

# KUNHARDT **FILM** FOUNDATION

SANDRA DAY O'CONNOR INTERVIEW  
*MAKERS: WOMEN WHO MAKE AMERICA*  
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**Sandra Day O'Connor**  
**U.S. Supreme Court Justice (1981-2006)**  
**10/19/2011**  
**Interviewed by Betsy West**  
**Total Running Time: 34 minutes and 50 seconds**

START TC: 00:00:00:00

ON SCREEN TEXT:

Makers: Women Who Make America  
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ON SCREEN TEXT:

Sandra Day O'Connor  
U.S. Supreme Court Justice (1981-2006)

Sandra Day O'Connor  
U.S. Supreme Court Justice (1981-2006)  
00:00:04:00

BETSY WEST:

Justice O'Connor, can you tell me about your childhood, both your family and the circumstances of your growing up?

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SANDRA DAY O'CONNOR:

I grew up on a cattle ranch that was half in Arizona and half in New Mexico. It was along the Gila River. The house was physically in Arizona but very close to the border of New Mexico. It was remote. The nearest town was about thirty-five miles away. I was the first child. My parents had met when my father bought some bulls from my mother's father, W. W. Wilkey. He then invited my father to come by for dinner that night.

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And I guess there is such a thing as love at first sight, because... my parents fell in love that same night, at the dinner at the Wilkey residence. My father had to leave the next day to go back with the bulls he had bought to the Lazy B Ranch, and they wrote each other, and they wrote everyday, sometimes more than once a day. The mails were very slow in those days, I don't know how long it took to get from place to place, but they wrote these passionate letters and talked of marriage and all.

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And then finally, after about two and a half months, my father wrote a letter to my mother and he said, "Dearest Ada Mae, last night I looked in my wallet to see how much money I had. I had a total of about thirty-six dollars and seventy-two cents. We can't possibly marry. I cannot afford to take care of you as you should be cared for. You deserve the best and I can't provide it. So you must find someone who will take good care of you. And my heart is broken, but we can't go forward." That was the end of the letters.

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I ended up finding all of those letters under my mother's bed after she passed away. That was the last letter. And I don't know what happened, but about two weeks later, they eloped and were married by a justice of the peace in Las Cruces, New Mexico. And my mother went out to the Lazy B Ranch to live. It was an adobe house. There was no indoor plumbing. There was no running water. There was no electricity.

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The cowboys lived in a screened porch on the outside of the house. A family of skunks lived under the porch and my parents moved into that. And it's kind of amazing. I was the first child, and it was so much fun for me as a child. They just paid a lot of attention to me all the time. I grew up with various pets around. We always had dogs, and I liked cats as well and we had a number of them.

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They'd stay at the back door wanting food, and my father would step outside and step on a cat, and it would go, "Mrow, mrow!" And he'd get annoyed that I had all the cats there. I had several horses because much of the work we did on the ranch was done on horseback. And I loved the horses I had. They found gentle ones for me. My favorite was a little horse they had found in a wild horse herd and we called him Chico. Chico means small in Spanish and he was a small horse.

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But he was wonderful, mostly because if I fell off—and when you were little, you did fall off sometimes—Chico would stop and wait for me. None of the other horses would do that. They'd run off. So I had a marvelous life as a youngster. The problem was that I got a little older and I needed to go to school. There wasn't a convenient local school. My mother's parents lived in El Paso, Texas. They were willing to have me come and live with them to go to school. So that's what I did.

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BETSY WEST:

How did you come to study law?

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SANDRA DAY O'CONNOR:

I went to Stanford. It's the only university to which I applied. I was lucky to get in. And having gotten in, I took various classes, which I just thoroughly enjoyed. One of the classes I took as an undergraduate at Stanford was given by a law professor at Stanford. It was not a law school class. It was for undergraduate students. I didn't know lawyers. I know cattle people.

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And I just thought he was the finest teacher I'd ever had. I was so interested in the things he taught us. And because of that professor, I decided to apply to law school.

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BETSY WEST:

You went to Stanford Law School...

