnquist

cc: The Conference

RECEIVED
SUPREME COURT, U.S.
JUSTICE MARSHALL

82 MAY -7 10:22

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

October 1, 1981

80-1952 Blum v. Yaretsky

Dear Byron:

Your recommendation that the grant in this case be limited to questions 1 and 2 is agreeable to me.

Sincerely,



Justice White

lfp/ss

cc: The Conference

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

May 6, 1982

80-1952 Blum v. Yaretsky

Dear Bill:

Please join me.

Sincerely,

RECEIVED
SUPREME COURT, U.S.
JUSTICE MARSHALL

Justice Rehnquist

lfp/ss

cc: The Conference

82 MAY -6 P12:44

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

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

September 30, 1981

Re: No. 80-1952 Blum v. Yaretsky

Dear Byron:

Your recommendation that the grant in this case be limited to questions 1 and 2 is agreeable to me.

Sincerely,

Justice White

Copies to the Conference

To: The Chief Justice
 Justice Brennan
 Justice White
 Justice Marshall
 Justice Blackmun
 Justice Powell
 Justice Stevens
 Justice O'Connor

From: **Justice Rehnquist**

Circulated: MAY 3 1982

Recirculated: _____

1st DRAFT

SUPREME COURT OF THE UNITED STATES

No. 80-1952

BARBARA BLUM, COMMISSIONER OF THE NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES, ET AL., PETITIONERS *v.* WILLIAM YARETSKY ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

[May —, 1982]

JUSTICE REHNQUIST delivered the opinion of the Court.

Respondents represent a class of Medicaid patients challenging decisions by the nursing homes in which they reside to discharge or transfer patients without notice or an opportunity for a hearing. The question is whether the State may be held responsible for those decisions so as to subject them to the strictures of the Fourteenth Amendment.

I

Congress established the Medicaid program in 1965 as Title XIX of the Social Security Act, 42 U. S. C. § 1396 *et seq.*, to provide federal financial assistance to States that choose to reimburse certain medical costs incurred by the poor. As a participating State, New York provides Medicaid assistance to eligible persons who receive care in private nursing homes, which are designated as either "skilled nursing facilities" (SNF's) or "health related facilities" (HRF's).¹ The

¹N.Y. Soc. Serv. Law § 365-a(2)(b) (McKinney Supp. 1981-1982). Title XIX requires as a condition to the receipt of federal funds that participating States provide financial assistance to eligible persons in need of "skilled nursing facility services." 42 U. S. C. §§ 1396a(a)(13)(B), 1396d(a)(4)(A). Federal assistance is also available to States that choose to reimburse the cost of "intermediate care facility services." § 1396d(a)(15). See

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

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

May 4, 1982

Re: No. 80-1952 Blum v. Yaretsky

Dear John:

Thanks for your letter of May 3rd, suggesting changes on page 12 of the presently circulating draft opinion in this case which you feel would enable you to join it. The purpose of the paragraph in which the language appears was simply to summarize the existent case law, and therefore it should not be too difficult to find substitute language to agree upon. I think, though, that your suggested language does not reflect with complete accuracy the holdings of our prior cases.

The language "has removed that decision from the area of private choice" comes directly from Chief Justice Warren's opinion in Peterson v. Greenville, 373 U.S. 244, 248 (1963). I have two alternative phrasings of the sentence to suggest, either one of which would be agreeable to me if it is to you:

(1) "Second, although the factual setting of each case will be significant, our precedents indicate that a State normally can be held responsible for a private decision only when it has exercised coercive power or has provided such significant encouragement, either overt or covert, that it 'has removed that decision from the sphere of private choice,' Peterson v. Greenville, 373 U.S. 244, 248. See Flagg Brothers, etc."

(2) "Second, although the factual setting of each case will be significant, our precedents indicate that a State normally can be held responsible for a private decision only when it has exercised coercive power or has provided such significant encouragement, either overt or covert, that the

- 2 -

choice must in law be deemed to be that of the state. See Flagg Brothers, etc."

Sincerely,

W. W.

Justice Stevens

Copies to the Conference

.85 101-4 11130

101
111

To: The Chief Justice
 Justice Brennan
 Justice White
 Justice Marshall
 Justice Blackmun
 Justice Powell
 Justice Stevens
 Justice O'Connor

From: **Justice Rehnquist**

Circulated: _____

Recirculated: _____ MAY 8 1982

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 80-1952

BARBARA BLUM, COMMISSIONER OF THE NEW
 YORK STATE DEPARTMENT OF SOCIAL SERVICES
 ET AL., PETITIONERS, *v.* WILLIAM YARETSKY ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
 APPEALS FOR THE SECOND CIRCUIT

[May —, 1982]

JUSTICE REHNQUIST delivered the opinion of the Court.

