





The 2024 Bolch Prize

ASSOCIATE JUSTICE
SANDRA DAY O'CONNOR

*A*ssociate Justice Sandra Day O'Connor was celebrated as the 2024 recipient of the Bolch Prize for the Rule of Law during a private ceremony at Duke University in April. John G. Roberts Jr., Chief Justice of the United States, delivered remarks and a slideshow presentation honoring Justice O'Connor's life and legacy, and Scott O'Connor accepted the prize on behalf of his late mother.

The Bolch Prize is awarded annually by the Bolch Judicial Institute of Duke Law School to honor an individual or organization's extraordinary efforts to advance and protect the rule of law. The Bolch Prize ceremony particularly highlighted Justice O'Connor's dedication to advancing civic education in the United States through iCivics, a nonprofit she founded in 2009.

Duke Law School Dean Kerry Abrams opened the program by acknowledging Justice O'Connor's far-reaching legacy as a justice, educator, wife, and mother.

"That this room is full of so many distinguished people is a testament to the enduring legacy of tonight's honoree," Abrams said. "Justice O'Connor was a dear friend, colleague, and mentor to many in this room, and she was an inspiration to all of us. Tonight we celebrate her impact as a path-break- ▶

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ing public servant and justice of our highest court, a model of civility and bipartisanship, and a founding force behind a civic education renaissance in our country. Many of us know something about her incredible life and work, but I think we will see this evening that Justice Sandra Day O'Connor still has much to teach us."

The Bolch Prize for the Rule of Law was created by Carl Bolch Jr., a 1967 graduate of Duke Law School, and his wife, Susan Bass Bolch, a graduate of Georgetown University Law Center, when they established the Bolch Judicial Institute at Duke Law School in 2018. They charged the Institute with a specific mission: to better the human condition by studying and promoting the rule of law. This mission has since inspired an array of educational programs, scholarly endeavors, and the Bolch Prize, all of which aim to strengthen and support the judiciary and judicial systems here and around the world.

Past prize recipients are: retired Supreme Court Justice Anthony M. Kennedy (2019); Deputy Chief Justice Dikgang Moseneke of the South Africa Constitutional Court (2020); retired Chief Justice Margaret Marshall of the Supreme Judicial Court of Massachusetts (2021); Judge J. Clifford Wallace of the U.S. Court of Appeals for the Ninth Circuit (2022); and the International Association of Women Judges (2023).

Following are excerpts from remarks delivered at the program by Lisa Kern Griffin, the Candace M. Carroll and Leonard B. Simon Distinguished Professor at Duke Law School and a former law clerk to Justice O'Connor; retired federal Judge Paul W. Grimm, the David F. Levi Professor of the Practice of Law and director of the Bolch Judicial Institute at Duke; Scott O'Connor; and Chief Justice Roberts. The full transcript and a video of the ceremony are available on the Bolch Judicial Institute's website at judicialstudies.duke.edu.

Lisa Kern Griffin

It's a tremendous privilege to be here and to have a few minutes to say some words about working for Justice O'Connor. While Justice O'Connor is rightly celebrated for expanding what was possible for women in every profession, and

of course for the careful and pragmatic decisions that she wrote on the Supreme Court, it's my role to convey something about how remarkable she was up close.

She was more interesting than the icon that everyone could see from a distance because she contained some contrasts. She was, as everyone knows, diligent and driven, but at no point did she ever exhibit any stress or urgency. As the Chief Justice said at her memorial service, her most common piece of advice was just to get things done. She was incredibly focused and present and preternaturally calm, but calm and relaxed are not the same thing.

