

Critics Fault Ret. Justice O'Connor Over Ethics

BY MARK SHERMAN
Associated Press

WASHINGTON — Retired Supreme Court Justice Sandra Day O'Connor continues to hear cases in U.S. appeals courts, while also playing a role in public policy issues. Her critics say she should do one or the other, but not both.

O'Connor, 81, was forced to apologize for 50,000 recorded telephone calls made to Nevada voters in which she supported a ballot measure to change the way state judges are selected. O'Connor said she did not authorize the calls featuring her recorded voice, much less their post-midnight delivery. But she also defended her involvement in the campaign that included her appearance in a television commercial.

In September, federal judges in Iowa stayed away from a conference on judicial elections at which O'Connor spoke in the midst of another campaign over ballot issues. The judges had received an informal opinion that their presence would violate the judiciary's ethics code.

Most recently, O'Connor hosted an after-hours reception at the court that was billed as a celebration of Bristol Bay in Alaska. But the



O'Connor

featured speakers, other than O'Connor, were opponents of a proposed Alaskan copper and gold mine. They were in Washington to lobby lawmakers and regulators against the proposed Pebble Mine.

Arthur Hellman, an ethics expert at the University of Pittsburgh law school, said O'Connor should consider stopping her participation in court cases if she "wants to engage in this level of political or politically related activity."

Partisan-tinged questioning of conduct by high court justices has grown.

Liberal interest groups have faulted Justices Antonin Scalia and Clarence Thomas for speaking at a private dinner hosted by Charles Koch, one of two energy-company-owning brothers who, liberal groups say, have too much sway on policymakers.

Some liberals have called on Thomas to sit out the expected high court fight over the health care law because of his wife's public criticism of the law. Some conservatives say Justice Elena Kagan should not take part in the health care case because of her work in the Obama administration before joining the court.

O'Connor has traveled the country since her retirement in 2006 to criticize costly election campaigns for state judges, promote enhanced civics education for schoolchildren and advocate for Alzheimer's research. Her husband, John, died in 2009 of complications from Alzheimer's disease.

Her primary focus has been on judicial independence, which she believes is harmed by electing judges.

At the same time, she has heard cases on appeal since her retirement. It is not uncommon for retired justices to sit with federal appeals courts from time to time. Justice David Souter, who left the court in 2009, has heard cases with the Boston-based court.

Through the end of March, O'Connor had written two appellate decisions and joined the majority in a half-dozen others this year. None of the cases involved judicial elections or the fate of the Alaska bay.

The continuing judicial work allows O'Connor, who earns \$213,900, to receive salary increases that are tied to inflation. Judges who stop hearing cases receive a pension equal to their final annual salary as a full-time judge, but are excluded from subsequent cost-of-living increases.

Think Tank: Global Arms Spending Is Slowing

STOCKHOLM (AP) — The world's military spending grew by only 1.3 percent in 2010, thanks to budget constraints caused by the global financial crisis, with the top three arms investors being the United States, China and Britain, a think-tank said Monday.

South America was the region with the largest military spending growth of 5.8 percent, with countries such as Brazil seeking to increase its international influence, said the Stockholm International Peace Research Institute.

The institution, known as SIPRI, said global military spending in 2010 was the lowest since 2001.

It said the United States topped the list by spending \$698 billion last year, followed by China with \$119 billion and the United Kingdom with \$59.6 billion.

SIPRI said the rise in spending in South America was partly driven by increased staff costs and internal security threats in some countries, but that the change also should be seen in

light of the region's strong economic growth and relatively limited exposure to the world financial crisis.

In many other countries, military investment growth slowed or decreased as governments dealt with budget constraints, SIPRI said.

Arms investment growth in Asia slowed to 1.4 percent, reaching a total of \$317 billion, and weapons outlays in Europe fell by 2.8 percent to \$382 billion in 2010.

