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C. WILLIAM O'NEILL

*John V. Corrigan**

Any history of the judiciary of Ohio must accord top ranking to the name of the late Chief Justice, C. William O'Neill. His preeminence in the administration of justice will probably never be surpassed, so great were his contributions to the improvement of the Ohio judicial system. The innovations he engineered came at the right time for Ohio, and the successes he achieved extended beyond the borders of the state he served so uniquely and unselfishly. His unparalleled career, covering the highest state office in each of the legislative, executive, and judicial branches, was crowned by his service as Chief Justice of the Supreme Court of Ohio.

Working closely with his immediate predecessor on the court, he was instrumental in convincing the General Assembly and the electorate of the need for the adoption of the Modern Courts Amendment to the Ohio Constitution in 1968. The amendment gave rulemaking authority to the supreme court. By the end of the following year, the Ohio Rules of Civil Procedure were ready for submission to the legislature. Shortly after their adoption, O'Neill became Chief Justice and began his remarkable crusade for the improvement of the administration of justice. He followed the implementation of the new civil rules with proposals that culminated in the new rules for criminal, juvenile, and probate proceedings. As caseloads continued to mount, he concluded that the important responsibilities of the trial courts could best be fulfilled by careful and consistent adherence to these rules and by updating them when necessary.

In appointing practitioners, judges, and law professors to the various committees that drafted the proposed rules, the supreme court under Chief Justice O'Neill's leadership was circumspect. Though it was important to have differing points of view expressed on the draft rules, the main focus centered on early action rather than on interminable debate.

In the procedural area, antecedents, such as the Federal Rules,

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were available as models for drafting new rules. O'Neill, however, realized that the problems confronting the courts demanded a double-barrelled approach that had to include drastic changes in judicial administrative policies and practices. O'Neill acted with characteristic directness and speed. As a result, the supreme court developed and promulgated the Rules of Superintendence, spelling out the individual duties and obligations of the judiciary throughout the state. The personal docket system was adopted, making public each judge's record and requiring action on cases within specified times.

In formulating the Rules of Superintendence, O'Neill avoided the use of professional consultants. He often said that highly paid consultants were usually overnight experts who would scan court records, interview personnel and, after "picking your brains," would simply present a well-written package shedding little light on the problems and proposing few solutions that were not already under consideration. Even though outside assistance might have offered some insight, O'Neill was convinced that the answers generally rested within the profession and the judiciary.

Invited to sit with the members of the supreme court to discuss needed administrative changes, the judges of the various courts frankly and freely discussed their problems, advanced their personal ideas, and expressed what approaches they considered workable at the local level. This mutual exchange was helpful in the formulation of the Rules of Superintendence and removed much of the feeling that the supreme court was merely pontificating without considering the actual problems confronting trial courts in the disposition of cases.

As impressive as the improvements and innovations were from 1970 to 1978, the distinguishing feature of this period was the remarkable speed with which the O'Neill court effected changes that will have a lasting impact on the administration of justice in Ohio. His administration of Ohio's judiciary won national recognition and praise for the courts of Ohio and for himself. With his self-effacing charm, however, he shunned the personal accolades and attributed the successes to the cooperation of the bench and the bar.

Because Chief Justice O'Neill was a keen student of human nature, he was able to elicit the responses needed to make the changes work. Possessed of an attractive personality, he could be alternately low-key or forceful as the occasion dictated. His clear mind gave him the ability to see the heart of each matter. Once he

was fully aware of a problem situation, he was in quick pursuit of the solution. He wasted no energy upon nonessentials and fought few diverting skirmishes. Many of his contemporaries will always recall his pixie smile that was especially disarming to his critics. Although they may not have agreed completely with his views and actions, he did command respect for his genuine dedication and loyalty in his untiring mission to improve the delivery of justice to all citizens.

Ohio has lost an outstanding public servant and the legal profession a truly remarkable judicial leader.