## The Bicentennial John A. Sibley Lecture

"The Supreme Court and Individual Freedom:
An Evaluation of the Evaluators of the 1983 Term"
by
The Honorable Rex E. Lee
United States Solicitor General

Of all the "court watchers" who comment upon or interpret the U.S. Supreme Court's nuances or leanings, Rex E. Lee qualifies as an evaluator who is also an observer-participant. It is his function as United States Solicitor General to supervise and conduct virtually all federal government litigation in the Supreme Court.

The Solicitor General determines the cases in which U.S. Supreme Court review will be sought by the government, and he outlines the position which the government will argue in matters before the Court. He assigns the oral argument of government cases accepted for review by the Court, and personally argues a significant percentage of them.

Given the number and importance of the Supreme Court cases in which the government is involved, one can appreciate the scope of the Solicitor General's powers and his critical role in shaping the development of the law. His skill in advocacy shapes precedent in vital areas of the law.

The Solicitor General's relationship with the Supreme Court is multifaceted. The Court relies upon his ability to limit the number and guarantee the importance of the cases appealed by the federal government. As a top-ranking officer of the Department of Justice, the Solicitor General is expected to present the views of the Executive, but he also functions as a reviewer of government positions.

Rex E. Lee brings to his role of Solicitor General twenty years of legal experience including a Supreme Court clerkship, private practice, Justice Department work, and serving as the founding dean of a law school. He is also the author of two books and a number of scholarly articles.

Lee was sworn in as Solicitor General of the United States on August 6, 1981. Prior to the appointment, he was dean of the newly-established J. Reuben Clark Law School of Brigham Young University. Before he began his law teaching career he served as Assistant Attorney General, Civil Division, U.S. Department of Justice.

A native of Arizona, the Solicitor General earned his B.A. degree in 1960 from Brigham Young University and his J.D. from the University of Chicago Law School in 1963. Before beginning his college studies, he served as a missionary for the Mormon Church in Mexico for three years.

During the 1963 term of the Supreme Court, Lee served as law clerk to Supreme Court Justice Bryon White. After his clerkship, he joined the law firm of Jennings, Strouss, Salmon and Trask in Phoenix, Arizona and became a partner in 1967.