

Judicial Profile

MARK G. KOBASUK

Hon. Sandra S. Beckwith Judge, Southern District of Ohio

BUT FOR SOME sage advice, Hon. Sandra S. Beckwith may have spent her career writing prescriptions instead of authoring legal opinions as a U.S. district court judge for the Southern District of Ohio.

Convinced by her father to switch from premed courses in college to the study of law, Judge Beckwith has never regretted her decision and has blazed a trail in male-dominated professions and admirably served the residents of southern Ohio as both a politician and a jurist.

Judge Beckwith was born at the height of World War II on a military base in Norfolk, Va., while her father served as a Navy ensign in the Pacific Theatre. Upon return from the war, Judge Beckwith's father, Charles L. Shank, settled in Harrison, Ohio, and practiced law. His eldest daughter, however, dreamed of

following in the footsteps of her other role model, her grandfather, Reed A. Shank, a prominent surgeon and team doctor for the Cincinnati Reds, the Cincinnati Bengals, and the University of Cincinnati. Since the time she started kindergarten, the judge believed she would grow up to be a doctor like her grandfather, and she studied premed courses during her first three years in college. At the last minute, recognizing her propensity to excel in the social sciences, her father convinced her to attend law school instead of medical school. The judge has never regretted her decision.

At the University of Cincinnati College of Law in 1965, Judge Beckwith was one of three women in her class, the most then in the entire history of the school. The presence of Judge Beckwith and her two compatriots did not go unnoticed by their law school professors. The women learned they could expect to be called upon in every class, and the judge learned to be prepared every day and do her best — a rule she has lived by throughout her life. She graduated as the top-ranking woman in her class. This was the beginning of many “firsts” for the judge.

Upon graduation, Judge Beckwith joined her father, and they practiced law together in Harrison, Ohio, a rural community west of Cincinnati. The two-person firm was primarily a family law practice, and the judge spent the majority of her time in the area of domestic relations. Because her father disdained confrontation, however, Judge Beckwith inherited all of the firm's litigation matters and was the firm's trial lawyer. The judge soon developed a reputation as a skilled trial attorney. One judicial colleague, Magistrate Judge Timothy S. Hogan, remembers trying cases against the judge as a prosecutor for the city of Cincinnati, and he recalls never winning a single case against her. She was always well-prepared, organized and articulate, and a “formidable opponent,” according to Judge Hogan. The two have remained friends ever since, and Judge Hogan remarked that in all his years of knowing Judge Beckwith and following her career, “I never heard her say anything that could not be put on the front page of the newspaper.”

In 1976, Judge Beckwith was asked to fill a vacancy on the Municipal Court bench. Although she declined the invitation twice, she consented on the third request. Upon returning to her office after meeting with the selection committee and accepting



the vacancy, she found the chair of the selection committee on the telephone with her father asking for her father's permission for her to leave the family practice and accept the appointment as a municipal court judge. In 1977, Judge Beckwith became the first woman ever elected to Municipal Court in Hamilton County. After a brief return to private practice, she was elected again in 1982. The judge enjoyed the challenges of Municipal Court and the camaraderie of her judicial colleagues. She and her husband, Thomas R. Ammann, a former assistant chief of the Cincinnati police department, even enjoyed the required campaigning. After dealing with criminal defendants most of the day, the judge welcomed opportunities to meet regular residents of the county. In 1986, Judge Beckwith was elected to the Common Pleas Court, Domestic Relations Division. She welcomed the return to domestic relations law and the ability to help people resolve their problems.

In 1989, Judge Beckwith entered the political arena, becoming the first woman county commissioner for Hamilton County — the third most populous county in Ohio. In 1990, when she ran in the general election, she became the first woman ever elected to the board of county commissioners and was named the first woman president of the board by her fellow commissioners. As a new county commissioner, Judge Beckwith confronted a major Environmental Protection Agency investigation of the Metropolitan Sewer District and the county's 100-year-old sewers in the city of Cincinnati. She remembers donning rubber boots and inspecting sanitary facilities as part of her duties. A major issue for Judge Beckwith as a commissioner, however, was improving opportunities for minority contractors. She eased performance bond requirements for minority contractors, required regular county supply contracts to be bid among three suppliers, one of whom must be a minority supplier, and she participated in seminars for minority contractors and suppliers to deal with their concerns.

In 1991, Judge Beckwith was nominated by President Bush for a new judgeship created in the Southern District of Ohio to contend with a growing caseload. On being sworn in in February 1992, she became the first woman U.S. district judge for the Southern District of Ohio. The former chief judge of the Southern District of Ohio, Hon. John D. Holschuh, who presided over Judge Beckwith's investiture ceremony, noted she has "proved to be an outstanding judge in every category judges are measured" and a "wonderful colleague," who "greatly strengthened the bench in Columbus and Cincinnati." Judge Holschuh noted that with her previous judicial experience as a state court judge, Judge Beckwith "hit the ground running" as a federal judge in Columbus.