I would not describe Justice O'Connor as relaxed. Even the annual outing with her clerks to see the cherry blossoms at the Tidal Basin was a scheduled forward march, regardless of the inclement weather. She was disciplined and precise, but she was never dour in any way. She was warm and joyful with a mischievous sense of humor. She loved a wicked joke or a silly skit. She laughed often, and she smiled with a sparkle in her eyes. She threw herself with vigor into riding horses, climbing mountains, playing sports or cards, cooking, entertaining, and of course going out dancing with her beloved husband, John. She was incredibly vivid, and every place she entered got a little bit brighter, so she was often called a force of nature. Many of her clerks were reminded of this at an extraordinary moment that I want to share from her homecoming to the Supreme Court in December.

She loved the Supreme Court building. Though she was a person of faith, her biographer, Evan Thomas, aptly



At perhaps a dispiriting moment in our civic discourse, a spark of her optimism is a light that she left on — and that is iCivics.

—LISA GRIFFIN

described the Court as her marble temple. On this bright, cold, and blustery day, she was carried up the steps for her lying in repose. She approached the “Equal Justice Under Law” engraved on the west pediment of the Court. Her clerks, almost 100 of us, lined the steps. Just as she reached the top, an enormous gust of wind swept over all of us and was later remarked on by almost every person standing there. It felt somehow fitting, because Justice O’Connor had *momentum*. She never looked back. She wasn’t bitter about disadvantages in the past. She didn’t dwell on any disappointments. She did not extend disagreements from one case to the next. She was always moving forward, and she carried other people along with her.

Of course, she was a pioneer, but she was not a loner. She was generous and collaborative. She gave other people both the credit and the benefit of the doubt. Her parting message was that we should all try to help others along the way. She really believed, and she often said, that we do not accomplish anything in this world alone. As just one example, when she received the assignment to draft a decision requiring the admission of women to the Virginia Military Institute, Justice O’Connor immediately suggested that Justice Ruth Bader Ginsburg write the landmark discrimination opinion instead. She said, “This should be Ruth’s.”

She was a connector for all of her colleagues. She got the Supreme Court justices to have lunch together, and they still credit her with that tradition. She set an example for how to engage with other people and sometimes find your way to a compromise. She was so vibrant that losing Justice O’Connor, even after her long illness, felt at first as though a light had gone out. I am grateful to have had the chance

to stand in a little bit of that light for a little bit of time alongside my co-clerks. It was an extraordinary blessing and I know that I’m only one of so many because her example was amplified over thousands of people who knew and loved her.

At perhaps a dispiriting moment in our civic discourse, a spark of her optimism is a light that she left on — and that is iCivics. She founded this online resource to teach about the protections in our Constitution. She wanted schoolchildren to become committed citizens and not to take democracy for granted. iCivics now reaches almost 10 million users a year.

I think the Bolch Prize is an especially fitting honor because it recognizes how she advanced the rule of law — by modeling for us civil discourse and by continuing to teach citizenship, even now.

I want to close by mentioning a second transcendent moment from Justice O’Connor’s memorial in December. A gorgeous rendition of *America The Beautiful* was sung at the conclusion of her service, per her own request and plan. It was both moving and hopeful, because though she was a clear-eyed pragmatist, she was also the most idealistic of American patriots. She chose that song because she cherished her country. She embodied its sense of opportunity, and she left behind a roadmap for uphold-

ing its ideals. That is her true bequest to all of us, and it’s what we are here to celebrate tonight.



Justice O’Connor realized better than most of us that without a civically informed public, the rule of law cannot thrive — and in order for the public to have faith in our judicial system, people must first understand how the three branches of government work together.

—PAUL GRIMM

Paul W. Grimm

Each year, the Carl and Susan Bolch Prize for the Rule of Law is awarded to an individual or an organization that has demonstrated extraordinary dedication to the rule of

law and advancing rule of law principles around the world. Through this prize, we draw attention to the hard work that must be done to protect and fortify the constitutional structures and safeguards that undergird a free society. This is the mission of the Bolch Judicial Institute: to strengthen and support the rule of law, to defend judicial independence, and study ways to improve the law in our courts — all as a means to better the human condition.