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SANDRA DAY O'CONNOR:

I did, and I enjoyed it. It was wonderful. There were three women in the law school when I was there, and one of my classmates turned out to be the Chief Justice here, William Rehnquist. We were good friends in law school.

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BETSY WEST:

What are the chances of that?

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SANDRA DAY O'CONNOR:

I know.

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BETSY WEST:

Tell me about the reception that you received after you graduated from law school, how you did and how you were received.

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SANDRA DAY O'CONNOR:

I met during law school a number of young men, and one of them was a year behind me in law school. His name was John O'Connor, and we dated and had a marvelous time. He made me laugh. He was very, very funny—humorous—and we had the best time. And we met because we were assigned to do some work on a law review article together, and we went to the library at the law school and we didn't quite finish, and John said, "They're about to close up here. We ought to take this with us down to Dinah's Shack down the road and have a beer and finish it up there."

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So we did, and we went out for about the next forty nights in a row, and John got very tired and didn't want to get up and go to class anymore. He was too tired. So I did, however, continue to go to class. And over the course of time, we decided to get married. We became engaged. And he was, as I say, a year behind, and we both liked to eat, and that meant one of us was going to have to go to work so we could buy some food. And that was me because I was a year ahead of John and was going to graduate that year from law school.

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I did not get a single interview from a law firm when I went around looking in California. And finally, I heard by the grape vine that the county attorney in San Mateo County, California—county seat is Redwood City—not too far from Stanford, he had once had a woman lawyer on his staff. I made an appointment to see him. And he was a very pleasant man. It's an elected

office and you know how elected officials are. They're always glad to see you and shake hands and make you feel welcome.

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And he said, "Oh, he did have a woman one time and she did a fine job, and he'd be happy to have another." He looked at my resume. He said, "Oh, you have a wonderful resume here. You'd be fine. But I get my money from the county board of supervisors. I'm not funded to have another deputy. I have just so much money a year, and I'm afraid we've committed that with our present staff." And he walked me around the office. He said, "Let me show you our offices." He walked me around. He said, "As you can see, I don't have an empty office to put another deputy right now."

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So I went back to the Lazy B Ranch, and I wrote him a long letter—a letter that's now in the library somewhere in San Mateo County—and I told him the things that I could do for him, I thought, if he were to hire me. And I explained that I would be willing to work for him for nothing, until such time as he was funded to pay a little more to another deputy. And I said, "I know you don't have an empty office, but I met your secretary. She's very nice. There's room in her office to put a second desk if she wouldn't object." That was my first job as a lawyer. I worked for no salary and I put my desk in with the secretary.

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BETSY WEST:

Where did you get that kind of determination?

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SANDRA DAY O'CONNOR:

I have no idea. Probably pushing old cows around on the Lazy B Ranch. I don't know.

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BETSY WEST:

You were soon juggling family and work.

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SANDRA DAY O'CONNOR:

Well, not that soon. We didn't have children immediately. We married. I treasured my job, I loved what I was doing. My husband got drafted. It was the Korean War and he had to go in the service. So he had to go to Fort Ord for training, and eventually, he got a commission in the judge advocate general's corps for lawyers. The problem was he was required to go back to Charlottesville, Virginia, to JAG school.

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And that meant that he had to move. And that meant that I thought I should move with him, since we hadn't been married that long, and I had to give up my hard one job. It broke my heart.

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BETSY WEST:

You decided to move back to Arizona.

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SANDRA DAY O'CONNOR:

My husband eventually, after more than three years, took his discharge from the service in Germany, and we went to Austria for a whole winter. And we skied all day, everyday, in Kitzbuhel. Had a wonderful time. And then we came back to Arizona. My husband had interviewed firms in various places in the U.S., and he liked the offer from a wonderful law firm in Phoenix and decided to accept it. We moved to Phoenix.

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We had to take the state bar exam in Arizona, which we both did. Both managed to pass. We tried to settle down in Phoenix. I looked at all of the major law firms in Phoenix and not one of them would give me an interview. They didn't hire women. This was 1957 by then, still no women. So I had met a young man when I was studying for the bar exam, a young man from Massachusetts who wanted to practice law and didn't know anyone.

