



Chief Justice O'Connor's Past Statements Defending the Judiciary

From the Columbus Dispatch coverage of the Chief Justice's 2019 State of the Judiciary address:

Without naming names, O'Connor also spoke of attacks on the judiciary.

"We have seen and heard way too many uninformed and even nasty characterizations of judges and the judicial system — and the rule of law itself," she said. "When these disparaging remarks come from high quarters, the effect on the public can be devastating if left unanswered. We answer by explaining how the judiciary works. We do so calmly and forthrightly."



From the March 2020 Edition of The Docket – The Lake County Bar Journal:

(The story referenced attacks on judges, including U.S. District Judge Gonzalo Curiel.)

Judges may be reaching the point of abandoning the traditional approach of keeping quiet in the face of political branch attacks in favor of taking on a more vigorous defense of the judiciary. That position was urged by a panel of judges at the American Bar Association's annual meeting in August 2019. California Chief Justice Tani Cantil-Sakauye challenged the judiciary to "raise the alarm" and speak up when attacked. Ohio Chief Justice Maureen O'Connor agreed that not only judges who are under attack, but also their fellow judges must speak up in defense of the targeted judge.

But it was Washington Supreme Court Justice Debra Stephens who put the point most descriptively: What we experience in the courts is the result of the fact that we are the place where the littlest dog gets to lift his leg against the biggest tree... These very personal and sometimes terrifying attacks are having an effect. We have to take more aggressive action."



From the Associated Press / Apr 11, 2017 Updated Sep 21, 2018:

COLUMBUS, Ohio -- The chief justice of the Ohio Supreme Court has asked the state's congressional delegation and two senators to stop the proposed elimination of millions in legal aid funding.

Chief Justice Maureen O'Connor says in a letter sent late last month she can't think of a worse time for the proposal to get rid of the Legal Services Corporation.

The federal agency is one of several that President Donald Trump has proposed eliminating in his first budget proposal.

O'Connor says the agency provided \$12 million of the state's \$40 million legal aid budget in 2015.

O'Connor says that one in five Ohioans qualify for legal aid services, meaning the agency's elimination would terminate many services that economically challenged Ohioans rely on.



The following opinion article by Chief Justice Maureen O'Connor of the Supreme Court of Ohio appeared in the Cincinnati Enquirer on March 20, 2017 and in other newspapers across the state.

We have a long tradition in this country and this state of people banding together and establishing organizations to engage in our public life. We call this civil society and it is one of the most endearing hallmarks of our democracy, a hallmark absent from most other countries. Civic-minded organizations provide people with the opportunity to engage on matters of mutual concern and, yes at times, become involved in our political processes, which is the right and obligation of every citizen. Such organizations benefit from engaging with elected leaders and public officials, including judges.

It is the responsibility of every judge and justice in Ohio to speak on behalf of the institution of the judiciary, to engage with the public and civic organizations in order to assist Ohioans to better understand the judicial branch. And because judges at every level of our court system often make difficult decisions, understanding the judiciary and the judicial process is more critical now than ever before. Given the role of the courts, it is crucial for judges to be available and to engage with the public so long as they do so within both the spirit and written obligations of their ethical responsibilities.

Justice Sharon Kennedy's speech would come two days after the state Supreme Court agreed to hear a case that could close Toledo's last abortion clinic.

When Ohio Supreme Court Justice Sharon Kennedy spoke to the Greater Toledo Right to Life organization she talked about the founding of this republic, the Constitution, and the separation

of powers. She did not discuss or refer to any cases pending before the Supreme Court of Ohio, nor did she mention abortion and the host group's positions.

As a member of the judiciary, it is her duty to help demystify our branch of government and help everyone understand what we do and our role in our government, regardless of the underlying issues or philosophy of the sponsoring organization. This can be done in a manner that does not cross any judicial ethics lines.

Judges should be engaged in their communities and this naturally means speaking to citizens and groups of citizens about the judiciary, both to organizations that support a judge's particular view of the law and organizations that do not support that view. If the litmus test for recusal from a case is merely speaking to a group that has a particular cause, there would be very few, if any, judges sitting on cases or, alternatively, engaged in their communities. Indeed, such a principle would muzzle judges and prevent every judge in this state from engaging in the very civic society that is so essential to our democracy. Judges should recuse themselves when they cannot be fair, unbiased, and impartial in considering the facts and applying the law to a case before them. Judges take a solemn oath to act in that manner. But the mere fact that a judge speaks to the membership of an organization that has exercised its right to engage in our civic life and participates in our governmental process by supporting proposed legislation or advocating for certain issues, without more, does not require recusal.

Although judicial decision-making is an essential duty of every judge, we do so much more today. Judges are integral to our government and have obligations that extend beyond the courtroom to include educating the public on their government. Judges should not be relegated to the halls of the courthouse, remote, and divorced from the people we serve. I do not think that Ohioans want this kind of judiciary. When surveyed, the vast majority of people say they don't know enough about the judiciary and the courts. In order to enhance the public's knowledge of the judiciary, judges have to be able to speak to organizations, participate in educational opportunities, and promote their court's work. Of course, as every judge knows, this must be done in accord with judicial ethical rules and without commenting on pending matters.

As chief justice, I would be remiss if I did not address this unfair criticism of Justice Kennedy, as I would do for any member of the judiciary. Unfair criticism of one member of the judiciary reflects poorly on all judges of Ohio.