Hot, Dry Weather Stokes TX Wildfires

FORT WORTH, Texas (AP) — Firefighters from 25 states were battling more than a dozen blazes across much of West Texas on Sunday in what state forest service officials called the single worst fire day the state has ever seen.

A fast-moving wildfire had spread to more than 60,000 acres Sunday in Presidio County and Jeff Davis County, where it destroyed about 20 homes in Fort Davis, about 200 miles southeast of El Paso. Widespread electricity outages were reported after numerous power poles burned.

But the blaze that started Saturday night missed the nearby McDonald Observatory, one of the world's leading astronomical research facilities, which instead was used as an evacuation shelter, said assistant director Anita Johnson.

Sunday's hot, windy conditions and low humidity, combined with withered shrubs and grasses caused by the drought, made for dangerous conditions, Texas Forest Service spokesman Alan Craft said.

Air tankers usually used to douse such massive fires could not be flown Sunday because of wind gusts of 40 to 50 mph, Craft said.

OBITUARIES

Elmer Mueller

MENNO — Elmer Mueller, age 82 of Menno passed away unexpectedly Wednesday, April 6, 2011 at his residence.

Funeral services will be 10:30 a.m. Monday, April 11, 2011 at Grace Lutheran Church, Menno with Rev. Brad Danielson officiating. Burial will be in the Menno Cemetery.

Visitations will be from 4-8 p.m. Sunday, April 10, 2011 at the Grace Lutheran Church, Menno with a 7:00 p.m. prayer service.

Visitations will resume one hour prior to the service at the church.

Aisenbrey-Opsahl-Kostel Memorial Chapel, Menno is in charge of the arrangements.

Elmer was born to Fred & Emma (Winter) Mueller on



Mueller

November 13, 1928 at Sacred Heart Hospital. He grew up on the family farm southwest of Menno. He attended East View County School District 94. He farmed

with his Dad & brothers. He worked for Hutchinson County Bridge Crew and Gurney Seed and Nursery. He married Delores Nelson on June 6, 1970 in Dell Rapids at the Methodist Church.

He is survived by his wife, Delores; his son, James Mueller of Sioux Falls; 2 stepsons, Steven Nelson, Jonesboro AR and Jeff Nelson, Sterling AK; grandson, Damion Mueller; 3 granddaughters, Alicia Miller, Keylee Nelson

and Olivia Mueller; 1 sister, Emma Sexton, Scotland, SD; 2 brothers, Milbert Mueller, Mound, MN, and Albert Mueller, Torrance, CA.

Elmer was preceded in death by his parents and 5 siblings, George, Arnold, Paul, Helen and Elsie.

He lived all 82 years on the farm that he truly loved.

*I have fought the good fight,
I have finished the race,
I have kept the faith.*

— II Timothy 4:7

Yankton Press & Dakotan
April 11, 2011



Online condolences at:
www.kostelfuneralhome.com

Rudy Kirschenman

MENNO — Rudy Kirschenman, age 99 of Menno passed away on Thursday, April 7, 2011 at the Menno-Olivet Care Center, Menno.

Memorial services will be 10:30 a.m. Tuesday, April 12, 2011 at Salem Reformed Church, Menno with Rev. Michael Hecht officiating. Burial of his cremated remains will be in the Menno Cemetery.

Visitations will be from 5-8 p.m. Monday, April 11, 2011 at the Salem Reformed Church, Menno with the family present at 7:00 p.m. Visitations will resume one hour prior to the service at the church.

Aisenbrey-Opsahl-Kostel Memorial Chapel, Menno is in charge of the arrangements.

