

# Remarks About Sandra Day O'Connor

*Justice Sonia Sotomayor\**

I thank the Chief Justice and the O'Connor family for the privilege of speaking today in honor of my life role model Sandra Day O'Connor. I start where I believe she would have started, by introducing her beloved family: Scott O'Connor and his wife Joanie, with their children Courtney, Adam, and Keely; Brian O'Connor and his wife Shawn, and their children Weston and Sawyer; and Jay O'Connor and his wife Heather Corcoran, and their sons Dylan and Luke. Over the years, I have had the pleasure of spending time with the O'Connor family, and of serving alongside Jay on the iCivics Board where we work to continue Sandra's path-breaking initiative in civics education.

We are here today to mark the passing of a truly remarkable person. To honor and remember Sandra not only for her work as a judge, but for her humanity, leadership, determination, and vision. And we cannot do that without giving thanks to each of you in the O'Connor family for sharing Sandra with us; especially to your dad, John, whom Sandra adored and who made the greatest of sacrifices to follow her to Washington, DC. The world, the country, and our Court owe all of you a debt of gratitude.

I know how precious you were to her. Each of you had your own unique relationship with Sandra, and she cherished those relationships. She was especially grateful for her wonderful daughters-in-law, and it is not hard to imagine why: For too long a time, the only woman among men, Sandra appreciated you, her daughters-in-law, for breaking up some of the homogeneity in her life. To her grandchildren: You only got to know her at the second part of her life, but I hope you know that she lived her life to leave her legacy particularly to you. She was devoted to making a better world, and that's what she did.

Some years ago, my colleagues and I were at lunch discussing the bygone era of our Court when justices were openly hostile to each other and rarely interacted personally. It was a sad chapter in our Court's history. Someone at the table asked when that changed. One colleague suggested a

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particular Chief Justice. Another named a different Chief Justice. Ruth, in her characteristically quiet yet commanding voice said: It all changed when a woman came to the Court. Those at the table who had served with Sandra shook their heads vigorously in agreement.

My friend Clarence once described Sandra as the glue of this Court. I agree. She brought all of us together, even after she retired. The first day I came to work in this building, Sandra was at my office door to welcome me to the Court. Of the many topics she covered, the one she seemed most intent to get across was the importance of regularly attending the justices' lunch after arguments and conferences.

The collegiality of the Court, Sandra explained, was vital to getting our work done in a manner the country would respect. She was, as with so many things, prescient in that regard. Later that first day when I met with the Chief Justice, he told me that Sandra had made him promise that he would lead attendance at our lunches, impressing upon him the importance of building our relationships with one another. The Chief honors his promise to Sandra and rarely misses a lunch.

Sandra was also known for dragging colleagues out of their offices by linking her arm through theirs and walking them to the lunch room whenever she noticed that their attendance was lagging. Many of the Justices who served with her, including some here today, experienced this firsthand. Sandra shared herself, her family, her home, and even her friends fully with her colleagues, and she expected the same from all of us.

The lunches and the many other get-togethers Sandra initiated—including dinners, movies, barbecues, and visits to the theater and museums—were almost never about the food, the show, or the occasional scotch and water. They were about bringing us closer to one another and ensuring that we got to know each other as full people. She knew the value of this.

She practiced it firsthand when she was the first female majority leader of the Arizona Senate, famously bringing together her colleagues on both sides of the aisle. Sandra understood that personal relationships were critical to working together, even and especially in the face of adversity or strenuous disagreement. This may seem obvious now to many of us, but it wasn't until she made it so. She changed our Court and everything she touched so fundamentally and so much for the better.

Of course, that is not the only way that Sandra changed the Court. Scholars have paid more attention to Sandra's close to 700 opinions than

she ever expected or sought. For many years, the way Sandra went, the Court followed. And that was for a simple reason: Sandra approached each case with incredible thoughtfulness and sought to arrive at a practical conclusion under the law. She never disregarded the realities of our country.

As Elena has said, she had an extraordinary understanding of the American people, just as she had an extraordinary understanding of this Court's role, and its limits. The nation was well served by the steady hand and intellect of a Justice who never lost sight of how the law affected ordinary people.