The Institute builds on Duke Law School's strong and longstanding ties to the judiciary and the work of our extraordinary faculty. Our work is practical as well as scholarly, and it's an example of how we at Duke can make a difference: by bringing together the generosity and vision of philanthropists like Carl and Susan, the curiosity and interests of our faculty and students, and the leadership of people like all of you, who help bring the academy and the real world together to achieve meaningful results.

The recipients of the Bolch Prize reflect the same creativity and commitment to improving society through the rule of law. Today, we are immensely honored to add the late Supreme Court Justice Sandra Day O'Connor to the list. Justice O'Connor was an extraordinary public servant, a lawyer, a state legislator, a judge, and, of course, the first woman to serve on the United States Supreme Court. Tonight, we particularly honor her post-retirement work that was the capstone of a life dedicated to advancing and protecting the rule of law. Justice O'Connor realized better than most of us that without a civically informed public, the rule of law cannot thrive — and in order for the public to have faith in our judicial system, which itself is essential to maintaining our democratic form of government, people must first understand how the three branches of government work together.

In 2006, she launched a civics education movement that has since engaged millions of young people and adults in learning about America's founding principles and government institutions. Through iCivics — the nonprofit organization she founded in 2009 to provide free civics resources for students, teachers, and families — Justice O'Connor revolutionized the teaching of civics for students of all ages. iCivics now reaches nearly 10 million students annually, with an array of games, lesson plans, stories, and videos.

We are pleased to recognize the outstanding work that iCivics continues to do in educating young people and inspiring and leading a national coalition of civic education organizations that are carrying Justice O'Connor's vision forward, and we are proud to honor Justice Sandra Day O'Connor's lifelong devotion to advancing and protecting

the rule of law, as a political and judicial leader and as the architect of a renewal of civics education within our country.

Scott O'Connor

Thanks to the Bolch Institute for carrying on the work here, the importance of which is fully appreciated by too few Americans. Our deepest thanks from the O'Connor family go to Susan and Carl Bolch. The description of the Bolch Institute and its goals appears to me as having possibly been written by mom as her dream for a legacy institute to carry on her most important interests. Your gift creating the Institute was made the same year that mom's dementia caused her to withdraw from the public eye. Otherwise, she would've happily traveled to Durham to meet you and thank you personally for what you're doing. I'm honored to accept the award for her.

Thanks to Chief Justice John Roberts, who happens to be here tonight. The Chief was gracious in hosting mom's lying-in-repose ceremony at the Court in December and giving a beautiful, heartfelt eulogy the following day at the National Cathedral. Our family finished that week in December knowing that mom was bid farewell in spectacular fashion, with due respect for her place in history as a friend and role model to many here and abroad.

Others tonight have already addressed mom's stunning success with iCivics. I wanted to add to the record on a couple of other topics. When mom left the Court in 2006, I told her that if she were to go on the rubber-chicken circuit giving speeches for money, I could make a very comfortable living as her agent. We both laughed, knowing the answer. She said that doing so would diminish both her own legacy and that of the Court itself. She had no idea then of iCivics and where that would lead her and our country, so she made a very wise choice there at that fork in the road, and I want to emphasize — most of you probably would just assume this, but the rest of America doesn't know this about mom — she never took a dime from iCivics. She has 10 million customers a year. That's a big business. She wasn't interested in being paid. She did it because it was the right thing to do, and that's how she was wired.

In mom's years on the Court and well into her retirement, more than any other person, she carried the message here and abroad that we need to treasure the rights that are guaranteed by our Constitution and recognize that judicial independence and the rule of law are, in her words, tremendously hard to create and easier than most people imagine to damage or destroy. For years, we marveled at the time

and energy she was willing to spend doing whatever she could to help both established and emerging democracies. Her travel and efforts were legendary. Many know that she spoke in all 50 states here, but those speeches also spanned the globe. Why did she give so much and how was she able to do it? It wasn't required by her job on the Court. She did not benefit financially. She didn't do it for the pleasure of the travel. Her trips were often physically and emotionally demanding.

