

## O'Connor finds job demanding

WASHINGTON (AP) — Justice Sandra Day O'Connor sits on the tip of a marble iceberg.

"Are you enjoying it," she is asked.

"That's not the right word," she replies.

Nearly a year and a half after joining eight male colleagues on the Supreme Court of the United States, she says she finds the job interesting, challenging, demanding.

The responsibilities, she indicates, are not the sort to be enjoyed.

Soon the interviewer finds himself answering more questions than he is asking as Madame Justice ("Please call me Sandra," she said at our greeting) seeks information on what's happening in Phoenix.

As the newest member of the high court, and more significantly, its first woman member, Justice O'Connor is under an especially penetrating scrutiny.

Those who observed her in action in the Arizona Legislature, the state superior and appeals courts and in such public arenas as Town Hall will not be surprised to hear that she is meeting the challenge with efficient aplomb.

If anything has dismayed her, it is probably how demanding the job is.

At the tip of the marble iceberg that is the nation's court system from JPs on up, justice in America suffers from an overwhelming case load.

Some might suggest that the computer, with its fantastic word-processing, case-researching capabilities, may offer a means for the courts to overcome the litigation logjam.

Justice O'Connor hasn't joined the high tech opera-

tion quite yet. The Supreme Court is becoming computerized. Some of the justices write opinions on video display terminals. But Justice O'Connor continues to write hers in longhand on a ruled yellow pad.

Meantime, short of killing all the lawyers, as Shakespeare suggests in "Henry VI," getting lawmakers to repeal three laws for every one they pass, and persuading people not to file lawsuits at the drop of a hat, there doesn't appear to be any brooms capable of sweeping back the litigation tide.

Justice O'Connor acknowledges as much. "There is no one, simple, permanent solution to the problem of the management of the case load of the U.S. Supreme Court, just as there is no easy solution to the problem of the management of the case load of any court."

"However," she said, "we must try, repeatedly but carefully, to find the magic mix that gives people access to full and fair hearings within a system that is efficient and of high quality."

Vintage O'Connor, that. She can be expected to come forth with more specific recommendations for reform as she gains more experience on the high court.

For the time being, as Arizonans who know her might expect, O'Connor is giving the job of associate justice her all.

She does lend support to Chief Justice Warren Burger's proposal for the immediate establishment of a temporary court to review differences of opinions between appellate circuit courts. About 45 of the 140 or so opinions the high court writes a year deal with such cases, and disposing of them thus would be a big help, Burger says.

## States forbidden to tax newspapers' ink, paper

WASHINGTON (AP) — States cannot specially tax the paper and ink used in publishing newspapers, the Supreme Court ruled today.

By an 8-1 vote, the justices struck down such a Minnesota tax as unconstitutional.

Writing for the court, Justice Sandra Day O'Connor said the tax violates free-press rights protected by the Constitution's First Amendment.

"Differential taxation of the press places such a burden on the interests protected by the First Amendment that we cannot countenance such treatment unless the state asserts a counterbalancing interest of compelling importance that it cannot achieve without differential taxation," O'Connor said.

She said Minnesota authorities had produced no such "compelling" interest.

Minnesota's "use" tax was levied only on ink and paper used by publishers. Other businesses that use those products were not subject to the tax. Non-publishers pay a state retail sales tax on the goods they produce, and publishers are exempt from that sales tax.

The tax was challenged in 1975 by The Minneapolis Star and Tribune Co., which at the time published The Minneapolis Tribune and The Minneapolis Star newspapers. Last year, the Star was merged with the Tribune and ceased to exist as a separate paper.

For a 17-month period beginning Jan. 1, 1974, the publishing company paid \$874,265.04 in taxes on the ink and paper it consumed. Its suit sought a refund of that money and a halt to further imposition of the tax.

Today's Supreme Court ruling means the



O'Connor

publishing company will receive its sought-after refund and no longer must pay the tax.

In another ruling, a unanimous court ruled that state officials are not entitled to routinely obtain federal grand jury testimony to enforce antitrust laws.

The justices rejected arguments from state and federal officials who said the grand jury documents should be freely available to fight antitrust violations, particularly on behalf of small consumers.

## Socialite

### Justices' reticence aside, Sandra O'Connor loves Washington parties

By Lois Romano  
Washington Post

WASHINGTON — Supreme Court Justice Sandra Day O'Connor hit the Washington party circuit hard, even before she received the Senate's blessing to sit on the high bench 18 months ago. Since then she has been as visible on the social scene as canapés and cocktails.

While she is most often in the majority in the court's conservative opinions, and has a reputation for being well-prepared for court sessions, O'Connor has become a dissenter from its tradition of keeping a low profile.

Supreme Court justices are a reserved lot, rarely keen on after-hours socializing with Washington's ruling circles. Appointed for life, they are about as close as this town gets to royalty. They have no need to answer to anyone but themselves and, for the most part, have chosen isolation instead of the well-worn Washington paths from party to party.

"She is very visible socially," says retired justice Potter Stewart, who was quite visible himself during his years on the court. "She's attractive and likable and, of course, the first woman on the Supreme Court. People want to see her."

