

Supreme Court of Pennsylvania

# Induction

of the

HONORABLE  
SANDRA SCHULTZ NEWMAN

January 5, 1996



HONORABLE SANDRA SCHULTZ NEWMAN

# Proceedings

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THE CRIER: The Court is presiding this day in a special ceremonial session for the induction of the Honorable Sandra Schultz Newman as Justice of the Supreme Court of Pennsylvania, joined by the judges of the Superior and Commonwealth Courts of Pennsylvania.

O'yez, O'yez, O'yez, all persons having business before this Honorable Assemblage of the Appellate Courts of Pennsylvania may now appear and they shall be heard.

God save the Commonwealth and this Honorable Court.

Now, ladies and gentlemen, if you remain standing, we will have a recitation of the Pledge of Allegiance delivered by Stephen Marcus.

(The Pledge of Allegiance was recited by the assemblage.)

And now ladies and gentlemen, our National Anthem.

(The National Anthem was sung.)

And now ladies and gentlemen, the Honorable James Gardner Colins, President Judge of the Commonwealth Court of Pennsylvania.

President Judge Colins?

JUDGE COLINS: Ladies and gentlemen, Governor Ridge, Lieutenant Governor Schweiker, Mr. Chief Justice Nix and the learned Justices of the Supreme Court:

We are honored to have all of you here for this very happy and joyous moment we are going to share with the Newman family.

I have been instructed very explicitly by Justice-Elect Newman, or Justice Newman now, to acknowledge and thank many people who are here and therefore I shall commence with that.

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(At this time, Judge Colins reads a list of names of the dignitaries and invited guests present for the ceremony.)

I again express Judge Newman's welcome and appreciation. Again, you might see a smile on my face. I am looking at her notes that I promised I am going to share with you.

It is my very great honor to introduce Justice-Elect or Justice Newman's family. They will all speak for her, her sons and her daughters, and when I called Sandra to get my list to introduce each individual, she said, "They are all the most fabulous people in the world and only a mother can do them justice."

Our first speaker is her son Jonathan. Despite his very youthful appearance, he is Of Counsel to the law firm of Obermayer, Rebmann, Maxwell & Hippel. Jonathan Newman.

JONATHAN NEWMAN: Thank you. Governor Ridge, Chief Justice Nix, Justice Castille, Justice Nigro, members of the Judiciary, other dignitaries, friends and family. Thank you for coming to this historic and exciting event.

Well, mom, we did it. My brother David and I would like to believe that our fighting as children and our testing you to see how much you could take was all the preparation you needed to survive a statewide campaign.

After almost a year of being on the campaign trail and having visited all of Pennsylvania's 67 counties, the voters gave you their overwhelming approval and trust.

In 51 counties, you finished first, including Montgomery, Delaware, Bucks, Lebanon, Lehigh and Berks Counties and of course the Governor's home county of Erie which you proudly proclaimed as the Great State of Erie.

In Allegheny County, where you finished second, only a few percentage points separated you from the hometown candidate. You won in such grand fashion because you deserved it for your Herculean effort and your impressive credentials and everyone wanted to be here tonight to celebrate with you.

At last count, over 1,000 friends with representation from all 67 counties are in attendance. I was quite honored when

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my mother asked me to serve as Campaign Chairman and since our family has always been there for each other it was an easy decision to make, but I really had no idea of the rigors involved in running a statewide campaign.

Nevertheless, the end result was worth our effort as Justice Newman has the distinct honor of being the first woman elected to the Pennsylvania Supreme Court.

And during my travels throughout the state, I realized how diverse, scenic and, yes, how big Pennsylvania is, to name but a few counties, I was always warmly greeted: From Blair to Bucks, from Cumberland to Wayne, from Northumberland to Carbon, just to name a few.

I enjoyed speaking throughout the state about my mother's background. It seemed that practically everybody I met in the counties told me they had met her and felt she was warm and genuine.

When I spoke, I concentrated on the other side of Sandra Newman, the academic thinker. I spoke to her great academic achievements including a Master's Degree, her selection as one of Drexel's 100 outstanding alumni, being named as the first female recipient and only the third person to be given the Villanova Medallion Award and for a distinctive career as an author, teacher, lawyer and Judge of the Commonwealth Court.

I described her passion and vision for improving legal jurisprudence to create a better society. Never one to blindly accept the thinking of the majority, as a student she was inspired by the progressive vision of authors like Ayn Rand and Barry Goldwater's "The Conscience of a Conservative."

In fact, I believe that one of her greatest accomplishments on the Commonwealth Court was her writing a sole dissent to modernize the law on drunk driving that was ultimately accepted by a majority of the Commonwealth Court.

I recall one evening when I was at the Lincoln Day dinner in Lackawanna County, and then went on to Luzerne County, when my mother was in Lehigh County and my father was in

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Warren County and what an inspiration my father was and it was certainly a family effort.

He was completely committed to the campaign and sacrificed every minute outside his professional practice to be on the campaign trail and to be supportive in every possible way. Thanks, Dad.

There were many others who made this campaign a success. My mother's brother Mark Schultz, who is undefeated as campaign treasurer, swears this election was his last as treasurer, and of course Pat Saylor our campaign manager who knows everybody in the state and everything about the Commonwealth of Pennsylvania.

And my close friend and counsel to the campaign, Paul Diamond, who was always there with sound advice and support.

With a solid group of family, friends and advisors the long campaign sailed smoothly. Fortunately, the campaign was a success because Sandra Newman went on the campaign trail and people got to know her, and she knew Pennsylvania, its history and its people.

We ran a completely positive campaign, not only because it was the right thing to do as a judicial candidate but because our strategy was merely to communicate her winning personality and credentials to the populace.