She did all of it to further her deeply held belief that we are entitled to be governed by a system of democratically enacted laws that are applied fairly, uniformly, and transparently by impartial courts. Much of this work was done under the auspices of the American Bar Association's Central and Eastern European Law Initiative, CEELI, which began after the breakup of the Soviet Union and those satellite countries had to create new legal systems outside of the communist regime. CEELI is now renamed the Rule of Law Initiative. Mom was the very first outside board member when the bar association launched the project. The man who had the task of recruiting a board thought that if he could get mom, other board members would follow.

Mom understood that, and said yes. She never missed a meeting in about 20 years, whether in the U.S. or in-country overseas in Eastern Europe. Speaking in 1997 at one of the CEELI events, she described in her usual, clear style just what countries need to construct a system based on the rule of law: There must be guarantees that action cannot be taken by a government against its citizens, except on the basis of clear laws, properly adopted and publicly available. Provision must be made for free and fair elections of legislators and leaders. A wall of legal protection must be built to allow citizens to live, to speak, to worship, to work, and to travel as they see fit, without fear of the state. The legal rights of citizens must be enforceable in fair and competent

courts of law. This message wasn't new, but the fact that the message came from her made a difference.

Of course, her position mattered. She was a justice on the United States Supreme Court. But she brought more than just the title — she brought her sincere, deeply held belief in the importance of the rule of law and judicial independence and their impact on human rights. It was apparent to anyone

who spoke with her that it was a position based on principle and not a position taken for personal or political gain. Equally important to her effectiveness was her unique ability to establish real connections with those whom she met. Lisa touched on this. Mom's impact depended as much on her personal warmth and ability to relate to others as on her professional expertise. She traveled — not to lecture, but to discuss and learn together. During meetings, she listened intently, questioned effectively, took copious notes and gave advice, not directives. She understood that the judicial approach and practices that work best here in the U.S. may not be the best for others, and she conveyed that understanding and its acceptance.

Some of you may have been present during her meetings with colleagues and leaders

in other countries, and you know that as the discussion went on, it became a real exchange among colleagues, not a lecture from the visitor from the U.S. Supreme Court. Her meetings with others were as impactful for her as for others in the meetings. Many colleagues recall speaking with her on occasions after she'd been to an emergent democracy and come back home. Describing these trips, she would focus not on what she had done, but on the amazing bravery and dedication of those with whom she had met. She marveled at the willingness of judges and those supporting an independent judiciary to put their reputations and livelihoods, sometimes their own lives, on the line for beliefs that had not yet taken root or been put into practice in their countries. Comments she made about these meetings ►



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reflected both her humility and her deep understanding of the challenges faced by the people with whom she met.

It's only fair to note that she did personally gain in one way. She came back from each country with a wealth of enhanced knowledge about the country, its economy, and its people. And if you knew her and her insatiable curiosity for learning, you appreciate that benefit that she came away with. Through all of her optimism about teaching the importance of the rule of law, mom was clear-eyed about the dangers from those who would prefer a world free of such restrictions imposed on their actions by a justice system that applies uniformly to everybody. Our system of laws faces enormous pressures today. We cannot ignore attempts to undercut the work of our courts or to challenge the enforcement of rights guaranteed by our Constitution and laws. If, as mom hoped, our generation will prove to be strong enough to meet today's challenges, our success will be due in no small part to the leadership she provided and to the urgency with which she conveyed our responsibility to protect this precious legacy.

John G. Roberts, Jr.