Indeed, O'Connor and her husband, John, are considered a big draw by the big guns in the Washington party whirl. Only the president, vice president or the chief justice rate higher. She is a novelty: the court's first woman, young (53), a good dancer and the picture of self-containment, obviously confident enough not to worry that as a freshman justice, she should uphold the court's stuffy demeanor.

Perhaps because they've been hard to get, until the woman from Arizona joined the bench, justices on the whole are considered permanent "A-list" material in Washington's ever-changing social structure.

"The chief justice — that's where the big push is," says Gretchen Poston, former White House social secretary and partner in the party-planning company, Washington Whirl-Around. But Chief Justice Warren Burger has a reputation for choosing only one event a week to attend out of many invitations. And he rarely goes the night before oral arguments, a court spokesman notes.

"It could be that the other justices don't go out because they are older, and the pressures and the workload are so heavy and continual," says Barbara MacGregor, wife of attorney Clark MacGregor and a friend of the O'Connors. "The O'Connors are young, and they are anxious to get to know people here."

"In terms of the parties I have, the O'Connors are the ones who show up most consistently," says Mary Pettus, a professional Washington events organizer. "There is a whole kind of cachet the court has that is transmitted to the justices. So they are always invited."

"I don't think you expect them to go out much because they are not in the glad-handing business, like politicians. Justices are expected to be above all that," says Sandra Westin, head of public relations for the National Portrait Gallery, where the O'Connors have attended two dances.

O'Connor gets more than 1,200 letters a week, the



King Juan Carlos I and Queen Sofia of Spain, left, greet Supreme Court Justice Sandra Day O'Connor.

most mail of any justice. A spokesman for the court, however, said O'Connor does not know how many social invitations she receives a week.

She and her husband have been to club dinners, gala benefits, receptions for kings, testaments to cowboys, and a party for Donny Osmond. At one dance, they even won the door prize: round-trip air fare for two to Morocco.

Here's a sampling of events the O'Connors have attended recently:

- A small White House dinner for England's Princess Alexandra.

- A reception at the Embassy of Ecuador for President Osvaldo Hurtado, where O'Connor told guests that she had walked over from her home.

- The opening-night party for "The American Cowboy" exhibit at the Library of Congress.

- A State Department reception for sculptor Louise Nevelson.

- The Silver Screen Ball at the National Portrait Gallery for the exhibit "Hollywood Portrait Photographers, 1925-45."

- A birthday dinner-dance for former congressman Robert McClory at the Fort McNair officer's club.

- A dinner dance for writer-composer Richard Adler.

- A week ago, O'Connor charmed guests at the Corcoran Gallery Ball, dancing with a string of partners while most of her court colleagues were at an intimate dinner celebrating Justice William Brennan's recent marriage.

Court observers point out that O'Connor's dynamic

social schedule has not detracted from her performance on the bench. She is, they say, extraordinarily well prepared during oral arguments. Her questions are tough and provocative, and her opinions detailed and meticulous. "She is just about the best prepared of all of them," one observer says.

The O'Connors are considered lively and enthusiastic guests. He's a chatty conversationalist, with a dry, irreverent wit. She is known as an intense listener with a remarkable memory for names and a talent for always offering a specific personal comment to whomever she is speaking with.

They both are rather fast and fancy dancers, with a ballroom routine, one friend says, that they developed during the early years of their marriage.

"They're fabulous dancers," says longtime friend Juliet Folger. "John is always complaining that I'm not fast enough for him."

John O'Connor once confided to a dinner partner that he had met only three Washington women who could keep pace with him on the dance floor.

He told the same dinner partner that after a year in Washington, he and his wife usually know what invitations to accept. If in doubt, he said, they ask friends for guidance.

Only once, he noted, did they believe they were exploited because of his wife's title.

"To an extent, I suppose, you don't want to be used," Stewart says. "When I first came here I realized that anyone who was a justice was invited to many things. They were inviting the title. I could have been a police dog."

In a 1972 speech before the Virginia Bar Association, Justice Lewis Powell said flatly that he did not "enjoy the limitations which the ethics of our profession impose upon a judge in terms of non-participation in so many interesting phases of life — social, political and business."

Once, O'Connor phoned a Washington hostess herself to ask about the nature of the party.

"It was a party for Wolf Trap (park for the performing arts)," says Mary Jo Campbell, "and she said, 'I really want to go to your party, but you have to assure me it isn't a fund-raiser. We're not allowed to attend fund-raisers.' I told her it was merely a gathering of friends for Wolf Trap, and she came."

In addition to their evening commitments, the O'Connors spend time playing tennis and golf with their friends. "My husband plays golf with them a lot, and she's as good as the men," says socialite Jan Shepard. "She actually outrides the men sometimes."

The question asked by veteran partygoers, who long ago gave up equating fun with Washington's official social life, is: Why do the O'Connors go at all?

The answer could be that they aren't forced into politicking or business at parties. They don't give press interviews, and everyone knows it would be unseemly to discuss court business with them. They just might be the only couple from Washington's highest echelon who can go out simply to have a good time.