



The James Otis Lecture Series
American Board of Trial Advocates
Massachusetts Chapter

October 15, 2026
Faneuil Hall, Boston, MA
1:00 pm – 3:00 pm

The 2026 James Otis Lecture

Why do we have a federal court system? When created, what did the Framers expect its role to be? How has the Supreme Court, and other federal courts, measured up to those expectations? And exactly where in the Constitution does the Supreme Court get to decide that the acts of Congress, the Executive Branch or the States are unconstitutional?

The Massachusetts Chapter of the American Board of Trial Advocates (ABOTA) is thrilled to announce that U.S. Supreme Court Justice Stephen G Breyer (Ret.) will join noted author Sarah Isgur and renowned Constitutional historian and scholar Akhil Reed Amar to address these issues at this year's *James Otis Lecture*. The program will take place on October 15 at Faneuil Hall in Boston from 1:00 pm to 3:00 pm. As always, attendance is free and open to all high school students in Massachusetts. Following the program, there will be a book signing in which the panelists will sign and hand out copies of their new books.

Mass. ABOTA created the *Otis Lecture* in 2008 specifically for high school students, who hear from highly accomplished women and men in fields relating to law and legal history. This year, we are focusing on Article III of the U.S. Constitution, our panelists will address a crucial question: "The Least Dangerous Branch: Would the Framers Recognize our Current Federal Court System?" Our topic could not be more timely. The program will include a lively debate among the three panelists about the role of the Court in our current republic and whether it really is, as Alexander Hamilton wrote in *Federalist #78*, "the least dangerous branch." As always, there will be time for questions from the students.

The Panelists

Hon. Stephen G. Breyer



Justice Stephen G. Breyer resumed a position on the faculty at Harvard Law School after retiring from the Supreme Court of the United States in 2022, where he sat for 28 years. During his tenure on the Supreme Court, the Court issued a plethora of landmark decisions that impact almost every aspect of American life.

Before joining the federal bench, Justice Breyer served on the Harvard Law School faculty from 1967 to 1980 and held a joint appointment at the Kennedy School of Government from 1977 to 1980. Justice Breyer has written several books, including *The Court and the*

World, which explores his view of where the Court fits into our Republican government in an increasingly interconnected world.

Justice Breyer was appointed to the First Circuit Court of Appeals in 1980 by President Carter. In 1994, he was appointed to the Supreme Court by President Clinton to fill a seat vacated by Justice Henry Blackmun. After being confirmed by the Senate, Justice Breyer served as an Associate Justice on the Supreme Court of the United States from 1994 until 2022.

Even after leaving the bench, Justice Breyer has continued his longstanding commitment to promoting civics education as a central component of American citizenship. He is the inspiration behind the Stephen G. Breyer Community Learning Center on Courts and the Constitution, a public civics education space located inside the Moakley U.S. Courthouse in Boston, which opened this year. The Breyer Center develops and hosts a plethora of civics education programs targeting both younger and more mature citizens.

Justice Breyer earned his A.B. *magna cum laude* in philosophy from Stanford University. As a Marshall Scholar, he received a B.A. from Magdalen College at Oxford University with first class honors. Justice Breyer then graduated *magna cum laude* from Harvard Law School and was an articles editor on the *Harvard Law Review*. Following his graduation in 1964, he served as a law clerk to U.S. Supreme Court Justice Arthur Goldberg.

Justice Breyer has written extensively on wide-ranging subjects including administrative and regulatory policy, comparative constitutional law, and statutory and constitutional interpretation. His books include: *Reading the Constitution: Why I Chose Pragmatism, Not Textualism* (2024); *The Authority of the Court and the Peril of Politics* (2021); *The Court and the World: American Law and the New Global Realities* (2015); *Making Our Democracy Work: A Judge's View* (2010); *Active Liberty: Interpreting Our Democratic Constitution* (2005); *Breaking the Vicious Circle: Toward Effective Risk Regulation* (1994); *Regulation and Its Reform* (1984); and *Energy Regulation by the Federal Power Commission* (1974) (with Paul W. MacAvoy). He also has authored dozens of law review publications across a wide range of subject matter areas.

Adding to his many accomplishments, Justice Breyer is an Eagle Scout. He served in the U.S. Army Reserve for eight years, including six months on active duty during college.

