



Feature

Careers: State Judge

By Anayat Durrani

When Hon. Carolyn J. Hayek attended law school at the University of Chicago, her plans did not include becoming a state judge. But when she read in a local Seattle newspaper that a judge had died and applications for his position were being accepted, she applied.



"I had never aspired to be a judge, but a steady income, challenging work, and a respected position in the community attracted me at a time when my private law practice was getting a little boring," said Hayek.

County judges are elected in the state of Washington. However, because the former judge died while in office, Hayek was appointed by the county council. She became the first female judge at the District Court in Washington State, which handles small claims, some civil cases, traffic, criminal misdemeanor cases, domestic violence protection orders, and others.

Hayek's background made her a good candidate. She had been in private practice as an attorney for nine years and had experience working at the court as a part-time magistrate handling traffic tickets. She had also run for office twice for city council and the legislature and had actively supported the campaigns of others. She was involved in community groups—such as the American Association of University Women, of which she currently serves as state president—and had been on a number of local committees, such as co-chairing a school levy campaign.

"Being politically involved and knowing other people involved in politics is very helpful since the position is an elected position and appointments to a vacancy are by a political body," said Hayek.

Despite her enthusiasm to become a judge, the position did not turn out as she had hoped.

"I found the transition to working at the court harder than I had expected," said Hayek.

She said it seemed to represent a lot of the same "old boys' club" challenges she had experienced while working at a respected corporate law firm in downtown Seattle, where she was the first female attorney. After serving 13 years as a King County district court judge, she left the bench at age 45. If she had remained, Hayek could have continued on until age 75. As a retired judge, she now performs wedding ceremonies in the Puget Sound area of Washington.

While Hayek did not plan on being a judge, the Hon. Judge Fred Rodgers, 1st Judicial District, Gilpin County, knew early on. Colorado Governor Richard Lamm appointed Rodgers judge of the Gilpin County Court in 1986. His caseload consists of civil, criminal, domestic relations, juvenile, and probate cases. He has been retained by election four times since.

"I knew I wanted to be a judge and in my law practice worked toward appointment," said Rodgers. "Pro bono work, appointment to state commissions related to the law, bar association activity, publishing articles in the bar magazine, and CLE teaching all helped."

Rodgers said membership in an Inns of the Court, with its mentoring model, is also helpful, as is volunteer mediation for a community organization. In Colorado, he said party politics holds little weight in the process, but serving in the DA's office has been "the ticket" for the last six years with the current Governor of Colorado.

He said most judges, at least in his state, come from DA's, AG's, and PD's offices or small firm and solo practices. He added that not many big-firm partners seek the trial bench because of the big step down in salary.

How does one aspiring to become a judge get noticed? While it varies from state to state, Rodgers said in a state like Colorado, getting noticed is easy.

"A nominating commission conducts interviews and sends



Feature

two or three names to the Governor, who must appoint within a short window. The commissions rely heavily on letters of reference from lawyers and other judges,” explained Rodgers. “Most applicants don’t get appointed on the first try, so it helps to be willing to keep plugging. By the time it’s your turn, the commission, your references, and the Governor’s staff know you pretty well.”

He said after a person is appointed, before each four- or six-year term, his/her performance is reviewed by the Performance Commission. Its evaluation is based on review of questionnaires from users of the system, including lawyers, litigants, probation officers, social workers, jurors, police and parties, and judges. Then, a published recommendation to retain or not is widely circulated. Rodgers said most judges are retained at retention elections.

The Hon. Eric C. Taylor, Superior Court of California, County of Los Angeles, believes that just as other credentials matter on the career path to judgeship, so does what law school one attended. “A top-10 school usually is more impressive than one that is not accredited and not well known. A top-ranked school usually leads to more desired first jobs and so on. So, yes, it very well could be an issue,” said Taylor, a graduate of University of Virginia Law School.

Taylor said judicial backgrounds vary substantially. He was a civil litigator in private practice and then spent six years with the L.A. County Counsel’s office as litigator for the Sheriff’s Department and Board of Supervisors. He took the bench in 1998 after he was appointed to the Inglewood Municipal Court by Governor Pete Wilson. He was presiding judge in Inglewood, the Supervising Judge of Southwest District of L.A. Superior Court, and elevated to Superior Court Judge by Court Unification and now handles felonies.

“There is no real formula, except that most folks appointed have at least moderate public or bar-related service and/or other political ties,” said Taylor, who served as President of

the California Judges’ Association in 2003-2004. “Obviously, you need support from your peers and your community to be appointed or elected. Although, I think you will find more corporate practitioners on the federal bench.”

Hon. Ralph Adam Fine, Appellate Judge, Wisconsin Court of Appeals, has his own view of what it takes to get on the bench.

“One hundred percent desire and 10,000% luck,” said Fine. “Doing anything well requires a passion for excellence. This requires that the person wants to do the work that the task requires. That is predicate. As for luck, folks become judges through contacts, appointments, or support. Richard Arnold, late federal judge on, as I recall, the 8th Circuit, wrote that his ‘merit’ was being friends with a U.S. Senator.”

Fine believes that networking and contacts are both keys to landing on the bench. In Wisconsin, state judges are elected. Fine—who graduated from Columbia Law School, did a federal trial-judge clerkship, was an appellate attorney in the U.S. Department of Justice, and was a private practitioner—said he was an exception to the usual rule because he was a television personality. Fine hosted a television talk show called “A Fine Point” that aired locally on the then-CBS affiliate in Wisconsin and worked as a reporter for that station for a year and a half. “I was lucky, folks in my community knew me because I was an award-winning TV journalist, had a popular TV talk show.”

While for Fine it was his television exposure that helped make him judge, he stresses that whom you know matters in becoming a state judge. “In the big cities, they have the advantage for federal appointments because of the networking factors. In local state courts, it is generally, but not exclusively, the local prosecutors who have the networking advantages.”

EmploymentCrossing is the largest collection of active jobs in the world.

We continuously monitor the hiring needs of more than 250,000 employers, including virtually every corporation and organization in the United States. We do not charge employers to post their jobs and we aggressively contact and investigate thousands of employers each day to learn of new positions. No one works harder than EmploymentCrossing.

Let EmploymentCrossing go to work for you.