

KENNETH F. RIPPLE  
UNITED STATES CIRCUIT JUDGE

SOUTH BEND CHAMBERS:

208 United States Courthouse  
South Bend, Indiana 46601  
(574) 246-8150

CHICAGO CHAMBERS:

Room 2660 Federal Building  
219 S. Dearborn St.  
Chicago, Illinois 60604  
(312) 435-5510

Date Nominated: April 1, 1985  
Confirmed by Senate: May 3, 1985  
Appointed by the President: May 10, 1985  
Took the Judicial Oath: June 10, 1985

Education:

A. Legal

1. Law School - University of Virginia School of Law, J.D., 1968
2. Graduate Law School - The National Law Center, The George Washington University, LL.M., summa cum laude, 1972; concentration in administrative law – economic regulation.
3. Doctor of Laws (LL.D.) (honorary)
  1. The George Washington University, 1992
  2. Valparaiso University, 2013

B. College - Fordham University (one year at the University of Paris), A.B., summa cum laude in cursu honorum, 1965  
Economic Prize; Political Philosophy Prize

C. Preparatory School - St. Agnes Cathedral High School, Rockville Centre, New York, summa cum laude, 1961  
National Championship in Oratory

Previous Professional Experience

1. Professor of Law, University of Notre Dame  
1977 to present

Judge Ripple presently is a part-time member of the law faculty of the University of Notre Dame. Present and past course assignments include courses in constitutional law, conflict of laws, federal courts, and judicial process. Prior to his judicial appointment, he maintained an appellate practice to the extent permitted by his academic duties. As part of this practice, he served as a Special Assistant Attorney General of Michigan in 1984.

Recipient, Professor of the Year Award, 1978, 1979, 1980, 1984, 1985

Recipient, Special Presidential Award, 1985

Recipient, Rev. Michael D. McCafferty Award for Service to Notre Dame Law School, 2014

2. Special Assistant to the Chief Justice of the United States (Judicial Matters)  
July 1973– September 1977

As senior attorney on the judicial staff of the Chief Justice, he assisted the Chief Justice in the analysis of cases before the Supreme Court, in the preparation of opinions, and in other legal work required by the Chief Justice in the discharge of his judicial responsibilities. He had general supervision of the work of the law clerks to the Chief Justice and management responsibilities for matters incidental to the judicial work of the Court.

3. Legal Officer (Staff Counsel) of the Supreme Court of the United States  
September 1972 –July 1973

Appointed by the Court to inaugurate this position, his principal responsibility was legal work on judicial matters assigned by the Court or by an individual Justice. His secondary responsibility was legal advice to the Court and to its officers on legislative and administrative matters.

4. Branch Head, Office of the Judge Advocate General, Department of the Navy  
July 1971–September 1972

This post entailed supervisory responsibility for the preparation of advice memoranda, commentary on legislation, preparation of civil litigation, legislative and regulatory drafting and review of ethical complaints against attorneys. He served as counsel to project committees within the Navy Department including those with responsibility for the return of the prisoners of war and for the formulation of policy and the drafting of legislation on the problem of drug abuse. He was awarded the Navy Commendation Medal for professional excellence by the Secretary of the Navy.

5. Advisory Attorney, Office of the Judge Advocate General, Department of the Navy  
January 1971–July 1971

In this capacity, he prepared memoranda addressed to civilian officers of the Department and to flag officers. He drafted and commented upon proposed executive orders, secretarial directives, and department regulations. He also performed staff-level work for the Uniform Code of Military Justice Revision Committee (10 U.S.C. § 867(g)).

5. Appellate Defense Counsel, Office of the Judge Advocate General, Department of the Navy  
March 1969–December 1970

This position entailed service as appellate counsel before the United States Court of Military Appeals and the Navy-Marine Corps Court of Military Review. He also appeared as counsel before the Clemency Board of the Secretary of the Navy.

7. Attorney, Office of the General Counsel, International Business Machines Corporation  
August 1968–October 1968

This position involved general corporate work in the Corporate Law Department and, later, in the Antitrust Compliance Department.

#### Other Principal Professional Activities

Advisor, American Law Institute Project on Restatement of the Law 3d, Conflict of Laws, 2015 to present

Member, Judicial Advisory Board, American Society of International Law, 2014 to present

Member, Visiting Committee, School of Divinity, University of Chicago, 2005 to present

Member, Visiting Committee, School of Law, University of Chicago, 2005–2008

Member, Committee on Judicial Resources, Judicial Conference of the United States, 2006–2009

Member, Committee on the Administrative Office, Judicial Conference of the United States, 2003–2006

Faculty Member, Judicial Clerkship Institute, Pepperdine University, 2001–2004

Chair, Committee on Appellate Judge Education, Federal Judicial Center, 1996–2003

Chair, Advisory Committee on the Federal Appellate Rules, 1990–1993

Member, Advisory Committee on the Federal Appellate Rules, 1985–1990

Member, Advisory Committee on the Bill of Rights, Commission on the Bicentennial of the Constitution