I will always recall the last candidates' forum which was held in Lancaster. While I was never boastful with prognostications for victory, given her flawless performance in the debates and every other aspect of the campaign, I firmly told her that she was a winner.

This moment shared with Pat Saylor and Paul Diamond seemed to set a very positive tone for the final weeks of the campaign, but don't think for a second that your next Supreme Court Justice ever let up.

She continued to campaign hard up until Election Day. Ultimately, her populace message was well received in Pennsylvania by the overwhelming majority of the 1.7 million voters who cast their ballots in November.

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I believe they felt she could restore great honor to our highest court and she will. Thank you.

JUDGE COLINS: May I introduce Nancy Marcus Newman, also a member of the Bar, Justice Newman's daughter.

NANCY MARCUS NEWMAN: When Sandra loves something, she loves it with all of her heart with real gusto.

This of course includes campaigning. Her grandchildren and Jonathan and myself hardly saw her for a year and we really missed her terribly. But now thankfully she is home again, and my children can once again sleep at their Ema's house on Friday nights, only now they will be served midnight snacks by a Supreme Court Justice.

No matter how successful, how politically important, how erudite she becomes, she always remains the same easy, fun, wonderful person inside.

Jonathan and I recently forced mom and dad to take a much needed vacation with us and the children and we were in the Puerto Rico airport on Christmas. It was packed. While we were all waiting for our flight back to Philadelphia we had a snack and Shane accidentally kicked an entire tray of nacho chips with cheese which landed all over Justice Newman's lap.

She was laughing and I said, "Gee, mom, lucky no one in Puerto Rico recognizes you with that stuff all over you." With that, two couples sitting nearby yelled, "We recognize you, Justice Newman. Those kids look great on TV."

Sandra was hardly the picture of judicial apropos at that moment but indeed she was and always is a picture perfect mother and grandmother, laughing with all of us, enjoying each moment with her family, always being herself.

The first time I met Sandra ten years ago Christmas Eve she was wearing not a judicial robe but a bathrobe. Jonathan and I were at Penn Law School together and he invited me to join them at a Christmas party. I met Sandra at her home. She was still getting ready to go out. I remember I was dressed more for an interview than a party.

I was meeting a lawyer and a doctor, parents of this very conservative gentleman who I was in love with. Sandra and I

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met and I was immediately at ease. That night we began a friendship that has grown into much more than that. Sandra and I are truly mother and daughter.

I recall that night when mom finally came out from her room dressed in all white angora, a hat, and high boots, she was beautiful, but she had also been equally beautiful just sitting around the house in her bathrobe.

Tonight she is exceptionally beautiful in her judicial robe, but Sandra's beauty most importantly mostly comes from within. It is not at all surprising she chose to practice family law, combining and delicately balancing her two passions both at which she excelled, family and the law.

That Sandra has been elected the first woman Justice of the Pennsylvania Supreme Court is truly a testimony to her professional effort, her intellect, abilities and her great talent and success. That she has managed to make TV stars of her daughter and three grandchildren in the process is a bonus.

If I leave the practice of law for Hollywood, you have no one but yourself to blame. In family, how is success measured? Sandra and Jules have always looked outward together in the same direction.

The support, encouragement and love, so evident in both good times and rougher campaign times, continues to bind them.

Sandra's love and nurturing is a large part of what makes the Newman family so special, and I feel honored and blessed to be a part of it. Her compassion, understanding, fairness and concern for others are evident not only in her professional relationships but also in her practice of family law and in her judicial determinations.

She naturally and genuinely possesses the characteristics that should be embodied by all jurists. Part of what we have always seen in Sandra Schultz Newman was also seen by all the people in Pennsylvania who believed in her on election day.



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So tonight we celebrate both a wonderful and inspirational woman and the better future she'll create for all of our children as Justice Newman.

As she has been a guiding light to her family, so will she guide the Pennsylvania Supreme Court to honor and judicial greatness. Marcus Aurelius said, "Accept in things to which fate finds you and love the people with whom fate brings you together, but do so with all your heart."

You are a distinguished legal thinker and scholar. It is your calling to be a great leader and jurist and so you are now with the people with whom both fate and hard work have brought you together this evening, all of these people, the people who you love, are honored to know you and to share this momentous occasion with you.

You always approach life with an open mind and a positive outlook. You learn, love, work and live with all of your heart. As my children, Shane, Julian and Jonathan, Jr. have said time and again, we all heard it, "She is the best." She truly is.

Congratulations and we love you with all of our hearts.

JUDGE COLINS: David S. Newman, Esquire, sitting next to his dad.

DAVID NEWMAN: Good evening. When I first started thinking about what I would say to honor my mother on this very special occasion, I wondered how I could describe all the wonderful things that she would accomplish as a Supreme Court Justice.

But as I sat down to put words onto paper, I found it less speculative and more natural to describe all the wonderful things she had accomplished during this past election.

In most cases, what could one say about an election? There are some ups, some downs, good moments, bad moments, and finally the results on the big day.

The greatest accomplishment in an election is a victory; however, in my mother's case it goes much deeper than that.

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A campaign for my mother means not just a victory, but challenge, transformation, surprise, and growth; and the point is that through her commitment, so many people were touched along the way.

I could stand up here and speak at length about what my mother went through, what she endured to be here today, but through the election process what has struck me is not the way the campaign has affected her, but rather how she has affected others along the way.

It has been a joy to observe the way in which others are responding to the unique character traits which my mother possesses, traits which I enjoyed my whole life—trust, concern, compassion, honesty and total commitment.

It is actually nice to see them spread out over the whole state. There is just so much one son can take of even the finest qualities.

