

Justice Sotomayor Offers Richmond Students Advice, Reflection

by Deirdre Norman

US Supreme Court Justice Sonia Sotomayor, the third woman and the first Hispanic appointed to the Court, spent an hour discussing her new book and answering questions from law students in the Mehrige Moot Courtroom at the University of Richmond November 18.

Early in the event, when asked for advice for young lawyers, Justice Sotomayor replied, “If you have the opportunity, go clerk for a judge. That’s a professional mistake I made.” Dean Wendy Perdue’s wry response: “It worked out OK,” brought laughter from the students and the faculty, who filled the courtroom and overflowed into adjoining rooms where the event was live-streamed.

Sotomayor’s book, *My Beloved World*, chronicles her life from growing up in a Bronx housing project to when she was nominated to become a federal district judge in New York, and recounts her struggles with juvenile diabetes and the death of her alcoholic father when she was 9. Sotomayor said the book “was an escape back into my old life and an effort to remain me and hang on to Sonia.”

When asked by Perdue to discuss her use of the term “undocumented immigrant” rather than “illegal alien” in *Mohawk v. Carpenter*, a first in the Supreme Court lexicon, Sotomayor responded, “Justice Breyer once said that the only currency we have in getting people to accept our opinions is the language of persuasion.”

Sotomayor focused extensively on human issues, including empathy, giving back, the importance of making real connections with classmates and friends, and sensitivity to the feelings of others in the courtroom, to which she referenced *Safford Unified School District v. Redding*, where the court found the strip search of a 13-year-old girl unconstitutional.



Justice Sonia Sotomayor and Dean Wendy Perdue spoke to students and guests in the Mehrige Moot Courtroom at the University of Richmond School of Law on November 18.

To a student who questioned what she would like to tell the framers of the Constitution as it effects the judiciary, Sotomayor replied, “I probably would have told the framers that Congress could not specify what our standards of review are.” She went on to say that she felt too much statutory and civil law has moved the courts away from common law, allowing, “I am a common law justice more than a lot of my colleagues.”

Sotomayor said that she is aware of her impact on others in society. She admitted that she almost pulled out of the nomination process for the Supreme Court because, “Many said I was not intelligent enough to be on the Supreme Court. It was very painful.”

After a friend pointed out that this nomination was not only about her, but about others, including the friend’s own daughter who would look to her as a Hispanic woman in a position of power, she decided to carry on, particularly when President Obama encouraged her by saying, “Judge, remember the press is a distortion.”

When questioned whether the Supreme Court should be a leader in social change, Sotomayor said, “We’ve led in some areas, and been behind in others,” suggesting that the area of women’s rights had lagged particularly.

As an example she mentioned that the Supreme Court was still excluding mothers from jury duty in the 1960s and that it was not until the 1990s when Justices Ginsburg and O’Connor were on the bench that “finally we had a decision that favored women such as the VMI case.” (*United States v. Virginia*)

About the role of the Supreme Court, Sotomayor said, “If we get too far ahead, our opinions will not be followed. If we get too far behind, our opinions are not valued. We move with and grow with society.”

Responding to a question as to what advice she would give to children who are growing up underprivileged, Sotomayor stressed the importance of appreciating all accomplishments, no matter how small, and of each person defining their success in their own terms. She pointed out that her initial salary as a district attorney was \$17,500 a year, far less than many of her law school friends were making as private attorneys. Yet she reminded herself that this was far more money than her own mother, a nurse, had ever made.

She concluded, “I think that hope is kept alive by what I call realistic expectations.”