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So the two of us opened a neighborhood law office in Maryvale, Arizona, a suburb of Phoenix. Hung out a shingle, took whatever we could get, hired a secretary, got some stationary ready to go, and we took whatever came in the door. It was not the kind of problems usually addressed in the U.S. Supreme

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Court. It tended to be bill collections, bankruptcies, domestic relations, landlord tenant, whatever.

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And we did that. We managed to eke out a living. We took many criminal defense cases because that was before the days of public defenders. And at that time in Arizona, if there were an indigent criminal defendant, the judge could appointment a local lawyer and they'd be paid a little something for representing the defendant. So I did a lot of that.

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BETSY WEST:

By that time, you were juggling a family.

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SANDRA DAY O'CONNOR:

By that time, I had a child or two. Yes.

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BETSY WEST:

There weren't a lot of women working in professional jobs and juggling families back then. What was that like?

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SANDRA DAY O'CONNOR:

Well, it was hard. There isn't a lot of time left over for yourself. I didn't have time to go get my hair done or my nails done or go shopping, except for food for the kids when I could take them with me. There was no extra time. I had a babysitter who was wonderful. But after some time, she moved to California and that was disaster for my husband and me. I really couldn't manage without the babysitter.

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By that time the oldest child started school, but that was only part of the day and the other was too young to just leave, and so it was a very difficult time. I finally gave up my little law practice, and stayed home for about three years and did all the babysitting, taking the children around and all of that, which was fine. But I wanted to get back to work. I had done some volunteer political work for the Republican Party in Arizona. I became a precinct committeeman.

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I became the Legislative District Chairman. I became the Vice Chair for the county organization and was very active. And there was an Attorney General of Arizona whom I had helped, I had circulated petitions for him, and he was willing to hire me in the Attorney General's Office. So I got another babysitter and went to work as an Assistant Attorney General. That was my favorite job ever. I loved it. It was just wonderful.

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BETSY WEST:

Then you went into politics yourself-

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SANDRA DAY O'CONNOR:

Well, that happened because after some years in the Attorney General's Office, there was a vacancy in the Arizona State Senate for my Legislative District. The Senator who had it took a job in Washington, D.C. and left, and the County Supervisors filled the vacancy and they appointed me to fill that vacancy in the State Senate.

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BETSY WEST:

Eventually, you went into a leadership position?

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SANDRA DAY O'CONNOR:

I did. I enjoyed the job in the Senate. I immediately became Chairman of the State County and Municipal Affairs Committee. And I enjoyed it. I'd never served in a Legislature. I had a steep learning curve, but we had a nice group of people in the Legislature, and the leaders in both the Senate and the House were very decent people and I liked working with them. I had to run again at the end of the term that I was filling, and when I ran, I didn't have any trouble getting reelected.

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And to my shock, the Republican Majority—we had a majority of one in the State Senate—they elected me Majority Leader. Well, thanks a lot. With a majority of one, it was hard as it can be. But it was a new experience, and it was the first time in the United States that a woman served in a Legislative leadership post.

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BETSY WEST:

Now at this time, the Women's Movement was starting up.

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SANDRA DAY O'CONNOR:

Yes. I think so.

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BETSY WEST:

Did that affect you in any way? What were your memories of the movement back then?

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SANDRA DAY O'CONNOR:

Well, I had to pay attention to it. You wanted to know what was being discussed, not only statewide, citywide, but nationwide. And that was one of the issues. What came up was the Equal Rights Amendment, and that started

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circulating to the various states. It came to, of course, the attention of the Legislature in Arizona, got put on the agenda, and so the Arizona Legislature put it on hold, basically. It did not pass, as was the case in a great many states. It didn't pass, as you know.

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BETSY WEST:

Now, you decided to become a judge. What happened to you think?

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SANDRA DAY O'CONNOR:

I did. I'd been away from the law for a long time. I didn't have any work for awhile when the children were little and I had no babysitter, and then I was in the Legislature for some years, so I was afraid if I didn't get back to it, that I would've abandoned my legal career. And so, I thought the thing to do was to try to become a trial court judge in Maricopa County, where Phoenix is. And in those days, Arizona elected its judges in popular elections, as do a number of states still today.

