

U.S. Supreme Court Justice Sotomayor Visits DU

EVENT SPARKS INTIMATE CONVERSATION ABOUT LESSONS LEARNED FROM A CAREER ON THE BENCH

By Tara Bradley-Steck

Most lawyers will never see the U.S. Supreme Court, let alone argue a case before it or get to converse with its justices about a point of law.

Third-year law student Ashley Puchalski, along with seven other Duquesne University students, went one step better. They were able to lob a few questions to Associate Justice Sonia Sotomayor—and they weren't softballs.

The fairly lengthy question-and-answer session with students and Sotomayor followed a half-hour Q&A conducted by President Ken Gormley and U.S. Court of Appeals Judge Marjorie Rendell before 2,000 students, faculty, staff and members of the public who packed the A.J. Palumbo Center Dec. 7.

Seated between Gormley and Rendell,

Sotomayor answered their queries thoroughly, earnestly and sedately.

But when the time came to answer questions from students, Sotomayor carefully rose from her chair—apologizing to the audience for her slow movements due to a flare-up of her sciatica and to her team of federal marshals tasked with protecting her—and ventured down the stage stairs into the crowd, shaking hands, getting pictures taken with her student interviewers and clearly relishing the

opportunity to go “off script.”

She headed first to Puchalski, who wanted to know how Sotomayor—a poor Puerto Rican child who was raised in a housing project in the Bronx—overcame her well-publicized fear of asking questions, especially when she was amid those who were more experienced.

“When I’ve had those moments and I haven’t asked the question I should, I always find someone else I trust to go ask. I do that all the time.



What is wrong is *not* to find the answer, to walk away without teaching yourself what that new thing needs to be,” Sotomayor said after asking a photographer—“You have a camera? Will you take our picture?”—and then posing with the student.

To a question from Olivia Donia, a sophomore in the Honors College, about Sotomayor’s response to critics who claim she was named to the bench because of affirmative action, Sotomayor replied:

“It doesn’t matter how I got in. What matters is what I do when I’m here.”

To another question, this time from Honors College senior Kailey Love, about the possible effect the bitter confirmation hearings for Justice Brett Kavanaugh may have had on the court, she said:

“To the extent that people *believe* that the nomination process is so partisan and so rancorous, it does and can have a tendency to diminish the sense of integrity that people have in the court. I and maybe some of my colleagues worry about that.”

Although there have been times when the justices haven’t gotten along, she said current justices treat each other like family and share a breadth of collegiality that defies politics—which she said Justice Ruth Bader Ginsburg attributed to the appointment of women to the bench.

“When Sandra Day O’Connor joined the court (in 1981), she was insistent on collegiality,” Sotomayor said of the first woman to serve on the court. “The chief justice (John Roberts) told me that when he came aboard, that was her first comment to him: ‘It is your responsibility to maintain our collegiality.’ And he’s taken that charge very seriously.”

And to a question from Adriana Ryan, a freshman from Puerto Rico, who asked if enough has been done for those in the island nation devastated by Hurricane Maria, she answered:

“The island is still in deep trouble ... I would wish that there would be more help. We, the island, need it. We have given much to America. We are American citizens. And we depend on continuing to share in the bounty of this great nation. ... Just as we help the other victims of storms and natural disasters, I would deeply hope that we would continue to help the island.”

So, no, no softball questions. And definitely no platitudes or scripted replies.

Weeks following the event, Puchalski was still pinching herself.

“It was a once-in-a-lifetime opportunity for sure,” she said. “It was so personal and so intimate. To be able to look into her eyes and ask the question and to be able to have her answer the

question directly to me was amazing.”

The first Hispanic Supreme Court justice, Sotomayor was nominated by President Barack Obama in May 2009 and ascended to the nation’s highest court in August of that year. Previously, she served as a judge on the U.S. Court of Appeals for the Second Circuit from 1998-2009. Before that, in 1991, President George H.W. Bush nominated her to the U.S. District Court, Southern District of New York, where she served for six years.

She explained her decision to accept that district court nomination—which she had first decided to refuse—in an answer to a question posed by third-year law student Taylor Wantz about her career trajectory.

“A colleague reminded me that the problem with federal judgeships is that when you’re ready, a president may not be ready. He said if you think you ever want to be a circuit court judge, you have to do it when asked,” Sotomayor said.

“Sometimes opportunities come your way when you have to throw out the playbook. ... You have to be open enough that when an opportunity presents itself, you say, ‘Yes.’”

Sotomayor earned a B.A. in 1976 from Princeton University, graduating summa cum laude and receiving the university’s highest academic honor. In 1979, she earned a J.D. from Yale Law School. She served as the assistant district attorney in the New York County District Attorney’s Office and as an international commercial litigator for Pavia & Harcourt.