It has been truly amazing for me to watch the way people respond to me upon becoming aware of who I am, that is, Sandra Schultz Newman's son. I know my mother would like that. Instantly they would light up, they would say, "Your mom is this, and your mom is that."

These are good things, mind you, and they'd say, "You must be so proud of her."

They told me how much they believe in her and how taken back they were in meeting her and upon meeting her the second time that she not only remembered their name but remembered their daughter was in this college and who they worked for, and so and so, and she had remembered everything they had said in the previous conversation.

To put it in a nutshell, these people were impressed, to put it mildly.

Even many of my more liberal acquaintances said to me she was the only Republican that they voted for.

To be honest, though, after a while, I started to question, I mean, all this hoopla, all this admiration for my mom. I mean okay, she is a great mom, but what was really going on here?

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What was it that she was doing to inspire such support, such light, such enthusiasm and such trust?

You have to understand something. My career is very different than my mother's. I am trained as an attorney but I teach yoga for a living. I actually teach people how to relax.

I haven't quite succeeded with my mother yet, but I am trying.

Now, in the field of yoga we look up to enlightened saints and masters to get inspired to have something to work toward. Suddenly one day I had this very strange, almost disturbing thought. I noticed all these people were responding to my mother the same way that siddhas respond to these great saints and masters. It hit me.

Had I grown up with an enlightened master? In my own house? If so, my search was over. You have to understand that that is what my mother has been trying to tell me for the last 30 years. And now that I am married my wife tries to tell me the same thing.

The truth is that I have really witnessed the tremendous impact my mother has had on others, and it was several weeks ago that someone said something to me that deeply struck a chord.

A woman who I did not know very well came over to me and congratulated me on my mother's victory, as many have done over the last couple of months.

We started talking, actually she did most of the talking. She was very enthusiastic, and I just listened as I often do in these kinds of situations. She told me that her husband had participated in my mother's campaign. And that because of his involvement with her, something had changed in him.

She seemed very relieved and most definitely grateful. She went on to say that as a result of his contact with my mother, his views had become less rigid, that he was now somewhat more open and certainly more forgiving.

And it sounded like what she meant was he was actually easier to live with. It wasn't hard to notice by the expression on her face that this meant a lot to her. It became so obvious

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JUDGE COLINS: Thank you. I am very happy to introduce Mark Schultz, Justice Newman's brother, most importantly, and peripherally, campaign treasurer.

I recall being at a Bar Association meeting hearing Mark speak on behalf of his sister and the affection he had for his sister while making this speech to a group of lawyers was so profound it left a deep impression upon me. So Mark, please.

MARK SCHULTZ: Working as treasurer of my sister's campaign made me realize how tough it was to follow in her footsteps. I found this out first when I applied to our mutual alma mater, Villanova Law School.

Financially, at the time, I was making a living playing guitar on weekends and had hair out to here, and I sat down with the Dean in charge of those matters who was a southern gentleman, and he said to me, "I see you have a relative in the system who graduated from this institution. I don't ever recall anyone named Schultz that graduated here," and I said, "Well, her name is Newman."

He said, "Sandra Newman? You expect me to give financial aid to the brother of someone who drives an Eldorado to law school?"

You know I had to tell at least one good one.

In my role to talk to you people, one of the comments that I found most interesting was people saying to me, "Why is she working so hard? She is a slam dunk, a shoo-in, this is inevitable and we have all known this for years."

I wanted to put this day into historical perspective for those of you who thought this day was so predictable in its arrival.

In kids' history books they have time lines. They say, "Here is Columbus, here are the Pilgrims, the Revolution," and on those time lines a period of 80 years is almost microscopic.

Eighty years ago, our father Oscar Schuchalter came from what is now the Ukraine to Philadelphia, with his brother, to escape the persecution which had taken the lives of their siblings.

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He changed his name to Schultz to avoid confusion and mispronunciation. Thanks to his foresight we picked up thousands of votes from Pennsylvania Dutch in Lancaster County.

Seventy years ago, my father's brother Max who came over with him had an accident when he was struck by what was then called the PRT trolley in Philadelphia. He went to the most prominent trial lawyer at the time and they got in 1925 a whopping \$30,000 verdict.

Unfortunately, that was when our family had its first contact with the Pennsylvania Supreme Court because in the case of *Schuchalter v. PRT*, the Pennsylvania Supreme Court reversed the verdict and now that you are in this position I have a copy of the decision, and I think it is time to take care of Uncle Max, Sandy.

Moving along the time line, 60 years ago our mother, Minerva, left her job at Sears, Roebuck to get married. That was considered a very positive step because in those days a woman wasn't supposed to have a job or a career. Making any other choice would be out of the question.

She was an extremely intelligent, great woman and today she could have had her pick of opportunities.

Thirty-five years ago today, Julius Newman was a medical student by day and waited tables by night with a caterer.

Usually people, when they found out he was a doctor, would offer phone numbers to him and usually he would turn them down. Fortunately, he did take one.

Thirty years ago, my sister was working at home raising two small children and thought about pursuing a career as a lawyer. This raised more than a few eyebrows at the time.

I remember that dinner when she broke the news to our parents she was going to do this and it was greeted by the gleeful sound of, "Oi vay." I think our mother was most concerned that somehow taking up a career in law would affect her dedication to her family.

But fortunately that was one of the few times our mother was proven wrong.

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From our office in Montgomery County, Mary Ellen Rachor, Mary Ellen Miller, Corrine Sylvia, Tom Carey, Eleanor Martin, Julie Liss, Susan Rubin and John Rogers.

In Pittsburgh we had Pam and Ben Chapple, Jan Chiridon, Stephanie Sharass and Betty Tilghman.

In the Northwest, we had Rich Hudic; in the Northeast, we had Jennifer Bowman; in Central, Stan Caldwell; and how could I forget our most important person, our driver, Mark.

