

O'Connor urges judges to tailor rulings



U.S. Supreme Court Justice Sandra O'Connor jokes with graduates at the National Judicial College in Reno, Nev.

Associated Press
RENO, Nev. — U.S. Supreme Court Justice Sandra O'Connor urged state judges Friday to tailor decisions carefully so that fewer cases reach the high court.

O'Connor, speaking to graduates of the financially strapped National Judicial College, also called for greater emphasis on judicial education and training.

She said state-court judges don't realize that many of their rulings could be final if they are based solely on state law rather than federal law.

"The Supreme Court is bound to accept the highest state-court view on issues of state law," O'Connor told 105 judges from around the nation completing sessions at the college.

"State courts have the power, in effect, to grant or withhold jurisdiction from the Supreme Court . . . merely by the choice and articulation of the grounds of the state-court decision," she said.

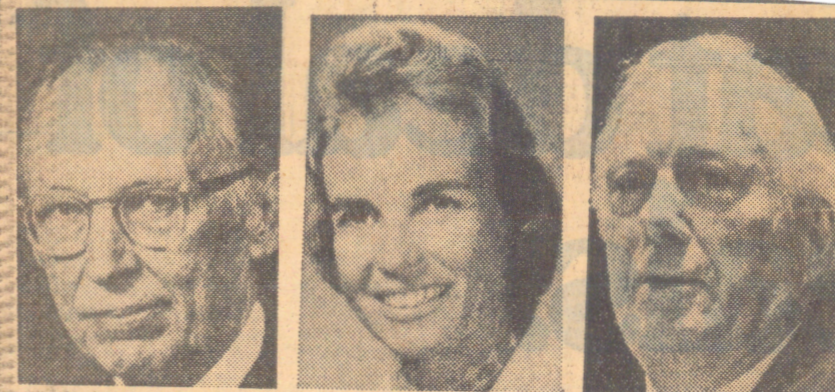
O'Connor added that as a state-court judge in Arizona, "I didn't fully appreciate the extent to which the manner of my resolution of a case could determine" whether it could be appealed to federal courts.

O'Connor is the first high-court justice to have attended the Judicial College, which offers training and refresher courses for the nation's judges.

She attended while still a Superior Court judge in Arizona.

O'Connor joked that she is proud to have attended an institution "which has never had a losing football team and never sends me letters asking for money."

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Lewis Powell Sandra O'Connor Warren Burger

Powell, O'Connor richest justices

WASHINGTON (UPI) — Multimillionaire Justice Lewis Powell is the richest member of the Supreme Court, followed by Sandra Day O'Connor and Chief Justice Warren Burger, financial reports show.

Powell is at least three times wealthier than either O'Connor or Burger, who are probable millionaires themselves, the annual report on the justices' finances disclosed Monday.

But millionaires are in the minority on the bench.

At least a half-million dollars down the financial ladder are the other six justices, who supplement their \$96,700 salaries with modest to substantial amounts of interest and dividends.

At the bottom of the list is Thurgood Marshall, the only black on the court.

The annual reports, which are required under the Ethics in Government Act, showed no dramatic jumps or declines in the justices' financial affairs compared to last year.

Powell, 75, handily clung to his status as the high tribunal's wealthiest member, listing assets of between \$2.6 million and \$5.7 million for 1982, including property and several family trusts.

O'Connor, 53, and her lawyer husband reported 1982 assets of at least \$876,000 and possibly more than \$1.66 million, with investment income ranging from \$36,200 to a maximum of \$117,000.

O'Connor, who became the first woman on the high court in 1981, reported receiving a \$350 gift of a "family quilt," and both she and

her husband invested at least \$1,000 each in tax-deferred individual retirement accounts.

Burger, 75, reported little activity with his finances in 1982, reporting assets of \$672,000 to \$1.34 million, and dividends and interest income of \$9,000 to \$27,500.

Reports filed by the other six justices showed:

• Harry Blackmun, 74: Assets of \$193,000 to \$510,000 and investment income of \$14,400 to \$46,500. That compares to last year's assets of \$135,000 to \$384,000, with investment income of \$12,600 to \$36,000.

• William Rehnquist, 58: Assets of \$45,000 to \$150,000 and investment income of \$1,900 to \$11,500. Last year, he reported assets of \$54,000 to \$175,000 and investment income of \$1,900 to \$11,500.

• John Paul Stevens, 63: Assets of \$40,000 to \$130,000 and investment income of \$8,000 to \$22,500. Last year, he reported assets of \$50,000 to \$165,000 and investment income of \$13,500 to \$37,500.

• Byron White, 65: Assets of \$40,000 to \$130,000 and investment income of \$3,000 to \$7,500. A year earlier, he reported assets of \$31,000 to \$105,000 and investment income of \$2,100 to \$6,000.

• William Brennan, 77: Assets of \$10,000 to \$30,000 and investment income of \$200 to \$2,000. That is down from assets he reported last year of \$22,000 to \$75,000 and investment income of \$2,200 to \$7,000.

• Marshall, 74: No assets or investment income of more than \$100, the same as last year.

Rulings can be final, O'Connor tells judges

RENO, Nev. (AP) — U.S. Supreme Court Justice Sandra D. O'Connor urged state judges yesterday to tailor decisions carefully so that fewer cases reach the high court.

