

CHICAGO LAWYER

Road to the federal bench

Big law firms in Chicago provide the work, mentality to don a judge's robe

By Cailey Gleeson

There are many paths attorneys who aspire to be federal judges can travel. For most – if not all – it begins at a Big Law firm that provides the tools needed to pursue their professional goals.

Chicago alone has more than a dozen large firms that have placed judges on Illinois' federal bench.

Mayer Brown, an international firm that has its largest office in Chicago, has around 20 alumni throughout its long history that graduated to serve in federal judicial roles. It's a number Greg Deis, co-leader of Mayer Brown's Chicago office's litigation practice, attributes to the firm's involvement on matters such as liability and antitrust suits.

"Clients come to us for advice on cutting-edge legal issues," Deis said. "... Most of those things (are) in federal court, and so that's a great training ground for someone who aspires to become a federal judge."

Deis said beyond the substance of work at Mayer Brown, the firm has a strong background in hiring people with government service backgrounds or having firm alums move into government work or public service.

Mayer Brown is just one example. No two firms are the same – especially when it comes to how they train and mentor aspiring judges at the outset of their careers. Several firms spoke with Chicago Lawyer about firm culture and how getting seated on the federal bench has evolved over the years, especially in a polarized political world.

A CULTURE OF COMMUNITY

Joanna Horsnail, managing partner of Mayer Brown's Chicago office, said the firm's brand and legacy in Chicago and in the country enables it to draw from the highest quality of talent for the litigation group.

"We attract the highest intellectual capabilities as well as people (who) have a really good temperament," Horsnail said.

Citing various alumni – including 7th U.S. Circuit Court of Appeals Judge John Z. Lee (confirmed to the court in September 2022) and former U.S. District Court for the

Northern District of Illinois Judge Susan O'Meara Getzendanner – Deis said the transition from Mayer Brown to the bench "is a rich tradition."

"(It's) something we're very proud of," he added.



Greg Deis
Partner at Mayer Brown

Mike Doornweerd, partner at Jenner & Block, said nearly 30 alumni have served in positions on the federal bench, including U.S. Supreme Court Justice John Paul Stevens and three current judicial nominees, including Sunil Harjani, who was tapped for a seat on the Northern District of Illinois.

"Our culture very much contributes to judicial service," Doornweerd said.

Doornweerd co-chairs Jenner's litigation department with fellow partner Terri Mascherin. Mascherin said several factors – including a deep commitment to pro bono and public service, mentorship and bar associations – create a "virtuous circle."

"Young lawyers are drawn to the firm, find role models, sometimes move on to public service and the bench, and in turn mentor others to do the same," Mascherin said. "This cycle isn't the intent of our culture, but a manifestation of our commitment to public service that we're very proud of."

About 90 minutes away from Chicago, Quarles in Milwaukee also saw alumni go from its office to the federal bench. Partner Daniel Conley has firsthand experience on the matter – since he was a law clerk for Milwaukee senior federal district Judge John Reynolds from 1985 to 1987 when he was serving as chief judge.

And, more recently, Katherine Perhach left her role at Quarles in 2019 to serve on the U.S. Bankruptcy Court for the Eastern District of Wisconsin.

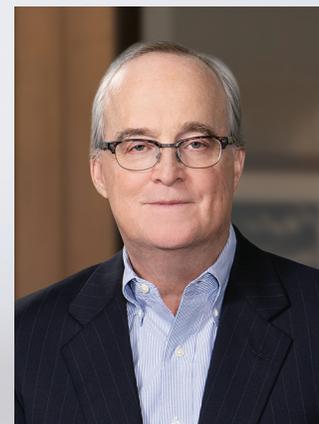
"Judge Perhach took particular advantage of the training and mentorship she got at Quarles which, combined with her natural ability and practical approach to the law, allowed her to build up a broad practice in debtor-creditor law," Conley said.

Conley said while clients and the firm were sad to see Perhach go, "she met the exact profile" the Eastern District seeks out in appointees.

Conley said Big Law attorneys seeking positions on the federal bench "seems to be more correlation than causation."



Joanna Horsnail
Managing Partner at Mayer Brown



Dan Conley
Partner at Quarles

"Many of the attributes that lead to success in the practice of law correspond with what makes a good judge and what appointing authorities are looking for," Conley said.

CHANGING PATHWAYS

Doornweerd said there are three important ingredients to start on the path for the bench — aside from a minimum 15 years of practice. The first ingredient is picking a private practice firm to establish your career.

"Selecting a firm that supports pro bono work, civic engagement and bar involvement makes a judgeship more likely," he said.

Attorneys also need to take into account clerking and mentorship opportunities if they want to be sought out for a judicial appointment. Doornweerd believes those roles create important allies.

"(Those are) connections that last throughout a career and open up a wealth of opportunities," he said.

Lastly, Doornweerd said being dedicated to public service is essentially required for those aiming to be a federal judge.

"Jenner has a track record of attorneys going to and returning from government service because of the value it brings back into the firm, and likewise it brings tremendous value to the bench," he said.

On top of the general recipe for success, Doornweerd said while many pathways exist, some of which have changed. One of the more recent changes, he said, is a new importance of government service.

"Many successful nominees who are confirmed to the Northern District of Illinois have government service experience, and often prosecutorial experience," he said. "We also don't often see nominees coming directly from private practice, which used to be more common."

Political matters have also "become more important for district court judges and circuit court (judge)," according to Doornweerd. "This was the case with (former President Donald) Trump's appointment path and continues to a lesser extent with (President Joe) Biden, who also has a public commitment to increasing diversity on the bench," he said.

Another way to reaching the bench that has remained stable is participation in bar associations. Mascherin said that work "is still fundamental to building connections with judges and practitioners in the circuit, who then serve on nominating committees."

"Someone who is active in bar associations and practicing before the particular court is certainly helpful," Deis said.

Mascherin said there's been a shift in when lawyers serve on the bench and that public service attracts lawyers to Jenner & Block.

"Early in the firm's history, several served as judges first and then joined the firm," she said. "Later the trend shifted, and now lawyers tend to work at the firm prior to their nomination or election to judicial positions."

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