They did a wonderful job.

Boy, did we get smart in two years. It is amazing what you can learn from one statewide campaign. We learned a lot together.

Together, we turned out to be two smart cookies, from filing campaign reports to working in Pittsburgh, to getting union endorsements or just getting endorsements, to being able to secure all the endorsements in writing to working in Philadelphia, to the League of Women Voters TV debates, to the Pennsylvania Bar ratings, to talk radio, we did it all and had a lot of fun doing it.

Remember your first union endorsement meeting in Pittsburgh? The meeting with Paul Stackhouse and his Allegheny Labor Council members.

We didn't have a clue what all the letters stood for let alone getting the votes for endorsement. But we had good teachers, Rick Cesser with the help of Danny and Rich. The rest is history.

From there we went to see Mr. Johnny Morris of the Teamsters. His one mistake was giving us a tour of the print shop. From that day on the Teamsters did all our printing. Jimmy and Ken, we can't thank you enough, you did a wonderful job with one exception. Bruce Dutton invited us to come to speak to the garment workers in Haddon Hall, where we, of course, passed out our literature without a union bug. It seemed in all the rush to get our literature printed, the union bug was mistakenly cut off. Try to explain that to a group of union workers.

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Then it was off to see Lefty of the Steelworkers. Lefty had been told by at least 100 of his closest friends, who told him you were the best thing since sliced bread, but Lefty had to see for himself and that he did. What he thought was a rich Main Line WASP turned out to be a caring, thoughtful, intelligent woman who really cared about working people.

And I will never forget the AFL-CIO Endorsement Meeting at the Hershey Convention Center. Everyone got to address the delegates before the vote. When it was your turn, you simply told them, "I ran before and didn't get your endorsement and I won anyhow. I am running again, and I am going to win and I want your endorsement."

One hour later, you were called into the board room and given the endorsement of the AFL-CIO. Only the fourth Republican in 20 years to secure their endorsement. I was so proud of you.

From there, it was the Plumbers; Huntingdon Valley Lincoln Day Dinner with Marilyn and Surrick; the Pipefitters, Chester County Lincoln Day cocktail party honoring you; the Electricians; the Centre County Lincoln Day Dinner; the State Police; the Pike County picnic in the rain; the Teamsters; the Butler County reception with Howard and Joan; the nurses; the Ridgeway Day in Elk County with Denny and Rose; the F.O.P.; the Delaware County reception; and shaking thousands of hands.

The Log Cabin Republicans, the Robbins picnic with Cindy and Bob; the PBW; the Meehan clam bake; an afternoon with Red; a reception in Somerset with the new District Attorney, Jerry; lunch with Betty Combes and Russ Johnson in McKean County, to dinner with the gang in Beaver; doing press in Lehigh with Judges Palladino and Davison; to lunch with Sally and Fross; the Police Chiefs; the Eisenhower dinner in Adams County with Dale, Susan and Stan; NOW with Barbara and Susan; the Fall Dinner in Lawrence with Dick, Judy and Valerie; the firefighters; the lunch with Dr. Sy-Ali in Clarion and breakfast with Ash in Warren; the Veterans; the Flag Day luncheon with Elsie in Indiana, the Black clergy, or the three-day trips in Erie, the southwest and

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central Pennsylvania—no event or county was too small or too far.

How you loved your parades. The Labor Day Parade and then driving in the convertible with you dressed in red and blue with silver stars, silver pants with a Steelworkers' hat on your sweaty head. Five thousand yellow balloons line the parade route. What a beautiful sight! We can't forget the fairs, food, food and more food.

From Sullivan County with Bob Rapp, to Wyoming County with Fran DeWitt, to Lackawanna County with Mary Rogan and Paul Orick, to Wayne County with Ginger and Frank Golden, to Mifflin County with Rocco Barbara and Art, to Monroe County with George and Margaret, and to Bradford County with Peggy and Tom.

Isn't it true we were on a mission of testing funnel cakes from the County Fairs for a national magazine?

Erie. John Mizner, Rich and the gang. You did everything in Erie, including performing the marriage of your coordinator, Susan. The only candidate to ever spend more time in Erie than you was Governor Ridge.

All of our times in Pittsburgh, Pam and Jan, Stephanie, I'm Pam's husband, Betty, Gene, Guy, Michael, Jimmy, Bingo Man, Chuck, Chuck and John; Frank and Gloria, the William Penn, the Duquesne Club, Neenie's, Andrew (Lefty) Palm and Abbruzzi's. We won Allegheny County and Lefty, too.

Let's not forget the night my Wizard got hit by a car, or the sight of Jules and I picking up credit cards from the white lines at a major intersection coming from the Philadelphia Airport.

On a more serious note, I love you and Jules, and thank you for making me a part of your family. Jonathan, Nancy, Bobbi, David, and especially Shane, Julian and baby. I love you all.

Sandra, you are a wonderful and special person. Today is the day to celebrate you. Today you are making history. Your grandchildren and their children will read about you in history books. Today, you are the first elected woman in Pennsylva-



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nia's history to sit on the Supreme Court. Congratulations, Justice.

JUDGE COLINS: Thank you very much, Pat. I have reserved my brief remarks for this portion of the program.

There is first a facet to Justice Newman's personality I think if you know her, you are probably aware of. I first met Justice Newman when she was running for the Commonwealth Court and I was running for retention.

We had a great time in Pittsburgh. We laughed and we joked and I was so impressed with her charm and wit. She won the election. I next saw her again on the Court, and we would discuss cases as we sat on the panels.

I became so impressed with her keen intellect and knowledge of the law. A year ago, August, I played in a golf tournament with a very beautiful woman who is now my wife.