Professor Akhil Reed Amar



Professor Akhil Reed Amar is one of America's most prominent constitutional scholars, having published 11 highly acclaimed books including his most recent work, *Born Equal*, a study of American legal history from 1840 to 1920. This is the second in a planned trilogy of a sweeping survey and analysis of American legal history beginning with the 1760 arrival of *The Racehorse*, a British packet, bringing news of the death of King George II which set in motion events that led to American independence 16 years hence. The story of the first 80 years of American legal history,

1760 to 1840, is recounted brilliantly in volume I of the trilogy, *The Words That Made Us* (2021).

Professor Amar is the Sterling Professor of Law and Political Science at Yale University, where he teaches constitutional law in both Yale College and Yale Law School. After graduating from Yale College, *summa cum laude*, in 1980, and from Yale Law School in 1984, and clerking for Judge (later Justice) Breyer, Professor Amar joined the Yale faculty in 1985 at just 26 years of age, making him, alongside Professor Guido Calabresi, one of the two youngest Yale Law School hires in the last century. He is Yale's only living professor to have won the University's unofficial triple crown — the Sterling Chair for scholarship, the DeVane Medal for teaching, and the Lamar Award for alumni service.

Professor Amar's work has won awards from both the American Bar Association and the Federalist Society. He has been cited by Supreme Court justices across the spectrum in more than 50 cases — tops among scholars under age 70. His work has also been cited in every federal court of appeals. In American law reviews, he has been cited more frequently than any other constitutional scholar still under age 70. He is a member of the elite American Academy of Arts and Sciences and has written widely for popular publications, including *The New York Times*, *The Washington Post*, *The Wall Street Journal*, *Time*, and *The Atlantic*. He was an informal consultant to the popular TV show *The West Wing* and his scholarship has been showcased on many broadcasts, including *The Colbert Report*, *Morning Joe*, *AC360*, *Velshi*, *Fox News @ Night with Shannon Bream*, *Fareed Zakaria GPS*, *Erin Burnett Outfront*, and *Constitution USA with Peter Sagal*.

Professor Amar has authored more than a hundred law review articles in addition to several books, which include *The Bill of Rights* (1998 — winner of the Yale University Press Governors' Award), *America's Constitution a Biography* (2005 — winner of the ABA's Silver Gavel Award); *America's Unwritten Constitution* (2012 — named one of the year's 100 best nonfiction books by *The Washington Post*), and *The Constitution Today* (2016 — named one of the year's top ten nonfiction books by *Time* magazine). The first volume of his ambitious trilogy on American constitutional history from the Founding to the present, [The Words That Made Us: America's Constitutional Conversation, 1760-1840](#), came out in May 2021. The second volume, [Born Equal: Remaking America's Constitution, 1840-1920](#), was published in September 2025 and won the annual Abraham Lincoln Institute book prize.

All together, Professor Amar's nonfiction books have won two starred reviews from *Publishers Weekly* and three starred reviews from *Kirkus*— also tops, it is believed, among legal scholars under age 70. Together with brother Vikram David Amar (YLS '88), he has a bi-weekly column on the Supreme Court on the distinguished website [SCOTUSblog](#). Along with Andy Lipka, he co-hosts a popular and free weekly podcast, [Amarica's Constitution](#), whose listeners are eligible for CLE credit in most American jurisdictions. A wide assortment of his articles and op-eds and video links to many of his public lectures and free online courses may be found at [akhilamar.com](#).

Sarah Isgur, Esq.



Attorney SARAH ISGUR is the editor of the leading blog on the U.S. Supreme Court, *SCOTUSblog*, a host of the legal podcast *Advisory Opinions*, and a legal analyst for ABC News. Ms. Isgur has previously worked on multiple presidential campaigns and in all three branches of the federal government. During the first Trump administration, she served in the Department of Justice as the director of the Office of Public Affairs and senior counsel to the deputy attorney general during the Russia investigation. She clerked for Judge Edith H. Jones of the U.S. Court of Appeals for the Fifth Circuit and is a graduate of Harvard Law School and Northwestern University. She is the author of a new book, *Last Branch Standing: A Potentially Surprising, Occasionally Witty Journey Inside Today's Supreme Court* (2025).

Ms. Isgur received her JD in 2008 from Harvard Law School. Her new book, *Last Branch Standing*, is at once an extraordinarily incisive, sometimes irreverent, and highly entertaining look at the nine members of the current Court and the often surprising ways they address cases before them.

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