Respondents represent a class of Medicaid patients challenging decisions by the nursing homes in which they reside to discharge or transfer patients without notice or an opportunity for a hearing. The question is whether the State may be held responsible for those decisions so as to subject them to the strictures of the Fourteenth Amendment.

I

Congress established the Medicaid program in 1965 as Title XIX of the Social Security Act, 42 U. S. C. § 1396 *et seq.*, to provide federal financial assistance to States that choose to reimburse certain medical costs incurred by the poor. As a participating State, New York provides Medicaid assistance to eligible persons who receive care in private nursing homes, which are designated as either "skilled nursing facilities" (SNF's) or "health related facilities" (HRF's).¹ The

¹ N. Y. Soc. Serv. Law § 365-a(2)(b) (McKinney Supp. 1981-1982). Title XIX requires as a condition to the receipt of federal funds that participating States provide financial assistance to eligible persons in need of "skilled nursing facility services." 42 U. S. C. §§ 1396a(a)(13)(B), 1396d(a)(4)(A). Federal assistance is also available to States that choose to reimburse the cost of "intermediate care facility services." § 1396d(a)(15). See

STYLISTIC CHANGES THROUGHOUT

PP 14-16

To: The Chief Justice
Justice Brennan
Justice White
Justice Marshall
Justice Blackmun
Justice Powell
Justice Stevens
Justice O'Connor

From: Justice Rehnquist

Circulated: _____

Recirculated: JUN 21 1982

3rd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 80-1952

BARBARA BLUM, COMMISSIONER OF THE NEW
YORK STATE DEPARTMENT OF SOCIAL
SERVICES, ET AL., PETITIONERS
v. WILLIAM YARETSKY ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE SECOND CIRCUIT

[June —, 1982]

JUSTICE REHNQUIST delivered the opinion of the Court.

Respondents represent a class of Medicaid patients challenging decisions by the nursing homes in which they reside to discharge or transfer patients without notice or an opportunity for a hearing. The question is whether the State may be held responsible for those decisions so as to subject them to the strictures of the Fourteenth Amendment.

I

Congress established the Medicaid program in 1965 as Title XIX of the Social Security Act, 42 U. S. C. § 1396 *et seq.*, to provide federal financial assistance to States that choose to reimburse certain medical costs incurred by the poor. As a participating State, New York provides Medicaid assistance to eligible persons who receive care in private nursing homes, which are designated as either "skilled nursing facilities" (SNF's) or "health related facilities" (HRF's).¹ The

¹ N.Y. Soc. Serv. Law § 365-a(2)(b) (McKinney Supp. 1981-1982). Title XIX requires as a condition to the receipt of federal funds that participating States provide financial assistance to eligible persons in need of "skilled nursing facility services." 42 U. S. C. §§ 1396a(a)(13)(B), 1396d(a)(4)(A).

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

CHAMBERS OF
JUSTICE JOHN PAUL STEVENS

May 3, 1982

Re: 80-1952 - Blum v. Yaretsky

Dear Bill:

Except for the paragraph beginning "[s]econd" on page 12, I am prepared to join your opinion. I am afraid that your statement that the coercive power of the State must have "removed that decision from the area of private choice" is too restrictive. Would it not be more accurate to substitute something like the following for the clause that immediately follows the words "overt or covert"? "... that it has either created, or significantly delimited, the area of private choice in which the decision is made."

Respectfully,



Justice Rehnquist

Copies to the Conference

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

CHAMBERS OF
JUSTICE JOHN PAUL STEVENS

May 4, 1982

Re: 80-1952 - Blum v. Yaretsky

Dear Bill:

Your criticism of my suggested language is valid.

I would continue to have some problem with your first proposed revision because I believe the Chief Justice was referring to the consequences of a state command, rather than to the consequences of encouragement, when he referred to the removal of the decision from the area of private choice. I would agree, however, that your second revision is fair and I will join your opinion if you make that change.

Thanks for accommodating my concern.

Respectfully,



Justice Rehnquist

Copies to the Conference

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

CHAMBERS OF
JUSTICE JOHN PAUL STEVENS

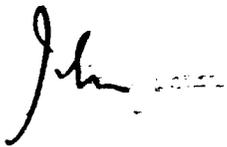
May 6, 1982

Re: 80-1952 - Blum v. Yaretsky

Dear Bill:

Please join me.

Respectfully,



Justice Rehnquist

Copies to the Conference

85 1982-5-21 10:51 AM

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

CHAMBERS OF
JUSTICE SANDRA DAY O'CONNOR

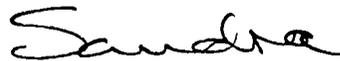
May 3, 1982

No. 80-1952 Blum v. Yaretsky

Dear Bill,

Please join me in your opinion.

Sincerely,



Justice Rehnquist

Copies to the Conference

88 11 14 1982

F