Congratulations to Duke and the Bolch Judicial Institute for awarding the Bolch Prize for the Rule of Law to Justice Sandra Day O'Connor. I met Justice O'Connor 43 years ago at the Department of Justice, where I played a very minor role in helping her prepare for her confirmation hearings to join the Supreme Court. She was on the bench for every one of my Supreme Court arguments, occasionally showing little regard for all that I had done to get her there. And later we sat next to each other on the bench for what was for me a very special six months we served together on the Court. And I can say with absolute certainty what Justice O'Connor would've told me about speaking here tonight. "Keep it



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short!" Justice O'Connor knew the power of directness and that included direct engagement with people.

I certainly felt that she felt she had a responsibility, as the first woman on the Supreme Court, to show that she could more than keep up with the boys, but I think she also felt a responsibility as the most powerful woman in America to be out there putting her best foot forward and promoting the values that helped define our country. Now, that was a perfect fit because Sandra Day O'Connor's personality and disposition was to be out there in the world, engaging with all that was there. It's just that in 1981, that world became a lot bigger. But instead of just telling you about what all that meant, let me show you.

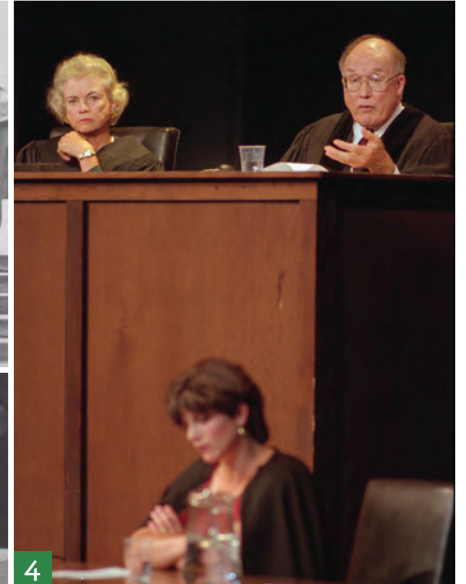
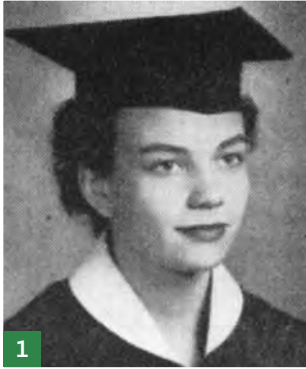
1 Born in 1930, Sandra Day O'Connor grew up on the Lazy B Ranch in Arizona. She went to Stanford for college.

2 Here she is as an undergraduate in 1950. She enrolled in law school starting that same year and became a member of the law review. You can easily pick her out. Of the two women in the class, she's the one on the right.

3 Here's another photo from her law school days at a 1951 moot court competition. She's the only woman in this picture. Next to her is classmate William H. Rehnquist, who was of course to become her colleague on the Supreme Court many years later. Now, the gentleman at the podium won the moot court competition, beating Rehnquist and O'Connor — but he did not become a Supreme Court justice.

4 Forty-six years later, Chief Justice Rehnquist and Justice O'Connor presided together over a later moot court at Stanford Law School. Now, for the law school students here, let me assure you that Justice O'Connor's expression is not a look you want to see from counsel's table.

5 The future Justice O'Connor became an unpaid assistant county attorney and then followed her husband, John O'Connor, to Germany during his army post-



ing. They made a splash on the evening social circuit and as lawyers on their return to Phoenix.

6 She was appointed to the Arizona State Senate in 1969 and won election and then re-election. She became the first woman majority leader in any state senate across the country.

7 Then she became a judge in 1975. Here she is upon her confirmation to become a judge on the Arizona Court of Appeals, just four years later.

8 Now, that summer John and Sandra helped host then Chief Justice Warren Burger when he visited Phoenix, and she was captured in this famous picture on a houseboat on Lake Powell two years before they became colleagues. Justice O'Connor looks very happy, and there

are many pictures of her looking happy. Chief Justice Burger looks positively jolly, and, so far as I know, this is the only picture in which he looks jolly. They always used to say that Chief Justice Burger looked like what a chief justice should look like, and they still say it.