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One of my main projects when I was in the Legislature, in the State Senate in Arizona, was to draft a Constitutional Amendment for Arizona to adopt a merit selection system for our judges. Set up a statewide commission who would consider applications and make recommendations to the Governor for appointment of the Court of Appeals Judges and the Supreme Court Judges.

And it also covered the judges in the two big counties where Phoenix and Tucson are.

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And that was going on the ballot in Arizona the same year I decided to run for judge. So we not only had on that ballot the merit selection Constitutional change, but we had a vote in Maricopa County on me for trial court judge. And luckily, both of us won. We passed the Legislative change and I was elected to the judicial post.

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BETSY WEST:

Tell me how you were approached about the Supreme Court, and your meeting with President Reagan.

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SANDRA DAY O'CONNOR:

Oh, well, that's a lot later. I served as a trial court judge for some years and then, then Democratic Governor Bruce Babbitt in Arizona appointed me to the Arizona Court of Appeals. And that was exciting. I'd been a trial court judge for some years and liked it, and it was a very busy position. And I served on a Court of Appeals and enjoyed that. And after, I've forgotten how long, maybe three years—I don't remember now—I received word that there were some people from the Justice Department who wanted to talk to me, and they made an appointment to come see me in Arizona.

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There were three of them. One of them was Ken Starr, who was in the Attorney General's Office at that time. At that time, President Reagan's Attorney General was a man named William French Smith, who had been his personal lawyer in Southern California. So these three people from the Attorney General's Office came out to, I think, examine some of the records of my performance in different positions in Arizona, and to meet personally with me.

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And we met for the better part of a day. They came out to our house—my husband John was there too—and we talked for a long time that day. And it became evident that they were considering some kind of a vacancy position in Washington that had to do with someone who was a lawyer or possibly a judge. They never said specifically what the post was. At that time however, Justice Potter Stewart had announced his retirement from The Supreme Court bench. So it seemed to me, very likely, they were thinking about a Supreme Court vacancy.

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BETSY WEST:

And did it seem to you, likely, that you had a shot at this?

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SANDRA DAY O'CONNOR:



No. I didn't think I did. In the first place, I had held only office in Arizona, in state positions, and I had not served at all on a federal court, trial or appellate. It seemed most unlikely to me that that was a serious consideration for me. I wasn't sure what it was all about, but anyway, we spent a long day together.

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And not too long after, I was at the Court of Appeals in Arizona and my phone rang, and it was President Reagan on the phone. He said, "Sandra, I'd like to announce your appointment for the court tomorrow. Is that alright with you?" And it was unnerving, to say the least. In fact, it wasn't all right with me. I wasn't sure that I was equipped to do the job.

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My experience had not been in the federal court system. And it's wonderful to be the first to do something, but I didn't want to be the last, and if I did not do the job well enough, there might be no second woman on the court. It took a hundred and ninety-one years to get the first, and I did not want to be the cause of another hundred and ninety-one year gap.

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BETSY WEST:

That's a big burden, a big decision. How did you decide?

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SANDRA DAY O'CONNOR:

I talked to my husband. I told him what was going on. He said, "You'll do fine. Say yes. You'll be fine." He had a lot more confidence than I did.

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BETSY WEST:

What did your appointment mean for women?

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SANDRA DAY O'CONNOR:

It opened doors for women all across this country, in every field. It wasn't just the legal field. Women just weren't being hired for a lot of things. They were largely studying for being nurses or bank tellers or sales clerks in stores, but they weren't getting the major positions in any professional field. And doors just weren't open to women.

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Very few of them were. And that appointment just opened the doors. And it was not only in the United States. It immediately had an effect in other parts of the world with opportunities for women. It was quite amazing to see.

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BETSY WEST:

The picture of your swearing in, it almost brings tears to your eyes when you see it. Tell me what you remember of that day.

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SANDRA DAY O'CONNOR:

Not much. It was a day with ceremonial things in a place I didn't know, that was new to me, strange to me, people I didn't know, and a ceremony I didn't know, and it meant taking on a very big role in my country. And it was rather overwhelming, I would say.