Sotomayor spoke fondly of her mother, Celina Sotomayor, who overcame stark deprivation in Puerto Rico during childhood, joined the military, was widowed at an early age and scrimped to support her two children through school on a nurse’s salary. In a call to her mother to discuss her nomination to the Supreme Court, Sotomayor expressed concern that she wouldn’t be around as much.

“I said, ‘Mom, if I take this job I’m going to have a lot less time to see you. This is a very



President Ken Gormley—along with Gregory Monaco, first vice president and CLE chair of the Federal Bar Association's Western District of Pennsylvania; Maureen Lally-Green, dean of the Duquesne University Law School; and the Honorable Marjorie O. Rendell, senior judge of the U.S. Court of Appeals for the Third Circuit—present the Carol Los Mansmann Award for Distinguished Public Service to U.S. Supreme Court Justice Sonia Sotomayor.

MANSMANN AWARD HONORS PUBLIC SERVICE

The Carol Los Mansmann Award for Distinguished Public Service honors the memory of Judge Mansmann, who attended Duquesne University as an undergraduate, excelled in the School of Law and was a member of its law faculty.

Mansmann served with distinction on the U.S. Court of Appeals for the Third Circuit until her death in 2002. She battled breast cancer for 12 years and underwent a bone marrow transplant while continuing to work full-time on the Court of Appeals and engaging in a variety of public service.

The first Mansmann Award was bestowed upon U.S. Supreme Court Justice Sandra Day O'Connor in 2001. Since then, the award has been presented only on several occasions in recognition of individuals who have demonstrated a lifetime commitment to public service and the betterment of society on a wide scale.

Recipients have included U.S. Supreme Court Justice Samuel Alito in 2007; the late U.S. Supreme Court Justice Antonin Scalia in 2011; Donetta W. Ambrose, A'67, L'70, chief judge of the U.S. District Court for the Western District of Pennsylvania, in 2011; and former Chief Justice of the Supreme Court of Pennsylvania Ronald D. Castille in 2014.

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demanding position. I may not be there a day you get sick. I don't think I should do this, do you?' And there was a pause on the other end of the phone, and she said, 'Every sacrifice I made in my life was for this moment for you. Don't take it away from me.'"

Almost a decade after she ascended the highest court in the land, Sotomayor said she's still in awe of the job.

"Even today, when I walk out into the courtroom, I look around and there's a little chill that goes down my back," she said. "The reality is, I hope it never gets old for me. I hope I never take it for granted."

Following the Q&A, Duquesne and the Federal Bar Association of the Western District of Pennsylvania presented Sotomayor with the Carol Los Mansmann Award for Distinguished Public Service (please see sidebar) in honor of her commitment to equal access to justice for all citizens.

"Puerto Ricans are very proud of her," Gabriel Droz Ortiz, a Duquesne sophomore from Puerto Rico, said of Sotomayor.

That was echoed by special guest Roberto Clemente Jr., who presented Sotomayor with a Pittsburgh Pirates jersey with her name and the number "21," the number worn by his Hall-of-Fame father who died in 1972 on a mission trip to Nicaragua.

Clemente Jr., who serves as global ambassador for international relief organization Food for the Hungry, told the crowd he had to cut short a mission trip to the Dominican Republic in order to attend the Duquesne event.

"I don't like to name-drop," he said with a chuckle, "but when I told some young girls in Dominican Republic that I was going to meet you in Pittsburgh, they were wide-eyed and sent you a message thanking you for your inspiration."

He recalled a story about the first time he met Obama. He said the president told him: "Young man, you should be very proud because your name moves mountains."

Clemente then turned to Sotomayor, saying: "I'm here to tell you the same words ... because your name moves mountains. We're very proud to have you as a Supreme Court justice."♦



1. President Ken Gormley and the Honorable Marjorie O. Rendell, senior judge of the U.S. Court of Appeals for the Third Circuit, engage U.S. Supreme Court Justice Sonia Sotomayor in a lively discussion about her career.
2. Justice Sotomayor leaves the stage to walk among students and guests to answer questions.

3. Justice Sotomayor listens to a question about authoring children's books posed by Jacqueline Robel, a third-year Duquesne law school student and executive student article editor of the *Law Review*.



4. Justice Sotomayor poses with Franklin Elementary School student Harlie Donnelly, 8, who wore her "Sonia Sotomayor" Halloween costume to the event.



5. Eva Danielle Santillan, 11, daughter of Ed Santillan, L'90, poses for a photo with Justice Sotomayor.



6. Justice Sotomayor, President Gormley and Roberto Clemente Jr. pose with a Pittsburgh Pirates jersey that Clemente presented in honor of his late father, a Puerto Rican native and Hall-of-Fame outfielder who wore No. 21 when he played for the Pirates.



7. Raymond Arke, editor of *The Duquesne Duke* newspaper, who graduated from the Honors College in December 2018, asks Justice Sotomayor about the college experience she thought was most influential in guiding her career path.