Rudy Kirschenman was born to Theobald (T.H.) Kirschenman and Alma (Nee Oswald) on March 10, 1912 in Yankton County. The family eventually settled on a farm one-half mile east of Menno. Rudy attended Menno Elementary School and was confirmed on June 27, 1926



Kirschenman

at Salem Reformed Church by Pastor Johannes Bodenman. He was joined in marriage to Norma Heiser on August 20, 1937 in Sioux Falls at the courthouse by Judge

Medin. The couple farmed north of Menno for a few years after which Rudy worked with his father in an employment business. In 1941, the couple moved to California where Rudy secured a job with a Geophysical Drilling and Research Crew which was primarily the first step in location of new oil fields, badly needed at this time since WWII had begun. He became foreman of the drill and crew team. This job involved moving up and down the state of California.

The couple moved back to South Dakota after WWII ended and Rudy farmed the home place until 1950 at which time moved to a farm on the outskirts of Menno. He retired in the 70's

and resided there until December 2009 at which time he became a resident of the Menno Olivet Care Center until the time of his death.

He was an avid sports fan and a kind, caring and patient man well known for his dry sense of humor. The couple enjoyed 73 1/2 years of marriage before his death.

He leaves to mourn, his wife, three sisters, Ruth Young, Denver, CO, Linda Mueller, Yankton, SD, and Hulda Mensch, Menno, SD, and brother, Leo (Sylvia) Kirschenman, Yankton, SD.

He was preceded in death by his parents; brothers, Melvin and Reuben; 3 brothers who died in infancy; sister, Annette Maas, 3 brothers-in-law, LaVerne Mensch, Ernest Mueller and Reuben Maas.

Yankton Press & Dakotan
April 11, 2011



Online condolences at:
www.kostelfuneralhome.com

Frances (Specht) Hintz

COLERIDGE, Neb. — Frances M. (Specht) Hintz, 90, of Coleridge, Neb., died Saturday (April 9, 2011) at the Park View Haven Nursing Home, Coleridge.

Funeral Services at 10:30 a.m. Tuesday at Pilgrim Congregational United Church of Christ, Coleridge, with the Rev. Gary Kimm officiating. Burial will be in the Coleridge City Cemetery.

Visitation is 3-8 p.m. today (Monday), with a prayer service at 7 p.m., at Wintz Funeral Home, Coleridge. Visitation will continue on Tuesday at church one hour prior to services.

To send online condolences, visit wintzfuneralhome.com.

Brianna Knoll

Brianna Marie Knoll, 25, of Yankton died Saturday (April 9, 2011).

Arrangements are pending with Wintz & Ray Funeral Home and Cremation Service, Yankton.

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GUARD

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they wanted everyone to come back, but they understood my reasons," he said. "They were supportive of it."

Charlie Battery commander Capt. Joshua Smith served with Eichacker during his first deployment and said he was proud of the decision.

"Darrin is a fantastic guy with a great personality," he said.

"What he did when extended over there, to put himself out there and stay away from family, just means a lot to this whole organization. His mentality and his sacrifices say a lot about him."

Attending Saturday's Freedom Salute Ceremony at the Yankton National Guard Armory were Eichacker's family, 147th Field Artillery Battalion command personnel and Charlie Battery soldiers.

Eichacker learned about the event only a couple of weeks ago. While he was surprised a special ceremony was going to

be held just for him, he was not shocked at the effort put forth from the National Guard.

"The South Dakota Guard always takes care of their soldiers," he said.

Eichacker now lives in Sioux Falls and works as a scheduler for Raven Industries, using many of the skills he honed overseas during the second half of his deployment. He said the transition from his deployment has gone well.

"It's been a fun ride," he said. "It's been a good adjustment over to the civilian world. It's a little bit different, but I enjoy it."

NATION/WORLD DIGEST

Rockets Fired At Ivory Coast Military Bases

ABIDJAN, Ivory Coast (AP) — United Nations and French helicopters fired rockets on strongman Laurent Gbagbo's residence on Sunday in an assault the U.N. said was to retaliate for attacks by his forces on U.N. headquarters and civilians.

U.N. Secretary-General Ban Ki-moon said he had authorized the strikes, accusing Gbagbo of using heavy weapons against Ivory Coast civilians and the U.N. forces trying to protect them.