Member, Board of Visitors, School of Law, Brigham Young University, 1990–1992

Reporter, Advisory Committee on the Federal Appellate Rules, 1978–1985 (Appointed by the Chief Justice)

Military Justice Act of 1983 Advisory Commission, 1984 (Appointed by the Secretary of Defense)

Consultant, Supreme Court of Alabama, 1983

Consultant, California Board of Bar Examiners, 1981

Member, American Team, Anglo-American Judicial Exchange, 1980

Consultant, Anglo-American Judicial Exchange, September, 1977

#### Principal Professional Associations

The American Law Institute

American Inns of Court

American Bar Association

Federal Bar Association

New York State Bar Association

American Society of International Law

Phi Beta Kappa

Bar Admissions

State Courts: Virginia; New York; District of Columbia; Indiana

Federal Courts: Supreme Court of the United States; United States Court of Appeals for the Seventh Circuit; United States Court of Appeals for the District of Columbia Circuit; United States Court of Appeals for the Armed Forces; United States District Court for the Northern District of Indiana; certified military trial and defense counsel under 10 U.S.C. § 827; certified as military judge under 10 U.S.C. § 826

Military Service: United States Naval Reserve  
Judge Advocate General's Corps

Present Rank: Commander (Retired)

Active Duty: 1968–1972

Awards: Navy Commendation Medal

## **Publications**

Constitutional Litigation, [Michie/Bobbs-Merrill, xxii + 674 pp.] (1984)

Sanctions Imposable for Violations of the Federal Rules of Civil Procedure, with R.E. Rodes, Jr. & C.A. Mooney [Federal Judicial Center, pp. 1–186] (1982)

Chief Justice Warren Burger, in Yale Biographical Dictionary of American Law, [Yale University Press] (2009)

The Role of the Law Review in the Tradition of Judicial Scholarship, 57 New York University Annual Survey of American Law 429 (2000)

Justice Lewis F. Powell, Jr.—A Tribute, 74 Notre Dame Law Review 1055 (1999)

Legal Writing in the New Millennium: Lessons From a Special Teacher and a Special “Classroom”, 74 Notre Dame Law Review 925 (1999)

In Memoriam: Warren E. Burger, 109 Harvard Law Review 1 (1995)

Process of Constitutional Decision Making, 25 Valparaiso University Law Review 331 (1991)

The Judge and the Academic Community, 50 Ohio State Law Journal 1237 (1989)

The Article III Judiciary in Its Third Century, 34 Loyola Law Review 469 (1988)

Rule 11 in the Constitutional Cases, 63 Notre Dame Law Review 788 (1988)

On Becoming a Judge, 34 Federal Bar News and Journal 380 (1987)

The Role of the Chief Justice, in Encyclopedia of the American Constitution, Vol. I, 242–245, [MacMillan Publishing Company] (1986)

Personal and Career Decisions During the Professional School Years—The Spiritual Dimension, 3 Christian Legal Society Quarterly 20 (1982)

The Separate Appendix in the Federal Appellate Practice—Necessary Tool or Costly Luxury?, with R.A. Ainsworth, Jr., 34 Southwestern Law Journal 1159 (1981)

Fitting In at the Court: Some Reflections on the Selection of Supreme Court Justices, 25 Res Gestae 120 (1981)

American Constitutional Law 1976–81, with D.P. Kommers & J.A. Scanlan, 30 Jahrbuch des Oeffentlichen Rechts der Gegenwart 457 (1981)

Thurgood Marshall and the Forgotten Legacy of Brown v. Board of Education, 55 Notre Dame Law 471 (1980)

The Entanglement Test of the Religion Clauses—A Ten Year Assessment, 27 UCLA Law Review 1195 (1980)

Volkswagen Corp. v. Woodson: Reflections on the Road Ahead, with Mollie A. Murphy, 56 Notre Dame Law 65 (1980)

The Supreme Court's Workload: Some Thoughts for the Practitioner, 66 American Bar Association Journal 174 (1979)

State Sovereignty: A Polished but Slippery Crown, with D. Kenyon, 54 Notre Dame Law 745 (1979)

Book Review, 10 Hastings Constitutional Law Quarterly 451 (1984) (reviewing E.G. White, Earl Warren: A Public Life)

Book Review, 44 The Review of Politics 446 (1982) (reviewing H.N. Hirsch, The Enigma of Felix Frankfurter)

Book Review, 12 University of Toledo Law Review 1047 (1981) (reviewing P. Kauper & F.X. Beytagh, Constitutional Law: Cases and Materials)

Book Review, 32 Naval War College Review 116 (1979) (reviewing The Military in American Society)

Book Review, 141 America 200 (1979) (reviewing J.H. Pollack, Earl Warren, The Judge Who Changed America)

Book Review, 55 Notre Dame Law, 154 (1979) (reviewing The Justices of the United States Supreme Court, Their Lives and Major Opinions, Vol. V)

Judicial Opinions: *See* Federal Reporters, 776 F.2d to present