

SENATE RESOLUTION No. 90

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED SEPTEMBER 21, 2020

Sponsored by:

Senator JOSEPH P. CRYAN

District 20 (Union)

Senator NIA H. GILL

District 34 (Essex and Passaic)

Co-Sponsored by:

Senators Pou and Ruiz

SYNOPSIS

Honors life and legacy of United States Supreme Court Justice Ruth Bader Ginsburg.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/24/2020)

1 **A SENATE RESOLUTION** honoring the life and legacy of Supreme
2 Court Justice Ruth Bader Ginsburg.
3
4 **WHEREAS**, After 27 years of distinguished service on the United
5 States Supreme Court, Associate Justice Ruth Bader Ginsburg died
6 on September 18, 2020, at the age of 87; and
7 **WHEREAS**, Prior to her appointment to the Supreme Court in 1993,
8 Justice Ginsburg had a respected legal career: she attended Harvard
9 Law School and graduated from Columbia Law School; served as a
10 law clerk to a Judge of the United States District Court; served as a
11 law school professor at Rutgers University Law School from 1963
12 to 1972, and at Columbia Law School from 1972 to 1980; and was
13 appointed a Judge of the United States Court of Appeals for the
14 District of Columbia Circuit in 1980; and
15 **WHEREAS**, As a young attorney, Justice Ginsburg was instrumental in
16 the struggle for women’s rights, launching the Women’s Rights
17 Project of the American Civil Liberties Union and, from 1973 to
18 1976, winning five out of the six women’s rights cases that she
19 argued before the Court; and
20 **WHEREAS**, Justice Ginsburg’s successful advocacy for gender equality
21 significantly changed the law as it affects women, including the
22 landmark decision of Reed v. Reed, 404 U.S. 71 (1971), the first
23 case to hold that discrimination on the basis of sex violated the
24 equal-protection clause of the Fourteenth Amendment; and
25 **WHEREAS**, After her appointment to the Supreme Court, Justice
26 Ginsburg became a leader of the Court’s liberal wing, writing
27 majority opinions in United States v. Virginia, 518 U.S. 515 (1996),
28 holding that the Virginia Military Institute’s male-only policy
29 violated the Equal Protection Clause, and in Olmstead v. L.C., 527
30 U.S. 581 (1999), holding that the federal Americans with
31 Disabilities Act required states to place persons with mental
32 disabilities in community settings rather than institutions when
33 feasible; and concurring in Safford Unified School District v.
34 Redding, 557 U.S. 364 (2009), which held that the strip search of a
35 middle-school student violated the student’s Fourth Amendment
36 rights against unreasonable searches and seizures; and
37 **WHEREAS**, Justice Ginsburg was known for her powerful dissenting
38 opinions as well. in Bush v. Gore, 531 U.S. 98 (2000), where the
39 majority of Justices halted the Florida recount of votes in the 2000
40 election, thus effectively deciding the election for George W. Bush,
41 Justice Ginsburg wrote that the “conclusion that a constitutionally
42 adequate recount is impractical is a prophecy the Court’s own
43 judgment will not allow to be tested. Such an untested prophecy
44 should not decide the Presidency of the United States.” In Ledbetter
45 v. Goodyear Tire Rubber Co., 550 U.S. 618 (2007), a 5-4 decision
46 rejecting Lily Ledbetter’s discrimination claim on grounds that she
47 had missed the statutory 180-day deadline, Justice Ginsberg wrote
48 that “[t]he court does not comprehend or is indifferent to the

1 insidious way in which women can be victims of pay
2 discrimination,” and called on Congress to rewrite the statute to
3 modify the limitations period; Congress did so in 2009 with the
4 enactment of the “Lily Ledbetter Fair Pay Act,” Pub. L. 111-2, 123
5 Stat. 5, which provides that each paycheck that contains
6 discriminatory compensation is a separate violation regardless of
7 when the discrimination began; and

8 **WHEREAS**, Each of the current and retired members of the Supreme
9 Court issued statements expressing their personal sorrow at Justice
10 Ginsburg’s death and their appreciation for her service. Retired
11 Justice Anthony M. Kennedy stated: “By her learning she taught
12 devotion to the law. By her dignity she taught respect for others
13 and her love for America. By her reverence for the Constitution,
14 she taught us to preserve it to secure our freedom,”; now, therefore,
15

16 **BE IT RESOLVED** *by the Senate of the State of New Jersey:*
17

18 1. This House honors the life and legacy of Supreme Court
19 Justice Ruth Bader Ginsburg.
20

21 2. Copies of this resolution, as filed with the Secretary of State,
22 shall be transmitted by the Secretary of the Senate to every member
23 of the United States Senate and each member of the United States
24 House of Representatives elected from this State.
25

26

27 STATEMENT
28

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32 Supreme Court, Justice Ginsburg died on September 18, 2020, at
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35 Harvard Law School and graduated from Columbia Law School;
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