Sandy called me shortly after and said, "Jim, you played golf with Judy Nilon. She comes from a wonderful family, Jim."

She said, "Her sister, Robin, is married to my dear friend and almost my son, Paul Diamond," and then I would get these calls from Sandy to discuss this case and she'd know where I had dinner on Saturday night.

She would say, "Jim, she is such a beautiful woman, Jim. She is so intelligent."

Well, the net result of this is the next person whom I am going to introduce was counsel to the campaign, senior partner at the Obermayer firm, my friend, and who has very recently become my brother-in-law, Paul Diamond, largely through the work of Justice Newman.

MR. DIAMOND: Thank you. Mr. Chief Justice, may it please the Court, I think Your Honors have already determined from what has been said here today that this is a remarkable woman who is about to join you on the Supreme Court.

As a practicing lawyer, it is my great honor to add my perspective to what has already been said about Sandra Newman.

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As Chairman of the Sandra Newman Supreme Court campaign, Jonathan in no small measure deserves credit for her victory and our celebration here tonight.

Your Honors, I believe that service on this Court is not only the highest achievement to which a lawyer in this Commonwealth can aspire, it is demanding to a degree few people realize.

It is to this Court that the citizens of Pennsylvania bring their most bitter disputes, their most vexing questions and expect the Court to render a decision that all believe is just.

In making these extremely difficult decisions, the members of this Court must draw upon their intelligence, wisdom, experience and compassion.

I know that because Sandra Newman brings these qualities to the Court in abundance, she'll be an outstanding justice and the Court and the Commonwealth are blessed to have her. Thank you.

JUDGE COLINS: Thank you very much, Paul. Of course, I would like to introduce the Court on the stage.

Mr. Justice Montemuro, to the Chief Justice's right, and Mr. Justice Castille. Seated in the first row: Commonwealth Court Judge Ted Doyle, Judge Dan Pellegrini, Judge Rochelle Friedman, Judge Jim Kelley, Senior Judge Narick, Senior Judge Kelton, Senior Judge Rodgers.

Going down the second row, from the Superior Court, we have Judge Beck, Judge Tamilya, Judge Kelly (but no relationship to the other Judge Kelley), President Judge Steve McEwen, Judge Kate Ford Elliott (our newest Judge), Judge Aiken, Senior Judge Peter Paul Olszewski and Senior Judge J. Sydney Hoffman.

We also have various members of many of the Courts of Common Pleas who have joined us and we also have Commonwealth Court Judge Doris Smith, who is in the audience.

Also with us we have Judge Brody, Judge of the Eastern District of Pennsylvania. From Judge Newman's home county, we have President Judge William T. Nicholas, Honorable Samuel W. Salus, Judge Marjorie Lawrence, Judge Horace

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Davenport, Judge Bill Vogel and Judge Lawrence A. Brown. We also have from the Court of Common Pleas of Philadelphia County, Judge Renee Caldwell Hughes, Judge Paul Ribner and Judge Freddie Massiah-Jackson; and Judge of the Court of Common Pleas of Lawrence County, the Honorable Dominick Motto, and the Honorable Diane M. Welsh, Federal Magistrate of the Eastern; Honorable Don Machen, Court of Common Pleas of Allegheny County; and Judge Jeannine Turgeon, Court of Common Pleas of Dauphin County.

And two individuals that I must recognize, both senior retired Judges of the Commonwealth Court of Pennsylvania: The Honorable Madeline Paladino and the Honorable Genevieve Blatt, who are also in the audience.

Justice Newman will be presented to the Court by her fellow Justice, the Honorable Ronald D. Castille.

I cannot read the parenthetical notes that Sandy inserted here. Not only were Justice Castille and I former roommates, but as former Assistant District Attorneys and very aggressive prosecutors in the city and county of Philadelphia, we have been excluded from courtrooms together by many of the finest judges.

JUSTICE CASTILLE: Thank you, President Judge Collins, Governor Ridge, Lieutenant Governor Schweiker, my old friends in my political days, learned members of the Supreme Court, learned members of the Commonwealth Court and learned members of the Superior Court and my fellow judges in the audience.

It is truly my distinct pleasure to be here, not to introduce Sandra Newman, because we all know Sandra Newman. In the two elections she has won in the State of Pennsylvania, she has let everybody know who she is; therefore, she won both of those elections because everyone got to know what a special person and excellent person that she is and was during the elections, and now will be on the Supreme Court of Pennsylvania.

So it is my duty, or my distinct pleasure, to present her for the Supreme Court. Before I do that, I want to mention an individual who in some pretty tough times on the Supreme

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Court has been there for the citizens of the great State of Pennsylvania and has performed excellently in the Supreme Court both as an appointed justice and as a Senior Justice who is retiring from this Court with the accession of Sandra Newman to the court, and that is Senior Justice Frank Montemuro who has done a tremendous job on the Supreme Court during his tenure.

I am not going to go into the many firsts that Sandra has performed or accomplished in her life, but I will tell you a little bit about the campaign that we ran together for election in 1993 when I won the seat on this Court and Sandy was running for the Commonwealth Court.

I can tell you, during that election, she was indefatigable. Sandy's energy was boundless. I had a hard time keeping up with her as we traveled through the State of Pennsylvania. Coming home bleary-eyed at night with me up in Erie, beautiful Erie, coming back to Philadelphia, get home at two in the morning, guess who would be waiting for her?

Dr. Julius Newman, the person who was always there by her side and always in her thoughts on the campaign trail. As you can see, Sandy has tremendous love for her family, and her family tremendously loves her and she loves her family.

I can tell you, on a little trip we took to Erie, going to see some political folks, we spent the day in Erie and were getting ready to go out to the airport at night at 10 o'clock and they were going to close the airport if we didn't get there by 10:00 and we are waiting for Sandy.

