



Supreme Court of Kentucky

Chambers, State Capitol
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John D. Minton, Jr.
Chief Justice of Kentucky

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Investiture Remarks

John D. Minton, Jr., Chief Justice of Kentucky
Formal Investiture Service
Supreme Court Courtroom, Capitol, Frankfort, Kentucky
Friday, June 27, 2008, 11 a.m.

Governor Beshear, President Williams, Speaker Richards, President Diane Thompson, Constitutional Officers, members of the General Assembly, distinguished members of the federal and state judiciary, fellow members of the Kentucky Bar, friends and family.

In my thirty-one years as a lawyer and a judge, I could not have imagined a more glorious day for my family and me. As I look out across this courtroom, and from what I am told about the friends gathered around the monitors outside this courtroom, every available space on the second floor of this Capitol building this morning is occupied by friends who in one way or another made it possible for me to be sitting in this seat on this bench today. I am both honored and humbled by your presence here this morning. I'm sorry we couldn't find a seat in the courtroom for everybody, but your presence here is important to me, and I thank you for coming.

To my wife, Susan, who not only has accompanied me on every step of my judicial career, but also has encouraged, loved, pushed, and carried me part of the way, I say thanks. I also acknowledge our daughter, Page, who is leaving home for college in August, and to our son, John, who with his sister's departure, becomes the focus of all of his parents' attention. Our children have managed well the whirlwind lifestyle in a fishbowl. Believe me, they keep me humble every day.

To my parents, John and Betty Minton, your lives have been the greatest example of honesty, integrity, humility, and dedication to duty. The depth and value of your love is immeasurable. Both of them are watching via the Internet today from Dad's hospital room. Livestreaming has been an effort to open the proceedings of the Supreme Court to Kentuckians, and this is a very personal reminder to me of the importance of an open and accessible court system.

I thank my fellow justices seated on this bench for allowing me the rare privilege to serve as the fifth Chief Justice of the Commonwealth. I know that they have placed great confidence in me, and I will work hard to maintain the collegial working relations that we all believe are so important to the work of the Court.

In recognition of the strong traditions that anchor us to the past, I am wearing the robe worn by Chief Justice John S. Palmore, who, like me, grew up in Bowling Green and, like me, shares a strong allegiance to our alma mater, Western Kentucky University. Justice Palmore served for more than 23 years on the high Court. Nine of those years he laid the foundation and shaped the structure of the Kentucky Court of Justice. The historical and symbolic significance of this robe goes deeper. It was actually a gift to Justice Palmore from the family of his predecessor on this court, Judge N. Porter Sims, who came to this Court from the Warren Circuit Court, serving here from 1942 till his death in 1959. I am reminded today that I stand in a line of jurists who came out of western Kentucky who have left an indelible mark on the law and the courts of the Commonwealth.

Our nation was founded on principles of ordered liberty and justice, and our founders recognized that the impartial, expeditious administration of justice in the state courts would be the cement in the foundation of this new republic. In Federalist Paper No. 17, Alexander Hamilton wrote concerning the value of the state courts, saying “The ordinary administration of criminal and civil justice ... contributes, more than any other circumstance, to impressing upon the minds of people affection, esteem, and reverence toward the government.”

Public trust and confidence in the integrity and independence of the court system demands that we separate ourselves as much as possible from the political fray and from partisan political considerations. This lies at the heart of the public’s trust in this institution. And I will do all I can to maintain the constitutional integrity of the court by guarding the independence of the judicial branch. The public expects no less of us.

But separation from the political arena does not mean isolation from or antagonism with the two co-equal branches of our state government. As Chief Justice, I will do all in my power to promote and enhance constructive relations between the Court of Justice and the other branches of our state government. I thank President Williams and Speaker Richards and other members of the legislative leadership who are here today. Your presence and your participation mean a great deal to me personally and to the entire Court of Justice family. I hope that today marks a new beginning of cooperation and dialogue among us.

We all answer to the same constituency, the people of this great Commonwealth. And we are stewards charged to handle the people’s business in a way that reflects the honor, dignity, and privilege of our respective offices. So I welcome every opportunity for conversation with the members of the General Assembly and with the governor. You are the elected representatives of the people, and we in the Court of Justice must join you fully in doing the people’s business. I have much to learn about my role as Chief Justice, and I am confident that there are people within the sound of my voice this morning who are more than willing to tell me how to do this job. There is much at stake, and I ask you to help me.

When Mrs. Clary announces the close of Court today, we will say good-bye to our colleague, Chief Justice Joseph Lambert, ending 22 years of faithful and significant service on this Court, ten of which he spent as our Chief Justice. We will miss his affable nature and his firm leadership, for both of which we are grateful. We wish him well.

But now Justice Will T. Scott, who joined the Court less than four years ago, will become our most senior member. And I will become second in seniority, having joined the Court slightly less than two years ago. The effect of retirements, elections, and the untimely death of our friend Justice McAnulty, has thrust this institution so steeped in history and tradition into an unprecedented season of change. Some change has been painful. But change presents opportunities for new ideas to dawn, new pathways to appear, new visions to surface, and new responsibilities to emerge. We must position the Court not simply to accept, but to embrace change.

I recently heard seminary professor and author Leonard Sweet describe the challenges facing institutions locked in a Gutenberg mindset — an apt descriptor for a bunch of introverted and bookish judges — functioning in a Google world. It struck me as an image that described our institution all too well.

The world outside this courtroom is in a state of rapid change. Society is becoming more diverse, and its legal challenges increasingly complex. Our courts must adapt to keep pace. If we fail to adapt, we will fail our constitutional mandate to deliver swift and efficient justice the people of this Commonwealth demand. So we can't opt to ignore the need to adapt our courts to the changing world. I have every confidence that the system that developed so creatively a unified court system 30 years ago and that has led the country in state-of-the-art courtroom technology over the ensuing decades is capable of doing a new thing.

With an eye to the opportunities it presents, within the next few weeks, I intend to resuscitate the Judicial Council as established in KRS Chapter 27A as a part of the legislation that gave birth to the unified court in 1976. As originally configured, the Judicial Council is a group chaired by the Chief Justice and composed of the Chief Judge of the Court of Appeals, some circuit and family court judges, some district judges, circuit clerks, lawyers, and the Chairs of the House and Senate Judiciary Committees or their designees. I would expect to expand the membership of the Council to include fuller representation of the court's constituencies, including laypersons and media representatives.

Without being exhaustive here, the Judicial Council will become a policy sounding board and a think tank for innovation. First off, I intend to challenge this group to recommend a number of significant and immediate policy changes designed to promote openness, transparency, and increased accountability in all aspects of the operation of the judicial branch. I plan to ask them to peer into the future and develop strategies to identify and address the quality of Kentucky's judicial system and look to the needs of Kentucky's citizens in the years to come.

We have much to do.

And I stand ready and eager to undertake the tremendous challenges ahead, confident that the other members of this Court are committed, as I am, to working together to serve the people of Kentucky in the years ahead.