9 In 1981, President Ronald Reagan nominated Justice O'Connor to be an associate justice of the Supreme ▶



12. JUSTICE SANDRA DAY O'CONNOR IN HER CHAMBERS, 1981. PHOTOGRAPH BY DAVID HUME KENNERY © CENTER FOR CREATIVE PHOTOGRAPHY, ARIZONA BOARD OF REGENTS

Court. To help with the confirmation process, the attorney general convened a team of assistants.

10 This photo was taken in the attorney general's conference room with the wife of Attorney General William French Smith, a fellow Stanford grad, by her side. On the bottom left there, well, as you can see, I haven't aged a day in the intervening 43 years. Now, next to me is Bob McConnell, who was the assistant attorney general for legislative affairs. I cannot identify the person across from me in the light suit, but I assume he was from the public affairs office. No lawyer could have gotten away with that suit in the Justice Department in those days.

11 Now, on September 25, 1981, Judge O'Connor became Justice O'Connor. The country got used to seeing her at work. There she is in a group photo. Again, if you need any help, that's Justice O'Connor in the top right.

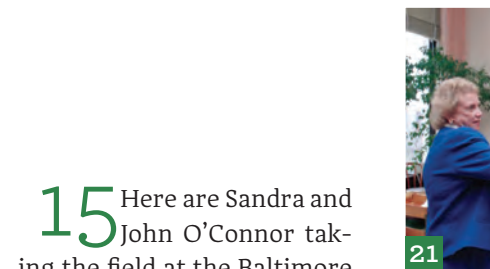
12 Here's another picture of her at work at her desk on the first Monday of October in her first term.

You can't see it here, but we have zoomed in on that book in the back, and you

know this is her first day on the Supreme Court because what it says on that spine is Guide to the Supreme Court. She learned very quickly all that it had to tell.

13 Here she is typing away at one of the newfangled computers. The size of the machine should give you some idea of what year we're talking about, but the enduring public image of Justice O'Connor is not merely in a robe and not merely in the Supreme Court building.

14 Here she is, back at the ranch on horseback and (see next page) whitewater rafting with her clerks. Now, by way of comparison, you've heard mentioned that they certainly toured and looked at the cherry blossoms. That's all I did with my clerks as far as extracurricular activities. There is no whitewater rafting involved with any of the other justices as far as I can tell.



15 Here are Sandra and John O'Connor taking the field at the Baltimore Orioles' Camden Yards, and here they are at the Rose Bowl in Pasadena, just after she tossed the coin as Grand Marshal of the 117th Rose Bowl Parade.

16 Here's Justice O'Connor fly fishing in Alaska. She and the guide pictured with her each deployed bear spray to ward off the grizzly in the background. This is what they mean when they tell you walk away calmly from the bear. She seems completely unflappable — or perhaps she was just confident that she could, even in her late 70s, outrun the guide.

17 She hobnobbed with presidents, including the one who nominated her, and in scanning this photo for tonight, we noticed an inscription on the back. It said, "Dear Justice Sandra, it was a happy New Year's Eve there in the desert. Best regards, Ronald Reagan." She knew Presidents George H. W. Bush, Bill Clinton, and George W. Bush as well.

18 President Barack Obama presented her with the Presidential Medal of Freedom, saying, "Sandra Day O'Connor is like the pilgrim in the poem she sometimes quotes, who has forged a new trail and built a bridge behind her for all young women to follow."

19 More generally, she was, as has been said, out there doing things. The most powerful woman in America meets the most powerful woman in Great Britain, Margaret Thatcher. That's Chief Justice Warren Burger on the left, looking happy enough, but certainly not jolly.

20 Here she is with the Dalai Lama. That's her long-time colleague Justice Stephen Breyer in the forefront, and with Wynton Marsalis, for a civics conversation called Let Freedom Swing. Now, I'm not sure who she's trying to silence there. Probably everyone, and they probably complied.