Residents from nearby neighborhoods reported seeing two U.N. Mi-24 attack helicopters and a French helicopter open fire on the residence, where Gbagbo is holed up in a bunker. The residents couldn't be named for fear of reprisal.

An Associated Press reporter saw the helicopters take off from the French military base followed minutes later by explosions coming from the direction of the residence. Successive waves of French helicopters took off from the base in the following hours and additional bombardments could be heard.

Gbagbo has been living in a bunker in his residence in Abidjan for nearly a week. After a decade in power, he refuses to step aside even though the United Nations has ruled that he lost the November presidential election to Alassane Ouattara.

Ex-Pres. Mubarak Denies Abuse Of Authority

CAIRO (AP) — In the first remarks since his ouster, former Egyptian President Hosni Mubarak denied allegations that he used his position to amass wealth and property in a speech broadcast Sunday, as hundreds of protesters occupying the heart of Cairo shouted for him to be brought to trial.

Mubarak, forced out of office two months ago by a popular uprising, said he was willing to cooperate in any investigation to prove that he did not own property abroad or possessed foreign bank accounts.

Shortly after Mubarak's pre-recorded speech was aired, Egypt's prosecutor general told state TV he issued orders Sunday summoning the ex-president and his two sons for questioning. The station quoted a prosecution spokesman as saying the scope of the investigation of Mubarak and his sons would include the crackdown on protesters that killed an estimated 300 people as well as the corruption allegations.

Holding Mubarak and top officials in his government accountable for the violence is a central demand of anti-Mubarak movement.

The pan-Arab news channel Al-Arabiya, which broadcast the speech, said it was recorded Saturday, a day after demonstrators gathered in huge numbers in Cairo to demand that the military council that took over from Mubarak launch an investigation into his wealth. There was no video image accompanying the recording of Mubarak's voice.

Japan's Homeless Move Into 1st Temp. Houses

RIKUZENTAKATA, Japan (AP) — One month after a devastating tsunami flattened their homes, some families took a step toward normalcy and moved into temporary housing, while Japan's prime minister promised Sunday to help fishermen along the devastated coast get back to their boats.

Rows of 36 boxy, gray houses line a junior high school parking lot in this port city pulverized by the March 11 wave, and, after a lottery, the first lucky few families moved in this weekend. Each unit is just 320 square feet (30 square meters), but replete with modern comforts like a television, refrigerator, microwave and washing machine — a welcome upgrade for the homeless, many of whom have slept on the floors of school gyms for a month.

That's just one house for every 50 applicants.

"It's a mystery how we were lucky enough to be chosen. It's like a dream," said Sakai Sasaki, 80, who had been living with relatives.

The city hopes to complete 400 units in eight different locations by mid May, although that will still only cover about one-quarter of the families in need. Other areas have similar plans, but Rikuzentakata's units are the first to be completed.

■ Get Updates At Yankton Online (www.yankton.net)

Please Join Us!

Solitaires

A social group of widows/widowers of all ages that meets the 3rd Wednesday of the month in the Hospitality Center on the grounds of Wintz & Ray Funeral Home.

Wednesday, April 20th

6pm Potluck Dinner • 6:45pm Speaker

Mark Your Calendars For These Events

May 18th ¥ June 15th
• July 20th • Aug. 17th • Sept. 21st
• Oct. 19th • Nov. 16th

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Our care and concern does not end with the funeral service. This week we remember with family and friends the anniversary of the deaths of:

Donald D. Erickson
who passed away on
April 15, 2010

Alice Pravecek
who passed away on
April 12, 2007

Edward Kronaizl
who passed away on
April 14, 2000

This remembrance is brought to you free of charge. If you have a loved one you would like remembered, contact us at Opsahl-Kostel Funeral Home & Crematory. Guiding and serving families with compassion and trust.

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