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"The Supreme Court is bound to accept the highest state court view on issues of state law," O'Connor told 105 judges from around the nation who are completing sessions at the college.

"State courts have the power, in effect, to grant or withhold jurisdiction from the Supreme Court . . . merely by the choice and articulation of the grounds of the state court decision," she said.

She added that as a state court judge in Arizona, "I didn't fully appreciate the extent to which the manner of my resolution of a case

could determine" whether it could be appealed to federal courts.

O'Connor, the newest justice of the Supreme Court and its first woman member, is also the first high court justice to have attended the Judicial College, which offers training and refresher courses for the nation's judges. She attended while she was a Superior Court judge in Arizona.

She joked that she was proud to have attended an institution "which has never had a losing football team and never sends me letters asking for money."

The Judicial College has been in financial difficulty ever since an annual grant from the now-defunct Fleischmann Foundation ended last year. The college has been seeking a grant from the Nevada Legislature that would allow it to remain on the University of Nevada-Reno campus.

"These are times of tight budgets at all levels of government," O'Connor said. "Large federal grants from training programs are no longer available. The need for such programs has not diminished, however."



Judicial relief

Supreme Court Justice Sandra O'Connor addresses a crowd of 6,000 at Brigham Young University in Provo, Utah. The former Arizona judge called Tuesday for a restructuring of the nation's courts so that arbitrators could be used in civil matters, relieving courts from growing caseloads.

Court scraps restrictions on abortions

By Richard Carelli
The Associated Press

WASHINGTON — The Supreme Court struck down today a set of state and local government regulations that could have made abortions more difficult to obtain, including a requirement that abortions for women more than three months pregnant be performed in hospitals.

In separate decisions resolving controversies over abortion regulations in Virginia, Missouri and Ohio — the court struck down most of the regulations that had been challenged.

The justices said, however, that states and communities may require that abortions for women more than three months pregnant be performed in licensed abortion clinics or "outpatient hospitals."

In the Missouri case, the court upheld portions of a state law requiring the presence of a second physician during abortions for women in their last three months pregnancy, requiring minors to obtain the consent of a parent or a judge before an abortion and requiring a pathology report for every abortion performed.

The court, building on its landmark 1973 decision that legalized abortion, struck down an unconstitutional infringement of women's rights to privacy any regulations that would have required:

• Women to receive abortions in a "full-service hospital" after their pregnancy has reached its second trimester.

Other decisions: F-2

Valley reaction: A-4

• Doctors to tell women seeking abortions about possible alternatives and to tell their patients that the fetus is "a human life."

• Doctors to wait at least 24 hours after a woman signs an abortion consent form before performing the requested procedure.

Sen. Orrin G. Hatch, R-Utah, sponsor of a proposed constitutional amendment to reverse the court's 1973 abortion decision, called the rulings "a tremendous disappointment to the right-to-life movement" and said they underscored the importance of a Senate debate on his amendment.

"I don't have a lot of confidence that the Senate with its present makeup will pass this constitutional amendment, but I think it is important to have it debated," he said, adding that the debate might begin as early as next week.

Benson Wolman, executive director of the American Civil Liberties Union of Ohio which challenged regulations in Akron, called the high court rulings "a very major victory on the whole issue of women's right to choose." He said the rulings "made it unmistakably clear that governmental

See • Abortion, A-4

Abortion (From A-1)

bodies cannot encumber freedom of choice for women."

The court's rulings on each regulation at issue were reached by various coalitions of justices, most of them led by Justice Lewis F. Powell.

The decisions marked the first time the court's newest member, Justice Sandra Day O'Connor, has ruled in an abortion-related case. She mainly joined Justices Byron R. White and William H. Rehnquist — both dissenters in the landmark 1973 decision — in voting generally to allow more stringent governmental regulation.

In the 1973 decision, the court said a woman's decision to have an abortion during the first three months of her pregnancy must be left to her and her doctor.

Government statistics show that more than 90 percent of all abortions among adult women are performed during the first trimester.

Under the 1973 decision, states may interfere in the abortion decision during the second trimester only to protect the woman's health and may take steps to protect fetal life only in the third trimester.

That basic rationale was left undisturbed by today's decisions.

The common theme in today's three decisions was how far governments can go in

trying to protect the health of women and fetuses by imposing regulations that, in effect, make abortions more difficult to obtain.

In the Akron case, the court struck down the City Council's 1978 attempt to impose sweeping abortion regulations. The 6th U.S. Circuit Court of Appeals previously had struck down most of the regulations but had allowed the city to require hospitalization for all abortions performed for women more than three months pregnant. Today's decision reversed that portion of the appellate court's ruling by a 6-3 vote.

The justices also upheld those portions of the Missouri law requiring parental notice or court approval before some young girls receive abortions, a second doctor to be present to care for the fetus in abortions for women in their final trimester, and the making of pathology reports.

In the Virginia case, the court upheld by an 8-1 vote the criminal conviction of Dr. Chris Simopoulos for performing an illegal abortion at his Falls Church, Va., office in 1979.

The abortion was performed for a 17-year-old girl who was 5½ months pregnant. Virginia law required that all second-trimester abortions be performed in a hospital, but the court's decision today said the law's definition of "hospital" included licensed clinics.



Watch the wording — Justice Sandra D. O'Connor tells judges to tailor their decisions carefully so fewer cases reach the Supreme Court. Page 11A.