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Active Rehnquist turns 80 today

2nd justice to reach milestone

Hope Yen

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WASHINGTON - William Rehnquist turns 80 today, a milestone reached by only one other chief justice of the United States. Though slowed by back and knee problems, he remains invigorated by the job and appears in no hurry to give up the title of the nation's top judge.

Named to the Supreme Court by President Nixon in 1972, Rehnquist is expected to mark his birthday much like any other workday: reviewing legal documents while keeping a watchful eye on details of court life such as public exhibits.

That steady discipline is the mark of a chief justice who has defied retirement rumors even as some observers wonder whether his conservative legacy - empowering states, limiting abortion and preserving the death penalty - may finally have run its course.

"The Rehnquist revolution has hit the wall until the membership of the court changes," said Tom Goldstein, a Washington lawyer who specializes in the Supreme Court.

On his birthday Rehnquist is surpassing John Marshall, Charles Hughes and Warren Burger as the second-oldest chief justice. Each was 79 when he stepped down.

The only older chief justice was Roger Taney, who presided over the high court in the mid-1800s until his death at 87.

Rehnquist, elevated to chief justice in 1986 by President Reagan, has been consistent in his beliefs and activities.

He continues to hire law clerks with whom he can play tennis. He streamlines justice meetings to reduce time-consuming debate. He also has been known to pore over court details such as decorations for the annual holiday party.

Although some believe this will be Rehnquist's last term, many others are not so sure.

"I think it's possible he'll stick around. The court is his home and his family," said Chris Landau, a Washington lawyer and former law clerk to Justices Antonin Scalia and Clarence Thomas.

Rehnquist rarely gives interviews. A court spokeswoman said Thursday that the chief justice was unavailable to talk about his birthday or his future.