



A MEMORY OF SANDRA DAY O'CONNOR

James M. Rosenbaum

I OFFER NO CRITIQUE OR PRAISE for Justice O'Connor's judicial legacy. Her passing has engendered all of that, and more. But I do offer a personal memory of a lovely woman who showed a sort of kindness seldom seen.

I was a federal judge from 1985 to 2010. During that time, the judges of the Eighth Circuit (of which Minnesota is a part) held an annual Judicial Conference. This particular year the Conference was held in Colorado. The presence of at least one of the Justices of the Supreme Court was a feature of these conferences.

Justice Thomas was, I believe, our "Circuit Justice" at the time. The Circuit's Justice has a kind of administrative role for his or her Circuit. That Justice regularly attends "their" Circuit's Conferences. On this occasion, Justice O'Connor was an invited guest, and as I recall, Justice John Paul Stevens also attended. The Justices participated in our programs and usually spoke of the Court's work that term.

A highlight of each Conference is a dinner, attended by all participants, including the Circuit's Appeals and District Court Judges, along with senior Court staff. Individual judges could, if they chose, bring their spouses and

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children. My wife and I brought our daughters. At the time, our eldest was 11 and the twins were 9 years old.

After the dinner there was a receiving line, giving all participants a chance to shake the Justices' hands, and perhaps offer an individual greeting. My wife and I and the girls moved along with the line, which must have comprised some 200 or more people. As we approached the Justices, my wife and I said hello to them and exchanged handshakes.

And then, something unexpected happened. Justice O'Connor dropped to one knee and spoke individually to each of our daughters. I have no recall of what she said; her words were not for me. They were for the children, each individually. The line be damned, it would wait until she had spoken to and chatted with each child.

When her conversations concluded, we moved along and the line restarted. But that simple gesture then, and now, characterizes for me a caring, warm person. One who cared about small children, at least as much as her concern for the judges and public officials arrayed before her. I will always admire her for her care and kindness to three little girls.

