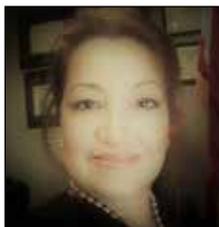




# Hon. Steven L. Carnes

## Chief Administrative Law Judge, U.S. Social Security Administration

by Hon. Alisa Tapia-Zuniga



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**M**ost people would agree that Chief Administrative Law Judge Steven L. Carnes is multidimensional with a distinguished career in law, politics, and military service. A retired Air Force colonel, Judge Carnes continues to pursue justice with the determination he displayed throughout his career.

Judge Carnes was raised in the Philadelphia suburbs on both sides of the Delaware River in New Jersey and Pennsylvania. He fondly recounts that he “grew up in Franklin Field and Veterans Stadium” after his family purchased Philadelphia Eagles season tickets in 1960. His father worked for General Motors. His mother was a schoolteacher. She later obtained a Master of Arts degree in counseling. A significant influence in his life, his mother stressed the importance of a good education. Early in life, Judge Carnes knew he would pursue a career in law and dedicate his life to serving our country.

It was during the Vietnam War in 1969 when Judge Carnes attended Pennsylvania State University majoring in pre-law and political science. He joined the student government and the Air Force Reserve Officer Training Corps. He also tried out for the university band and made the alto horn rank (saxhorn family). Judge Carnes found his niche with the Penn State band spending his Christmas vacations attending annual college football games at the Orange Bowl, Cotton Bowl, and Sugar Bowl.

### A Taste in Politics

In 1972, Judge Carnes volunteered at the state Republican Party headquarters in Philadelphia and attended the Republican National Convention in Miami Beach, Fla. The nominees were President Richard Nixon and Vice President Spiro Agnew for reelection. The Vietnam War continued to divide the national public opinion. He recalls battling his way into the convention center through the smell of tear gas and crowds of antiwar demonstrators.

In 1973, he graduated from Penn State as a distinguished military graduate and was commissioned as a second lieutenant. After graduation, 2nd Lt. Carnes



headed to St. Petersburg, Fla., to attend Stetson University College of Law. Stetson Law was a small and quaint branch campus with a picturesque student dormitory housed in a former Spanish-style hotel. He spent the next three years in “St. Pete”—as locals call the beautiful city—and fell in love with Florida. In December 1975, then 1st Lt. Carnes attended the Hillsboro County Republican holiday party. At that party, he met a beautiful graduate student from the University of South Florida named Patricia Gunn. Carnes and Gunn dated briefly but lost touch after she relocated to Georgia.

In 1976, Carnes graduated from Stetson Law, and later that year was admitted to the Florida Bar. It was also a U.S. presidential election year. Before reporting for active duty, he joined the U.S. presidential election campaign for Gerald Ford and Sen. Bob Dole as a co-coordinator for southern New Jersey. Republican Thomas Kean was the chairman, and Tony Ciccatello was the executive director. As a co-coordinator to Kean, Carnes got to know Republican David Norcross on the campaign trail. Norcross was running for the U.S. Senate against incumbent Democrat Harrison Williams.

In 1977, Carnes was promoted to captain and served as an assistant staff judge advocate in the Judge Advocate General's Department (JAG) at Charleston, S.C., Air Force Base (AFB). Carnes recalls his time there as "one of my favorite towns in the world. I was a 25-year-old attorney and a captain in the Air Force. Life was great for four years." As a JAG officer, Capt. Carnes performed duties as a courts-martial prosecutor and trial defense counsel. He represented airmen facing a variation of non-judicial and judicial punishments. But while stationed at Charleston, Carnes always wondered, whatever happened to Patricia Gunn?

In 1981, Carnes separated from active duty but remained in the U.S. Air Force Reserve and was stationed at McGuire AFB in New Jersey. While at McGuire, he was admitted to the New Jersey Bar and selected as an outstanding reserve Judge Advocate of the Year for Air Mobility Command—one of the highest-level commands.

During that year, Carnes again crossed paths with Norcross, who was now a prominent attorney at a prestigious law firm and the chairperson of the New Jersey Republican Party. He learned from Norcross that every 10 years there is a congressional and legislative reapportionment and that Norcross needed staff members at the commission. Carnes agreed to practice law part-time at the law offices of Dickey & Thomas and to work part-time as a staff member at the reappointment commission. It was a gubernatorial election year in New Jersey, and Kean was running for governor. As Carnes describes it, "On election night, you are supposed to have either a celebration or a wake. On this night, we had neither." It was a statewide election with 7 million voters; yet the margin of victory was 1,000 votes. It was determined that votes were missing and a recount was ordered. It was an extremely close election.