21 Here she is with Charles Barkley in his Phoenix Sun days. Though I have to say, Sir Charles seems a bit unsure about whether to return the high five or not. ▶



Sandra Day O'Connor expanded the public image of what it meant to look like a judge. She sounded the alarm about the growing lack of appreciation of what it means to be a citizen. She launched iCivics to do something about that.

—CHIEF JUSTICE ROBERTS



22 Here she is with Justice Breyer at a performance of *King John* at the Shakespeare Theatre. Justice Breyer did not wear that outfit when he met the Dalai Lama. And I have no idea what it signifies, but I'm certainly going to tell Justice Breyer I shared it with everybody here.

23 Here is Justice O'Connor showing a visiting chief justice from China the Lincoln Memorial, having insisted that her diplomatic guests needed to see it to understand our country, and that she needed to take him there right away.

24 But, of course, what made Justice O'Connor so special was that she had time for others, regardless of whether they were famous. Here she is with her hand on the shoulder of a young girl working on a computer. Now, if you remember the earlier picture of Justice O'Connor working at the computer, the opportunities for the young girl in the picture had changed just as much in the intervening years as technology — in no small part due to the woman standing behind her. Of all the pictures we looked at, this is very much my favorite. When have you ever seen such gen-

uine smiles on people in a picture? And the symbolism of Justice O'Connor's hand on the girl's shoulder as she discovers all that the computer has to offer is really heart moving.

25 As Justice O'Connor told her sons, "Our purpose in life is to help others along the way." Justice O'Connor retired as an active justice in 2006, but she really just kept going. She flew the flag by sitting on federal courts around the country to an extent few justices have since the earliest days of the Republic.

26 She traveled the world to inspire others. She expanded her reach by going digital and launching iCivics in 2009, as you've heard, observing the quote, "The practice of democracy is not passed down through the gene pool. It must be taught and learned by each new generation."

Today, the Bolch Prize is so fittingly bestowed on Justice O'Connor because she lived so much of her life getting that done. Now, as we're about to sit down and have a meal together in celebration of her life's work, I have one more observation. During her service, she hosted all kinds of



26: JUSTICE SANDRA DAY O'CONNOR OUTSIDE OF HER HOME IN PARADISE VALLEY, CA
27: SUPREME COURT JUSTICE SANDRA DAY O'CONNOR AND HER FAMILY OUTSIDE THE SUPREME COURT BUILDING, 1981. PHOTOGRAPHS BY DAVID HUME KENNERLY © CENTER FOR CREATIVE PHOTOGRAPHY, ARIZONA BOARD OF REGENTS

events in the Supreme Court building. She would bring people together by force of personality.

27 If you were invited to a Justice O'Connor event and didn't reply, you could expect a terse call insisting on an explanation. And at the round tables that would ordinarily seat eight and sometimes 10 at the Court, she would insist on squeezing in 11 guests. That was no accident, nor for want of tables. She thought it was important for everyone to literally rub elbows with others and get over themselves. A few more spilled wine glasses perhaps, but worth it.

28 Sandra Day O'Connor expanded the public image of what it meant to look like a judge. She sounded the alarm about the growing lack of appreciation of what it means to be a citizen. She launched iCivics to do something about that.

29 I'd like to end with one more photograph, from last December, as Justice O'Connor

came home to the Court for the final time in the traditional lying-in-repose ceremony we hold to remember a justice who has passed.

30 In recognizing Justice O'Connor's contributions to our country, I would also like to express appreciation for the Justice's sons — Scott, Brian, and Jay — their wives, and their children. The O'Connor brothers gave so much of their mother to public service during her lifetime. They have been generous again in facilitating public memorials so that we could all honor what Justice O'Connor has meant to the country. And I'm so glad that Scott O'Connor has accepted the prize today. Scott and Joanie, you have our admiration and our thanks. Thank you all very much.

Watch the full ceremony at judicialstudies.duke.edu. 