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BETSY WEST:

What were those first years on the court like for you?

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SANDRA DAY O'CONNOR:

A learning experience. I had a great deal to learn. I'll tell you one thing I had to do. Not one person in my chambers had ever worked at The Supreme Court before. I didn't have a secretary who had. I didn't have a law clerk who had. I had no little court attendant who had been here before. I didn't know how it worked. None of us did. And there's a process here.

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Applications are sent in, saying, "Please take my case." And they're circulated, copied to each chambers—we didn't know that process. We didn't know how it worked. We didn't know what the justice had to do once they arrived. We had to do research. And so, I had four law clerks. I took the three that Justice Stewart had previously hired, but didn't fulfill because he left the court. I kept

those three 'cause I thought he knew more about picking law clerks than I did. And I hired one of my own.

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I hired Ruth McGregor who ended up, eventually, I'd like to say, being Chief Justice of The Arizona Supreme Court. I think I picked rather well. And she had worked in the law firm where my husband was, and he said, "Sandra, you ought to take her. She's the Jackie Robinson of women lawyers." And she was. She was fabulous.

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So what I did was ask each one of the four clerks to take three chambers, and research how they handled all the paper flow of the court so that we could pool our knowledge and figure out what to do. And we did. We muddled through, but we didn't know what we were doing and it was hard.

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BETSY WEST:

You also said it was hard to be the only woman on the Court.

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SANDRA DAY O'CONNOR:

Well, I've been the only woman in a lot of places. I mean, that was not new. It was just hard knowing and understanding the work of the court, and how it should be done and what happened- which piece of paper, what you did with them, how it worked.

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BETSY WEST:

In terms of your judicial philosophy, you've been called a pragmatist, practical, centrist. How do you describe your own-

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SANDRA DAY O'CONNOR:

I don't. I tried to work hard and do the best I could.

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BETSY WEST:

What do you think when people say, "The O'Connor Court?"

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SANDRA DAY O'CONNOR:

Well, I think it's absurd. It's nobody's court. There are nine justices and they all participate in deciding every case that comes. You could name it for any of the nine, because everybody places the same role at the court, except the Chief, who's got a few administrative duties to put it mildly.

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BETSY WEST:

How aware are you of the political ramifications of the decisions that you make?

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SANDRA DAY O'CONNOR:

Justices are not blind. They can read. They can read newspapers and news articles and magazines. Justices are not deaf. They can listen to the news. They can listen to protestors chanting and shouting outside. You're neither deaf, dumb, nor blind, and so they're aware of what's going on. You know you have a job to do, and it doesn't mean succumbing to somebody's emotional pitch made out on the sidewalk.

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BETSY WEST:

You joined the majority affirming Roe v. Wade. Were those cases turning point moments for you when you're-

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SANDRA DAY O'CONNOR:

Well, they were hard cases. They affect a lot of people and people care deeply about them. I can just say, every justice is aware that some decisions the court makes are decisions that people care about emotionally, and certainly, that is in that category.

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BETSY WEST:

What difference did it make when Justice Ginsburg showed up here?

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SANDRA DAY O'CONNOR:

I was delighted to see her, and it made a huge difference. It really did. It was great. To have not just the woman justice, but the women on the court. That was good.

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BETSY WEST:

I mean, I've heard you've referred to her as a sister?

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SANDRA DAY O'CONNOR:

Well, she just- It was wonderful to get another woman on the court.

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BETSY WEST:

Can you tell me about how you made the decision to retire?

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SANDRA DAY O'CONNOR:

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My husband- We were married fifty-seven years in all—we married in 1952—and he developed Alzheimer’s disease. Now that’s a disease that this nation needs to take account of. There are so many families with members having Alzheimer’s, and it really requires the help of every member of a family to get through that. It’s miserable. There is nothing that alleviates it. There is nothing that cures it.