In 1982, Kean was sworn-in as the 48th governor of New Jersey. Carnes was appointed as assistant counsel to Gov. Kean, advising him on various legal matters. For five years, Carnes worked closely with the legislature and appeared on behalf of Gov. Kean before state Senate and General Assembly committees. He also advised Gov. Kean on legislative and administrative policy matters. Two years later, Carnes served as deputy general counsel to the Republican National Convention in Dallas.

Late in 1982, Carnes took a trip to Florida to visit a friend. While waiting for a connecting flight, he called Patricia Gunn's parents, and as fate would have it, she answered. While catching up on their respective lives, they made a bet. Penn State was playing the University of Georgia in the Sugar Bowl for the National Championship. If Penn State won, Gunn would fly to New Jersey for the weekend. If Georgia won, Carnes would fly to Florida. Penn State won and two weeks later, Gunn flew to New Jersey. They drove to Atlantic City and wined, dined, and squeezed in a show. That Sunday, Carnes dropped Gunn off at the Philadelphia Airport. One week later, Gunn left Carnes a message at the governor's office. "I've got Miami, you've got Washington. Same Bet.

Same stakes." The Miami Dolphins were a sure bet to win Super Bowl XVII. The Washington Redskins, however, defeated the Dolphins to win their first Super Bowl championship. Defeated but excited, Gunn returned to New Jersey. Judge Carnes recalls it as a significant time in his life, "We got engaged that weekend." A year later, the now-married couple had their first child.

## **A Second Serving of Politics**

In 1986, Gov. Kean took the oath of office at a second inauguration. In turn, Capt. Carnes began planning his future beyond the next three years. In New Jersey, the governor appoints state judges with the advice and consent of the State Senate. Attorney General W. Cary Edwards interceded on Carnes' behalf with the governor. Carnes was also well-regarded by the Senate and the Senate judiciary committee, and he was appointed as a New Jersey administrative law judge (ALJ) for the next eight years. He presided over a variety of cases from multiple agencies. During that year, Carnes received recognition as the Military Airlift Command Outstanding Reserve Judge Advocate of the Year. In 1987, Carnes was promoted to major. A year later, Maj. Carnes was appointed as a U.S. military judge traveling throughout the southeast United States presiding over military courts-martial.

In 1994, Carnes was promoted to lieutenant colonel. He was also appointed as an ALJ for the Social Security Administration's Office of Disability Adjudication and Review (ODAR) presiding over disability hearings. Four years later, Lt. Col. Carnes received recognition as the Air Force Legal Services Agency Outstanding Reserve Judge Advocate of the Year.

In 1999, after the breakup of Yugoslavia, Carnes was selected to serve as a legal adviser at the North Atlantic Treaty Organization (NATO) in Bosnia and Herzegovina—a war zone—for the Office of the High Representative. He worked with lawyers and judges from various European countries. Judge Carnes recounts, "We were building local and state entities, reestablishing governments, and trying to make sure their laws conformed to European standards." He explains that they worked through the European Commission and the Council of Venice to bring Bosnia back into the European community. Carnes met with representatives from the European Union, the deputy attorney general of Germany, and the president of the Italian courts. His primary duty was to write the initial draft of the Bosnian Criminal Procedure Code. By the time Carnes rotated out of Bosnia, he had successfully drafted the criminal procedure code. Judge Carnes describes his experience as "a life-changing event." While serving in Bosnia, Carnes rose to the highest field grade officer rank of colonel.

In 2004, during the second Gulf War, Col. Carnes served as the Air Force senior individual mobilization augmentee to the staff judge advocate for U.S. Special Operations Command (USSOCOM) at MacDill AFB. USSOCOM is the headquarters for all U.S. special oper-

ations forces worldwide and a unified combatant command with statutory and global responsibility for special operations, planning, and executing the war on terrorism. Judge Carnes describes his service at USSOCOM as relevant, exciting, and at the same time challenging. He recounts, “We were on the tip of the spear of everything that was going on regarding the global war on terrorism.”

