



Written by [James Murphy](#) on November 9, 2018

Justice Ruth Bader Ginsburg Injured in Fall; Hospitalized

Eighty-five-year-old Supreme Court Justice Ruth Bader Ginsburg fell in her office on Wednesday. After spending an uncomfortable night at home, she was taken to the hospital by Supreme Court Police early Thursday morning where tests showed that she had broken three ribs. As of this writing, Justice Ginsburg remains hospitalized for observation and pain control.



The hospitalization caused Ginsburg to miss the formal inauguration of Supreme Court Justice Brett Kavanaugh on Thursday. President Trump and First Lady Melania Trump were on hand for the event. The president has not yet commented on Ginsburg's condition. His advisor, White House counselor Kellyanne Conway, described Ginsburg as "a very tough woman" and said, "I hope she has a full and speedy recovery."

The oldest justice on the Court, Ginsburg has suffered several health problems over the past few years. She had previously broken two ribs in a fall in 2012. In 2014 she had a stent implanted to open a blocked artery. Ginsburg has also survived two bouts with cancer. In 1999 she was treated for colon cancer, and in 2009 she was treated for pancreatic cancer.

Despite these health problems, Ginsburg has never missed arguments in the Supreme Court. The next arguments are scheduled for November 26.

Broken ribs owing to falls are fairly common among older adults and, depending on their severity, such injuries tend to heal themselves in three to four weeks. It is not yet known how serious the fractures are. The severity of the fractures could complicate matters, since a fully broken rib can create sharp pieces that can puncture blood vessels or organs. Pneumonia is also a common side-effect, since pain can cause a patient to not breathe deeply or cough.

A new film about Ginsburg's life premiered in Los Angeles on Thursday as well. Written by Ginsburg's nephew, Daniel Stiepleman, [On the Basis of Sex](#) is about Ginsburg's early career as a young lawyer. The film, which stars Felicity Jones as Ginsburg, will be released in the United States on Christmas Day. Ginsburg herself appears briefly in the movie.

"The last I heard she was up and working, of course, because what else would she be doing, and cracking jokes," Stiepleman said. "I can't promise you they were good jokes but they were jokes."

Nominated by Bill Clinton in 1993 to replace Byron White, Ginsburg was only the second woman to be so honored. Although she was viewed as a moderate at the time, for a quarter of a century, Ginsburg has been one of the staunchest liberals that the court has ever seen, voting with the liberal wing of the court on almost every issue. She has also advocated using international law — not American law — in shaping opinions for the Court.

Ginsburg ignored suggestions from some liberals who believed she should step down during the Obama administration so that some new and younger liberal blood could be placed on the court before her age



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became a question.

In July, Ginsburg hinted that she hoped to stay on the court for at least five more years. “I’m now 85,” Ginsburg told CNN. “My senior colleague, Justice John Paul Stevens, he stepped down when he was 90, so I think I have at least about five more years.”

Ginsburg has hired law clerks through 2020, indicating that she has no plans to retire.

While no decent person wishes ill to Justice Ginsburg, it is not inappropriate to speculate on the future of an 85-year-old Supreme Court Justice with multiple health issues. The nature of the fall — in her office, not on a slippery sidewalk — raises questions as to her ongoing stability health-wise. Falls such as these are often a precursor to more serious health concerns in older adults. Justice Ginsburg may not be able to serve those five more years she spoke of in July.

No president has nominated more than two justices in a single term since Eisenhower’s second term. But President Trump may want to keep his list of eligible judges handy, just in case.

With its advise and consent role, the Senate was clearly the more important portion of the legislature for the GOP to win last Tuesday.

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