Judge Beckwith with her husband Thomas Ammann.

In her more than eight years on the federal bench, Judge Beckwith has developed a reputation as a fair and efficient jurist. In fulfilling her judicial duties, the judge has tried to follow two basic principles, according to her career law clerk Monte Smith. First, she ascribes to the view that "justice delayed is justice denied" and tries to dispense justice in a timely manner, so it is meaningful to the parties, knowing that the Court of Appeals is there to identify any mistakes. Second, she is committed to a level playing field for all parties, which means strict enforcement of the rules for all. Smith noted that these principles are illustrated in the judge's use of Rule 56 of the Federal Rules of Civil Procedure — a rule the judge is not adverse to using. According to Smith, Judge Beckwith has used Rule 56 to "effectively deliver justice" in appropriate cases and to "make the system fair for everybody," such as defendants who should not be sued in the first place or where no evidence is brought forth to support a claim.

A noteworthy lawsuit Judge Beckwith presided over involved Cold War radiation experiments at a Cincinnati hospital. The suit arose from a U.S. Department of Defense contract to study how radiation would affect soldiers in nuclear war. Between 1960 and 1972, a hospital surreptitiously exposed terminally ill cancer patients to radiation when they came for treatment. The families of some 88 cancer pa-

tients sued, claiming their relatives were unwilling guinea pigs. The physicians claimed the radiation was meant to cure patients or rid them of their pain. The judge authored a novel opinion in *In re Cincinnati Radiation Litigation*,¹ allowing plaintiffs' claims to proceed against a host of legal challenges. The judge analyzed the contours of the right to be free from unwarranted bodily intrusions and the right of access to the courts along with the patients' rights to due process and equal protection of the laws. The opinion is a noted decision in civil rights law, the subject of law review commentary, and is standard reading in civil rights classes in law schools. The case was eventually settled for several million dollars.

Judge Beckwith has had a remarkable career, becoming the first woman elected judge of the Hamilton County Municipal Court; the first woman elected judge of the Hamilton County Common Pleas Court, Domestic Relations Division; the first woman elected to the Hamilton County board of commissioners; and the first woman federal judge of the U.S. District Court for the Southern District of Ohio. These accomplishments earned her a position in Ohio Women's Hall of Fame in 1995, and have allowed her to serve as an example to other women of many backgrounds that they too can be active in politics, the law and community affairs.

The judge has opened doors for other women and spent many hours working to resolve the plight of the homeless, mentally ill, and single parents who have difficulties in collecting child support. In connection with her judicial service, she has worked to develop and enhance an assortment of alternatives to incarceration. Her philosophy has always been to reduce corrections costs to taxpayers, while utilizing the most modern methods available to rehabilitate lawbreakers into productive citizens. She has supported mandatory counseling for domestic violence offenders, which has proved extremely effective, as well as drug and alcohol offender counseling programs to break destructive behavior cycles.

As a respite from a growing and demanding caseload, Judge Beckwith collects early American pottery. She attributes this interest to her grandmother, a Hatfield from the famed Hatfield-McCoy families of West Virginia. The judge fondly remembers as a child visit-

ing her grandmother's house and seeing early American pottery containing wildflowers. The judge's collection includes redware, stoneware, as well as Irish belleek baskets, Wedgwood lustre and Royal Doulton. A local Cincinnati antique dealer, Mike Williams of the Wooden Nickel, notes that the judge has "excellent taste in American decorative arts and furniture" and is a frequent participant at local auctions and major antique shows on the east coast.

The judge also is a skilled interior decorator, who decorated her own courtroom and chambers, which were nominated for an award for historic renovation by the General Services Administration (GSA). Her courtroom and chambers are admired by the local bar, court employees and visitors alike. The judge

also has applied her design and decorating talents to other rooms of the Potter Stewart U.S. Courthouse in Cincinnati, which houses both the district court and the Sixth Circuit Court of Appeals. The GSA regularly consults with Judge Beckwith on renovation efforts of the courthouse, according to her clerk.

In preparing this profile, it became apparent that Judge Beckwith has succeeded at everything she has tried and has followed two basic maxims in her life: (1) work hard and always do your best, and (2) lead your life as if everything you do or say would appear in the newspaper — the latter being advice her grandfather gave her many years ago. These are good principles for anyone to follow. TFL



Judge Beckwith with some of her pottery collection.

Mark G. Kobasnik is on the Executive Committee of the John W. Peck Cincinnati Chapter of the Federal Bar Association and an attorney at Taft, Stettinius & Hollister, LLP, in Cincinnati, Ohio.

Endnote

¹874 F.Supp. 796 (S.D. Ohio 1995).