In 2007, Carnes retired after 38 years of military service. He faithfully served with distinction and received several awards including: Defense Superior Service Medal, Meritorious Service Medal with five oak leaf clusters (5 OLC), Air Force Commendation Medal with 3 OLC, Air Force Achievement Medal, Air Force Outstanding Unit Award with 1 OLC, Air Force Organizational Excellence Award with 1 OLC, National Defense Service Medal, Armed Forces Expeditionary Medal, Armed Forces Service Medal, Military Outstanding Volunteer Service Medal, Air Force Longevity Award Medal with 5 OLC, Armed Forces Reserve Medal with Hour Glass & “M” Device, Small Arms Marksmanship Award, Air Force Training Ribbon, and the NATO Medal.

Judge Carnes is a proud veteran. The military instilled in him discipline, leadership, and a strong work ethic—skills that he uses today as chief judge. He explained that one of his fondest memories of serving in the military was mentoring the airmen behind him. “I had one of my mentees who got promoted to brigadier general after I left ... the pride in knowing that you had a little role that you played in helping them get to where they are today.”

In 2014, Judge Carnes was appointed as hearing office chief ALJ for the Tallahassee office. When asked what he found most challenging serving as chief judge, he stated, “It is not the law, and it is not the cases. It is the personnel actions. The management side of the job and dealing with emergencies.” In October 2018, Carnes had to deal with the aftermath of Hurricane Michael. He had to construct a detailed proposed action plan addressing its impact on disability claimants and, at the same time, handle his caseload. In addition, Carnes must always be ready to deal with personnel issues; issues that do not affect the line judges. Nevertheless, he accepts these daily challenges head-on without hesitation.

Judge Carnes has worked for the Social Security Administration for 24 years. He finds his role presiding over disability cases a great honor. As a veteran, Carnes cares deeply for our nation’s veterans and understands their struggles. He feels proud to serve on the bench that provides them with the services they deserve. His dedication and solid work ethic continue with the same vigor he demonstrated as a young JAG officer. As shown throughout his impeccable career, his perseverance and commitment do not go unnoticed.

ODAR Hearing Office Director Christina Warren, who works closely with Judge Carnes at the Tallahassee office, noted: “Judge Carnes is approachable and hard working. He is fair and an honest judge that cares for every case he hears.”

Judge Carnes’ distinguished career has taken many thought-provoking paths covering the law, politics, and military service. Nonetheless, he has managed to dedicate time to other important callings in his life. He coached his eldest son’s soccer team, and after retiring as a licensed coach, Carnes obtained his soccer referee license. While residing in Alabama, he became a licensed state instructor, the state director of instruction, and was the official law interpreter for Alabama for the U.S. Soccer Federation. In Florida, Carnes currently holds the position as senior referee administrator for Area D East. When asked what he finds most rewarding working as a referee, Judge Carnes states, “It’s developing young people, helping them become good productive citizens, and learning how to interact with society.”

Judge Carnes has mentored airmen, lawyers, and junior judges. In the military, he mentored young officers by guiding them to reach their goals. As a judge, he continues to be a dedicated mentor to inexperienced lawyers and junior judges. His advice to them, “Learn the law and listen.” He also mentors’ attorney writers and encourages them to ask questions regarding his opinions. “I think there needs to be a free flow of information between a judge and the writer writing the decision,” says Carnes. “Writers must know what the judge is thinking.” Undeniably, Carnes embraces his role as mentor.

Warren once observed Judge Carnes explain a line judge’s decision to two writers. “The writers were struggling to understand the judge’s decision because they believed the law did not support her conclusion. Judge Carnes sat down and carefully explained the caveat of the law,” she said. “I was so impressed by his ability to teach and explain the law. He brings forth a wealth of knowledge that he fluently shares with others so articulately. It was obvious to me that teaching inexperienced writers is important to him. Judge Carnes is a genuine mentor and teacher. He has a true gift.”

Judge Carnes and his wife, Patricia, have been married for 35 years. As his mother instilled in him, Carnes and his wife stressed the importance of a good education to their now adult (and accomplished) children. Son Michael is a lieutenant colonel special operations pilot in the Air Force stationed in New Mexico, daughter Lee Ann is a child neuropsychologist in New Orleans, and daughter Ali is an elementary school teacher in Florida.

When asked how he would like to be remembered upon retirement, Judge Carnes stated, “As a fair and honest judge.” He explains that this means being conscientious and knowing the cases better than the attorneys appearing before him. He explained that attorneys may not always agree with his decision, but they know he studied the evidence, applied the law, and rendered a fair decision. ☺