on the map

Colin Starger plots SCOTUS genealogy

Man has made maps for thousands of years to help people navigate their world, the better to understand it. Some of the earliest maps, on the walls of France's Lascaux caves, are dots representing the stars.

With inventions such as the compass, sextant, telescope and printing press, maps became more precise and more widely used. Today, with computers, mapmaking has taken another gigantic leap forward.

Professor Colin Starger has a cartographic idea of his own: He is mapping Supreme Court decisions —majority opinions, dissents and concurrences—using computer software to plot relationships that show how various lines of precedent have evolved.

That is, he's mapping the arguments in long-running legal controversies.

"It's about how Supreme Court doctrine works," said Starger, 43, who joined the UB law faculty in 2010. "In any Supreme Court controversy, litigants will advance many arguments and cite competing precedents. And then the court will choose a winner in the case by choosing one line of precedent over another."

Then that case itself becomes precedent for future litigants to cite.

"This creates a chain of precedent," Starger said. "Opinion A cites Opinion B, which in turn cites Opinion C, and so on all the way back to the Constitution."

The genesis of the mapping project—which has been subsidized by a University of Baltimore grant and law school support—was Starger's research on dissenting opinions in the high court's due-process jurisprudence.

"I wanted to figure out a way to show how dissents contribute to the development of the law and to visually show it," Starger said. "I want dissent to be part of the story."

Starger, a New York native, took a circuitous route to Baltimore. His father was an international banker and Starger lived abroad from ages 2 to 16, with eight years in Hong Kong and stays in Australia, Greece and Malaysia.

He finished high school in northern California, where he continued developing a passion for computers conceived in ninth grade.

Enrolling at the University of California at Los Angeles, he planned to be a math major but quickly changed direction.

"It was way too intense," said Starger, who switched to history and got involved in competitive debating.

After graduating summa cum laude, Starger was hired by a California startup that was developing derivatives-trading software.

"It was an exciting time to work in Silicon Valley and I was financially independent right out of college, but at the end of the day I wasn't interested in derivatives," Starger said.

He soon discovered what he was interested in: prisons and the pursuit of

justice for innocent prisoners.

His watershed moment came in 1992, when he was arrested during a demonstration in San Francisco.

The protest was called after the acquittal of four L.A. police officers charged with savagely beating black motorist Rodney King, a 1991 incident recorded on videotape and widely viewed around the world.

"The police arrested everyone within a square block," Starger said, recalling the Mission District rally. "I spent two and a half days in jail and it completely changed my worldview."

After being slapped in plastic handcuffs and hustled onto a bus, Starger and other demonstrators were taken to the Alameda County jail.

"My first memory of that place is of the intake," Starger said. "You had to take off all metal—earrings and so on. The punk rocker in the line right in front of me took about 30 minutes to get all the studs and rings out of his face."

A National Lawyers Guild attorney represented Starger at his arraignment.

"There was no charge, just release," said Starger, who recalled that he and a friend who'd also been arrested were shipped back across the Bay Bridge to San Francisco and dropped off near a freeway.

"The experience was eye-opening," Starger said. "I was treated like a criminal. We were all scum in the eyes of the authorities. I developed a very strong suspicion that what I understood of the world was wildly incomplete, that I had not glimpsed the whole truth and that I should try to find out more."

Said Starger: "If they treated a middle-class white guy like that, what about others?"

He set out to investigate, working with the American Friends Service Committee and volunteering on prison visits. After these experiences, Starger applied to law school.

"I decided to make my money where my mouth was," he said.

Starger said he'd sworn never to go into law, as most of his friends from the UCLA debating team had done.

"But I was wrong," he said. "I saw how incredibly helpful lawyers were when I was arrested."

Fast forward: Starger was accepted at Columbia. After graduating in 2002—he served as graduation speaker for his J.D. class—Starger clerked for Magistrate Judge Michael Dolinger in the Southern District of New York and in 2003 was hired as a staff attorney by the Innocence Project at the Cardozo School of Law.

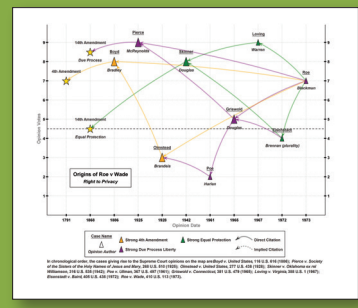
"It was a phenomenal job," said Starger, who was the lead counsel on four DNA exonerations, including one off Oklahoma's death row.

Starger then moved on to the Lawyering Program at New York University, where he taught legal research, writing and lawyering skills to first-year students. Doing so helped him make the transition from practice to academia.

"The academic thing made sense and deepened my study of rhetoric—what persuades, which goes back to Aristotle," he said.

It was at this point that he began conceiving a way to represent doctrinal thought visually.

"The computer programmer side of me kicked in," Starger said. "I could picture how the software could work."



To see Professor Colin Starger's SCOTUS maps, visit law.ubalt.edu/stargermaps

He got in touch with his high school friend Darren Kumasawa, a programmer.

"As we went to work I realized it could work for the Supreme Court and I saw its potential," said Starger, who in his second year at UB received a provost's technology grant to develop the mapping technology for use in the classroom.

"It mixes the things I love, debate and rhetoric, drawing connections and relationships, using computer schematics and math," Starger said.

The maps are genealogical, showing the different lines of argument that led to a decision. They distill arguments that can run 30 pages or more and they clearly locate the controversy.

Practically, the maps help law professors teach any area of doctrine, Starger said, adding that appellate advocates also could use maps to determine the essence of competing traditions.

Professor Amy Sloan, associate dean for academic affairs, has used Starger's mapping technology.

"As a professor I have to look at the whole body of law on a particular subject to see what to emphasize and deemphasize to help students see the big picture," Sloan said. "[The maps] help me put together a course that will make sense to students."

Sloan said being able to follow the "trail" of jurisprudence visually from one point to the other allows students to more easily grasp the development of doctrine and, moreover, gives them a look at how U.S. legal institutions operate.

Starger said creating a doctrinal map is far from sketching out a kind of legal Cliff's Notes.

"It's not automated," he said. "It requires reading and interpreting lines of authority and then presenting it in a way that's nearly instantaneous. It's a way to present the basic business of law."

Hope Keller contributed reporting to this article.