Where is Sandy? She comes up in the car and in the back seat of the car are all these toys.

"Sandy, where were you?"

She said, "I heard they had a big sale at the Toys-R-Us. I wanted to get an early start on my Christmas shopping," for her grandchildren, almost causing us to have to stay overnight in Erie, Pennsylvania.

Which we would have loved.

Chief Justice Nix, I know you are going to be tremendously thrilled, because we know of her brilliance and of her

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scholarship, from her tenure on the Commonwealth Court, we were able to see the decisions.

We know she is especially prepared to be on this court. Thanks to the leadership of the President Judge Colins, and just as an aside, President Judge Colins and I, we were roommates many years ago when we were studying for the Bar exam with another individual, three of us studying away in Northeast Philadelphia there, and we had a bet, and our bet was which one of the three of us would pass the Bar and come in with the lowest score.

Your brilliant jurist, President Judge Colins, came in the lowest. That is why he is there and I am here.

But truly, Sandy, this is a special day. It really is, because this is a special Court about which you are to take your place.

It is the oldest Supreme Court in the nation. It was founded and given its present title, the Supreme Court of Pennsylvania, in 1722, over 273 years ago. But this court far predates that Court.

The Supreme Court of Pennsylvania evolved directly from the even earlier judicial body which was created by an act of William Penn's Pennsylvania Provincial Council which created this Court's direct forbearer, the Provincial Court in 1684, 311 years ago.

So this Court traces its direct lineage to 311 years ago. There has not been a woman elected to the Court during those 311 years, just to show you what a significant accomplishment this is.

So it is my duty to present to the Supreme Court the 154th Justice of the Supreme Court of Pennsylvania, Sandra Schultz Newman.

(Justice Sandra Schultz Newman is presented on stage.)

JUDGE COLINS: At this time, it is my very distinct honor to introduce the Governor of the Commonwealth. This is the first time in several years I have been nervous, as I do not think I will have another opportunity to introduce the Governor of the Commonwealth.

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that you bring to the highest court of the Commonwealth of Pennsylvania; that you know and you understand and you care about people and, as they look at the scales of justice, they understand full well they will be balanced on all occasions for all people forever in your courtroom.

So it with a great deal of pride I am able to read this Commission and I take the liberty of excluding just a little bit of it.

“Whereas it appears by the certificates and returns made according to law of election held on the 7th day of November in the year 1995, you have been duly elected Justice to the Supreme Court of Commonwealth of Pennsylvania.”

This provision may have been written 311 years ago. “Therefore know ye that in conformity to the provisions of the Constitution and laws of said Commonwealth, in such case made, been provided, I do by these presents commission you to be a Justice of the Supreme Court of the Commonwealth of Pennsylvania. Second Priority of Commission.”

Ladies and gentlemen, this is what you must pay very close attention to, “to have and to hold the said office, together with all the rights, powers and emoluments thereunto belonging or by the law in any wise appertaining for the term of ten years to be computed from the first Monday of January, 1996,” and here is the condition, take note, “if you shall so long behave yourself well.”

Congratulations, Justice Newman.

JUSTICE NEWMAN: Thank you.

JUDGE COLINS: Thank you, again. The Bible will be presented for the Oath of Office by the grandchildren, Shane Newman and Julian Newman. Jonathan could not be with us tonight, Jonathan, Jr.

I would like to now introduce—until that speech by the Governor, I thought he was one of the most laid back men I’ve ever met in my life—a truly unique, charming and gracious person. We all know his academic skills, his professional expertise is beyond reproach. I can tell you he is a wonderful,

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warm person, and until you get to know him you won't feel that warmth.

But it is my very distinct pleasure to introduce a man who, in the parenthetical note here, Julius is described as, "the love of my life for 36 years," for the robing of Justice Newman, Dr. Julius Newman.

(At this time, the robe is placed on Justice Sandra Newman by her husband, Dr. Julius Newman.)

JUSTICE NEWMAN: This is Shane and Julian, and their brother, Jonathan, Jr., is home sleeping.

JUSTICE NIX: From that last remark, I can tell that the whole family is not impressed.

This is really a great occasion and I am very happy to have been included to participate in it.

You have always been an outstanding person, a most competent practitioner, and now I know you are going to become an outstanding jurist, making my life much easier, and I think the people of this Commonwealth will benefit from your presence on that bench.

I think that in any society the body that governs should be a representative of the government that it governs over, and I think the presence of a member of the distaff allows this.

We have had several, or two, women who have served in that capacity, both Justice Stout and Justice Alpern. Unfortunately, they were not elected but appointed. So that you are the first elected female Justice to this particular court and I think it is a very happy day for this Commonwealth.

Will you raise your right hand?

(Justice Nix addresses some personal remarks to Justice Newman.)

Do repeat after me.

I, Sandra Schultz Newman . . .

JUSTICE NEWMAN: I, Sandra Schultz Newman . . .

JUSTICE NIX: Do solemnly swear . . .

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JUSTICE NEWMAN: Do solemnly swear . . .

JUSTICE NIX: That I will support . . .

JUSTICE NEWMAN: That I will support . . .

JUSTICE NIX: Obey . . .

JUSTICE NEWMAN: Obey . . .

JUSTICE NIX: And defend . . .

JUSTICE NEWMAN: And defend . . .

JUSTICE NIX: The Constitution of the United States

. . .

JUSTICE NEWMAN: The Constitution of the United States . . .

JUSTICE NIX: And the Constitution of this Commonwealth . . .

JUSTICE NEWMAN: And the Constitution of this Commonwealth . . .

JUSTICE NIX: And that I will discharge . . .