Ruth once said that she could "scarcely follow" Sandra. Few ever could, although I know Ruth came very close. Pressuring years of female law clerks into attending her very early morning gym class, something I know her sister Ruth never did, Sandra exercised every day, socialized every night and weekend, and travelled around the country and the world. Even during her chemotherapy sessions, she never missed a day of work. She did the Court's work, wrote books, and spoke at seemingly every college, law school, and bar association in the United States and abroad.

To quote Steve Breyer: Sandra "worked tirelessly, travelling during Court vacations to American Indian tribal courts"—as an aside, she and Steven were the first justices to ever do that; "meeting with Asian, African, and European judges; [and] planning with bar association representatives about how to advance the rule of law, democracy, and independent judicial systems in the nations for the former Soviet bloc." Sandra was a leader in the ABA's CEELI program, promoting the rule of law in emerging nations.

She also travelled across the country and the world to promote merit-based judicial selections, instead of elected judgeships—always advocating for judicial independence. If all this were not enough, Sandra was instrumental in founding the Arizona Women Lawyers Association and The National Association of Women Judges and frequently spoke at events of the International Association of Women Judges.

She sat on countless boards of directors for nonprofit and charitable organizations, each one meaningful to her. And after her retirement from this Court, she founded the Arizona-based Sandra Day O'Connor Institute, which aimed to "advance American democracy through civics education, civic engagement, and civil discourse."

Which brings us to what I view as Sandra's signature accomplishment and most lasting legacy—iCivics. She saw our nation's civil discourse breaking down and believed strongly that we would lose our democracy if

we did not teach civics to our younger generations. Sandra famously said: “The practice of democracy is not passed down in the gene pool. It must be taught and learned by each generation.” And she insightfully decided that the way to reach our youngest generation was through interactive online games that would make learning fun. Her goal was to have iCivics reach every state in the country.

It has, and the iCivics games are played by over nine million students nationwide, now in both English and Spanish. iCivics has expanded its outreach to high school and college students and is working on primary education projects. It is also leading coalitions of civically engaged organizations. Her memory will live on through this incredible organization, which meant so much to her and means so much to me.

I am grateful not just to Jay but to the entire O’Connor family for their continuing support of iCivics’ work. I thank Sandra for her vision and her drive not merely to see and understand a problem but to do something about it. “Just do it” was a mantra for her, and with it she accomplished so very much.

Perhaps Sandra would want me to stop here, with her contributions to society, but I want to say a little more about how wonderful she was as a person. The very first time I met Sandra was around 1998 when I was invited to the Court as a new circuit court judge. Sandra was unfailingly gracious towards all of us newbie judges—a generosity of spirit that, I would learn, extended to the never-ending line of people who clamored to say hello whenever she was out in public. That day, one new judge asked whether she had spacious chambers. She said she thought so and promptly took us all to see for ourselves.

The Southwest motif was warm and welcoming, and captured some of the Arizona sun she so loved. The “cowgirl from out West” was on full display. And I remember that a cushion in her office read: “Maybe in error, but never in doubt.” This combination of humility and fearlessness was her to a T. She never let self-doubt or handwringing stop her from making a decision or taking charge and doing something, and our country was better for it.

Like countless other women, I will always remember the day that Sandra was nominated to become the first female Supreme Court justice. Sitting in my district attorney’s office in New York, I felt the gravity of her nomination. At a time when most states had no female justices on their high courts and large law firms of 300 to 500 lawyers touted having just one

female partner, I knew that Sandra would open the door for women in the law and serve as an inspiration to girls across the country.

Later on, she would often say that it was good to be the first, but you don't want to be the last. Today, I know she is smiling knowing that four sisters serve on her Court. For the four of us, and for so many others of every background and aspiration, Sandra was a living example that women could take on any challenge, could more than hold their own in spaces dominated by men, and could do so with grace.

An interviewer once asked Sandra how she wanted to be remembered on her tombstone. She replied: "Here lies a good judge." Yes, Sandra, you will be remembered that way. But a full epithet would read: "Here lies a good judge, wife, mother, grandmother, friend, and above all, human being extraordinaire."

Let us have a moment of silence for reflection.

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May she rest in peace.