

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE JOHN PAUL STEVENS

IN DRAFT
April 26, 1978

Re: 75-1914 - Monell v. Department of Social
Services

Dear Bill:

Your revised opinion is really excellent. I particularly appreciate your full treatment of the stare decisis issue and the changes in your discussion of Monroe v. Pape. Nevertheless, I am still persuaded that Parts II and IV of the opinion are merely advisory and should not be included in an opinion of the Court until the questions have been properly presented and argued. As presently advised, I therefore plan to join only Parts I, III, and V. I do not expect to write separately but merely to state in a sentence my reasons for not joining Parts II and IV.

Respectfully,



Mr. Justice Brennan

Copies to the Conference