JUSTICE NEWMAN: And that I will discharge . . .

JUSTICE NIX: The duties of my office . . .

JUSTICE NEWMAN: The duties of my office . . .

JUSTICE NIX: With fidelity . . .

JUSTICE NEWMAN: With fidelity . . .

JUSTICE NIX: So help me God.

JUSTICE NEWMAN: So help me God.

(The judicial collar is placed upon Justice Newman's neck.)

(Justice Newman takes her place with her fellow Justices of the Supreme Court.)

JULIUS NEWMAN: The newly-elected Justice has given me permission to speak to you for a few moments.

You know, over all the years I have been lecturing and giving talks and presentations, one of the things is I never would use a script, I always winged it.



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This time she said, "Jules, you better not wing it."

Well, I want to take this opportunity to thank all those across the state who worked so hard for Sandra's victory. In these ten months of campaigning, I've made so many friends throughout the state.

I was overwhelmed to see the support of not only Republicans but many Democrats and independents who saw the qualities in her that I have seen for 36 years.

They saw someone with a work ethic of the highest caliber, a person owned by no one, a family person who is a wife, mother, and a grandmom all in one.

Many persons have made comments to the fact that her husband has been so supportive emotionally and financially. What most of you don't realize is that both of us have supported each other throughout our entire marriage.

We both came from poor backgrounds, and worked hard together to achieve our goals.

In the early days of my career, Sandra was always there with guidance and support. I truly think that I would not have been as great a success in my practice if it wasn't for her. We always shared equally in all our endeavors, including household duties, child care, shopping, professional pursuits.

We were always a team.

When Sandra decided to go to law school with two small children, I said, "Go to it." She eventually developed a very successful matrimonial practice and when she wanted a career change to run for the Commonwealth Court, I said, "Go to it."

She made history in that election with a win over the Democratic Pittsburgh opponent by 320 thousand votes.

That is a big number. 340, was it?

Sandra, you have been correcting me for years. How come you didn't pick this up? You have to know my wife. When I happen to say the wrong thing, she gives me a kick in the leg.

She won 62 out of 67 counties, and it will go down in the history books.

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When the opportunity came up for her to run for the Supreme Court, I said, "Go to it, and I would be there."

Again she showed her campaign talent and won another major victory in leading the ticket by over 100 thousand votes. What is the final total, Justice? Over 100 thousand and carrying 57 counties.

Sandra is truly a people person. She has no airs, she is down to earth, and friendships are very important to her. God pity her enemies. She is a double Scorpio. Beware. I know she will always be Sandy to all of her friends when she is not wearing the robe.

And I will let you in on some personal secrets that will tell you something about my wife. In both the Commonwealth and Supreme Court campaigns, she did not shirk her duties in running her home. She had all my favorite meals planned while she was away, and everyone who is close to me knows how fussy I am when it comes to food.

Sandra also has a magnificent flair for clothing and she has always picked out my clothes, put them in sets for me to wear.

In ten months I never had to look for a set because if she didn't and I picked the wrong set, she would universally say, "It is terrible, take it off."

That's not saying that times she was a little short tempered with me, as Pat Saylor, her campaign manager, who was with us all the time, will attest to that, but a little kiss and a hug and it was all over.

But she didn't give me enough time for the kisses and hugs. She was always on the road.

Do you know that she would come home from the airport two or three in the morning and go immediately to her computer while I was in bed waiting. But her computer meant more; what can I say?

And she would be on her computer until three, four in the morning until she sent out a personal letter to everyone she met that day. To all the contributors in her campaign she

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would respond with a personal note. Never did I see her send a form letter to anyone.

She is an amazing woman; she is a wonderful role model for women. She is truly a woman of the 21st Century. She will be a justice of the highest integrity to all the people of this great State of Pennsylvania. Sandra, I love you.

She didn't give me any hell. I made it.

JUDGE COLINS: It is my distinct pleasure to be the first individual to introduce Justice Newman.

JUSTICE NEWMAN: Thank you, everyone. I just said to my dear friend Justice Castille, "I feel like Miss America," and he said, "She will only have that for one year."

When I was a child—by the way, I am going to add something—I have my niece Neena and my nephew Michael, and I will ask them to come up to the front and sit while I speak. These are my brother Mark's children, and even though Mark says he is my younger brother, he is my older brother and he has very young children. But his wife Susie is very young and very beautiful.

Michael and Neena, please sit right over there because I am going to ask you for something that I have to say in my speech.

When I was a child my mother told me I marched to the tune of a different drummer. When I had my first child, I said he marched to the tune of a different drummer, and when I had my second child, I said he marched to the tune of a different drummer and so on; but after campaigning twice through 67 counties in this state, and meeting thousands and thousands of people, I can truly say that each person in the universe marches to the tune of a different drummer and that is what makes the world so exciting. All the drummers had one thing in common in my campaign, they beat the drum, though uniquely, for me to become a Justice of the Supreme Court of Pennsylvania.

I stand before you tonight to extend my most humble thanks to all of you, my dear family and friends. Thank you for standing by me from the very first moment I dared to run

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for public office, for comforting me through all those long days and nights, for lifting my spirits when they were down and delivering me an overwhelming victory when I ran statewide for Judge of the Commonwealth Court and now for Justice of the Supreme Court of Pennsylvania.

And I just want to say that I just couldn't possibly acknowledge everyone who I care about tonight and so based on President Judge Colins' acknowledgments and Pat Saylor's, and everybody else's, I just want to thank everybody that is here and so I know if I individualize, I will get into trouble.

A popular question for candidates from Bar Associations and from interviews of television debates is to ask the candidates what jurist he or she most admires or wants to emulate. What a good question!

