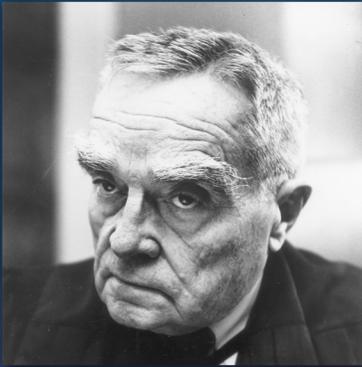




225th Anniversary
1789-2014



Learned Hand

Born:

January 27, 1872
Albany, NY

Received Commission:

April 26, 1909

Service terminated due to appointment in 1924 to the United States Circuit Court for the Second Circuit.

Died:

August 18, 1961
New York, NY

Judge Learned Hand served on the S.D.N.Y. for over 15 years, from 1909 to 1924. His full name at birth was Billings Learned Hand and he came from a family of prominent lawyers, including his father, two uncles, and his paternal grandfather. He attended Albany Academy and Harvard College, graduating in 1893 with both B.A. and M.A. degrees. Graduation from Harvard Law School followed (1896), and he returned to Albany to practice law. In 1902 he moved his practice to New York City to allow himself to grow professionally and intellectually. A philosopher at heart, Hand found the intellectual challenge of law more inspiring than day-to-day practice, and began to publish scholarly articles.

In 1909, he was named to the District Court by President Taft. At first, Judge Hand was somewhat insecure because his legal experience did not encompass many of the fields subject to federal law. Nevertheless, within a few years he was known in all areas as an excellent judge. His early involvement in politics waned and his reputation grew, so in 1924 President Coolidge appointed him to the Court of Appeals for the Second Circuit. From 1939 to 1951 he served as Senior Judge of that Court.

Although Judge Hand was never appointed to the U.S. Supreme Court, he gained a national reputation and was one of the most widely known, respected, and influential American judges of the 20th Century. He was a founder of the American Law Institute (ALI), leading the formulation of ALI's model statutes and restatements of the law. He contributed precedent-setting opinions in the areas of tort (negligence standard), statutory interpretation, and constitutional law. His opinions in *Masses Publishing Co. v. Patten* in 1917, and *U.S. v. Dennis* in 1950 advocated an 'incitement' approach to First Amendment law, as contrasted with the Supreme Court's previously stated 'clear and present danger' standard. The Court combined the two approaches in *Brandenburg v. Ohio* in 1969, thereby partially adopting Hand's philosophy.

Sources:

Biographical Directory of Federal Judges, available at <http://www.fjc.gov/>

American National Biography Online

Purcell, "Learned Hand: The Jurisprudential Trajectory of an Old Progressive". 43 *Buffalo L. Rev.* 873 (1995).