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You watch the person you care about just lose the mental capacity to cope with things. It’s heartbreak. It’s just terrible. And for some reason, this nation has tackled other major health issues—tuberculosis, AIDS, lots of things—we’ve tackled some of those in the past and we’ve made inroads. We’ve developed things to help, and in some cases, cure and prevent. This nation has not taken on the job of figuring out what to do about Alzheimer’s. We must do that. The numbers of people affected and the families are huge. It’s miserable.

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So John, year after year, got worse and worse. He functioned partially for at least fifteen years with it, and he reached the point where he needed major care that could be given in a facility. I couldn’t lift him up. I couldn’t help, do all the things you have to do. And so, he needed to go in a care facility. And I thought that should be in Arizona. Two of our three sons lived there with their families. It meant he would have visits from family members, and would be in a place where we had lived for a long time with other friends.

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So I wanted him there, and that meant that I should step down and I did. It didn't bother me, my goodness. My first obligation was to John and I wanted to do something for his care.

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BETSY WEST:

You talked before about what he was like and how funny he was-

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SANDRA DAY O'CONNOR:

Oh, he was wonderful!

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BETSY WEST:

Can you tell me about how your relationship evolved as your career progressed, and how he-

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SANDRA DAY O'CONNOR:

Well, he was very supportive of me. I already told you that when I was asked by President Reagan to go on the court, I had hesitation but my husband didn't. "Oh, you'll do fine," said he. And the fact was, it would totally interrupt his career and his life. The first twenty-five years, he made the decisions.

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Where we lived, what job he would take, what he would do, what our life was going to be.

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And after I went on the court, I'm afraid I was making many of those decisions about where we were going to live and what we would do. So I guess it balanced out over time. He did not seem to resent it and I think he was proud of his wife. I hope so.

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BETSY WEST:

I'm sure he was. How did you handle the family responsibilities?

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SANDRA DAY O'CONNOR:

Well, I've already told you. It's hard to have little children and a job and career at the same time. There is no time left for you as a woman. None. No time to go get your hair done. No time to get your nails done. No time to go shopping. I mean, it just doesn't happen. You have to do what you can to keep the family going and that's about it.

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BETSY WEST:

Do you ever think, "Oh, this country should do something about more care for children?"

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SANDRA DAY O'CONNOR:

Well, I don't know. Yes, you have to have some kind of care. If you're a working mother, you have to either hire someone who comes to your house, or you have to put them in a place where care can be provided, maybe to several children at a time. You have to do one or the other.

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BETSY WEST:

When you were a younger woman, did you consider yourself a feminist?

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SANDRA DAY O'CONNOR:

I didn't try to categorize myself. I had a law degree. I was licensed to practice law. I wanted to practice law. I liked my career. I wanted to have a career. That's what I was.

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BETSY WEST:

And now do you think of yourself as a feminist?

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SANDRA DAY O'CONNOR:

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I think of myself as an old lady who's had a pretty darn good career.

00:33:03:00

BETSY WEST:

How have our views about the rights of women under the Constitution changed?

00:33:08:00

SANDRA DAY O'CONNOR:

Over my lifetime, there have been enormous changes in the standards and expectations and legal concepts we have that affect working women. It's been amazing. Many laws have been passed that deal with unemployment to help prevent discrimination against women, in employment practices. Many, many things have happened to make it more likely that women can be paid properly when they get a job, so there's not discrimination against them in terms of pay practices.

00:33:51:00

It's not perfect, but my goodness, it's improved. And there's no question that we have vastly more working women in professions and good jobs than we ever had in the past. So it's just been a revolution of sorts for women in this country.

00:34:14:00

BETSY WEST:

And do you think younger women understand it?

00:34:15:00

SANDRA DAY O'CONNOR:

No. They don't.

00:34:18:00

BETSY WEST:

Should they?

00:34:19:00

SANDRA DAY O'CONNOR:

Oh, certainly they should. Everybody needs to study history a little bit, including the history of women.

00:34:26:00

BETSY WEST:

What's the most meaningful piece of advice that you've ever received?

00:34:30:00

SANDRA DAY O'CONNOR:

I couldn't begin to tell you. I'll tell you my goal, and that'll have to do. Work at work worth doing. That was my goal.

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END TC: 00:34:50:00