From the time we begin the study of law until the day we close our eyes, I hope those jurists we would choose to emulate are too many, too complicated and forever changing and cannot be explained in a simple interview.

By the way, just on a lighter note.

I just always say Sandra Day O'Connor because she was the first female Justice of the Supreme Court, and she too was a Republican, but I always thought, "What a question this is." It would take me about a full day to answer the question, if I really answered the way it was being asked.

Also, in our maturation and in our intellectual growth we alter our views and change our heroes with whom we want to model our thinking. This scholarly admiration begins when a student first enters law school. One finds that they are in awe of opinions and dissents of particular legal scholars. At least I speak for myself and many others with whom I have had the wonderful experience of discussing such champions for now over 25 years.

My hero in my first year of law school in 1969 was Judge Learned Hand who lived from 1872 to 1961. He was the presiding judge of the Second Circuit Court of Appeals from 1939 to 1951 and then sat as a Senior Judge for an additional ten years.

Though never appointed to the United States Supreme Court, he was able, through his thousands of decisions, to uphold, as a matter of fact, he was able, through his two thousand decisions, to uphold the liberty of the individual and to show that the written and the spoken word did not need the most dignified forum to have an impact on the law.

He stated and I remember 25 years after reading it, I quote, "Justice, I think, is the tolerable accommodation of the conflicting interests of society, and I do not believe there is any royal road to attain such accommodations, concretely"

My growth and my maturation, both intellectually and emotionally, have produced many heroes for whom I have wanted to guide my intellectual thinking and writing abilities.

I pray one day that my scholarly writings will motivate some young law students to want to follow in my footsteps.

There is a special message that I want to give to my niece and to my nephew, Neena and Michael Schultz, and Neena, what are you, ten now? Nine. Michael, you are 12? Eleven.

Well, you see, I missed all those birthday parties this year. I also want to give this message Vanessa, to Valerie, to Rachel, to Rosemary, to Allison, and all other young women in this audience and to parents and grandparents as well.

My theme during my first statewide election was, "Your daughter can be the first female President of the United States," and you, Neena, can, as can all other young women. The world has opened to you.

I received a very interesting although disturbing letter during my election in which a woman told me I should be home caring for my family and a woman's place is in the home. Well, I agree with that. And so is a man's.

Both parents should spend time to love and care for their children in the same way. I adore and cherish my husband, as you all have been told, but I want to stand here before you today and personally tell you, that even though he can't match his clothes, he's perfect.

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The only people I think are more beautiful than my husband and my children are my three grandsons, my seven-year old grandson—

Shane, where are you? Are you out there?

A VOICE: They are out in the hallway.

JUSTICE NEWMAN: Shane spends a lot of time with me, and Shane told me he will be a lawyer, a judge, and governor, and then President of the United States. How many seven-year-old girls will say this so matter of factly?

Young men have been taught to have a sense of their unlimited powers but young women have been told they should be home taking care of their family, which was until our economy necessitated two income families when woman began working and they found they were not worth what a man was for the same work and the same product.

Well, young ladies, have you reminded yourself today how special you are? Only a woman can bring life into the world. You are the light that guides that life into the future.

No earthly power can take from you your special gifts. No door you seek to open must ever be closed to you again, and each time you venture forward, you clear a path for other women to follow.

Much is made of the fact that the first woman in history has been elected to the Supreme Court of Pennsylvania, but we all know this is only one small acknowledgment of what we are and what is yet to come.

So young ladies, I hope you realize the world is yours, and young men like Michael and Shane, you now have to share it.

When you run for judge or justice in Pennsylvania, it is considered improper to discuss issues which political candidates campaign endlessly about.

The black robe is meant to be a sign of political chastity, a cloth of abstinence, the turmoil within the arena—removing you. This means I could not address in advance my positions on the great issues of our times that someday will find their way to the court where I will sit for the judgment.

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We are all aware of the impeachment of a Justice of the Pennsylvania Supreme Court in the last two years. The first since the early 1800's.

But let us put aside the dissension of recent times, and let us remember that the same court was the arbiter of our freedoms 67 years before the Supreme Court of the United States ever came into being. And in the annals of history, there are many more glorious moments, many more progressive decisions that protected the rights of the citizens than there are reasons to doubt its wisdom and integrity.

With your help, I go to the Supreme Court of Pennsylvania with my head high, honored to be in its company, determined to restore it to its rightful pedestal and make it the beacon that lights the land.

From the shores of Lake Erie, I see everybody from Lake Erie right here, and the pristine Allegheny National Forest in the northwest to historic Gettysburg and the rich farmlands of Lancaster County in Central Pennsylvania to the Poconos to the Northeast, from our states largest cities, Philadelphia and Pittsburgh, to the "picture postcard" communities in the northern tier, from the hi-tech harbor in the Lehigh Valley to the ethnic communities in the southwest and the suburbs in the southeast, when I traveled through the state, I had the joy of meeting thousands of new faces and making countless new friends.

When I look in the mirror, I see your face, not mine, your hopes, your dreams, your Pennsylvania. Your love and faith sustain me.

Last but not least, and including Neena, Michael, Mark and Susie, I do thank—and the word "thank" is an inadequate word—my immediate family, Jules, David, Bobbi, Jonathan, Nancy, Shane, Julian and Jonathan, Jr., for being with me through the long months of the campaign, for giving me the strength to continue each day, for telling me it was okay to not be there for birthdays, Father's Day and other occasions that the Newman family always enjoys together.

There are no words but to say, I love you with all the love God has given me within my soul. You are the most wonderful

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husband, children and grandchildren and I want to thank all of you and everybody here today, the Governor, Lieutenant Governor, Justices, Judges. God bless you.

THE CRIER: Ladies and gentlemen, this Court is now adjourned.

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