

# Supreme Court Justices Are Smart But Not Tech Savvy

[By Donald Scarinci](#)

Unlike Senator John McCain, it is unlikely that the Supreme Court justices play computer games or check text messages or email on their iPhone during oral argument. Justice Elena Kagan recently revealed that the Court members generally prefer traditional paper to electronic communications

"The justices are not necessarily the most technologically sophisticated people," she recently told Ted Widmer, a historian and librarian at Brown University. While Kagan reads blogs and uses [Facebook](#), the older justices are largely unfamiliar with social media and other online technologies used by many Americans on a daily basis, the Associated Press reports.

While court clerks exchange email messages, "The court hasn't really 'gotten to' email." For personal communications between the justices, Kagan revealed that legal memoranda are printed on official ivory paper and delivered by chamber aides.

While the revelation may be concerning given the number of cases that now involve technology far more sophisticated than email, it is also important to remember that the Supreme Court is steeped in tradition. White quills are still placed on counsel tables when the Court is in session, as has been done since 1790.

So if many of the [Supreme Court justices](#) have no firsthand familiarity with modern technology, how do they decide cases?

Kagan acknowledged that many of the justices rely on their younger clerks to educate them on high-tech issues. However, that is not to say that all of the justices are reluctant to immerse themselves in something new for the sake of a case.

Faced with a case regarding violent video games, Kagan and several other justices decided to give it a try. "It was kind of hilarious," she said.

*[Donald Scarinci](#) is a New Jersey lawyer and managing partner of Scarinci Hollenbeck, LLC a regional law firm with offices in New York, New Jersey and Washington, D.C. His columns feature legal issues in the news and articles about the business and practice of law. He also writes regularly in Politicker NJ and the [Constitutional Law Reporter](#).*