



# Hon. Anita B. Brody

## Judge, U.S. District Court for the Eastern District of Pennsylvania

by Lesley Wolf



*Lesley Wolf is an assistant U.S. attorney for the District of Delaware. Like Judge Brody, she is a graduate of Columbia Law School. Prior to joining the U.S. Attorney's Office in 2007, Wolf worked for national law firms in Boston and Philadelphia. She clerked for Judge Brody from 2001–02. The views expressed are the author's own and not those of the Department of Justice.*

**A**ny lawyer who has ever been in the chambers of Judge Anita B. Brody of the U.S. District Court for the Eastern District of Pennsylvania will tell you there's something unusual about the experience. Rather than stark walls or high-class artwork, the hallway leading to chambers is adorned with photographs. Not photographs of nature or of Philadelphia's stately historic sites, but portraits of Judge Brody and her law clerks—one for each year she's been on the federal bench, 23 in total. Entering her office, which doubles as her conference room, attorneys are greeted with more of the same. Learned treatises line the bookshelves alongside wedding photos of former clerks and more than a few pictures of their children and Judge Brody's own family. Seated behind the desk, litigants find not only the judge herself but also one of her current law clerks, pen in hand, ready to assist the judge and learn from watching the lawyers who practice before her.

A widely respected jurist who in recent years garnered national attention as the federal judge overseeing the National Football League's billion-dollar concussion settlement, Judge Brody thinks one of her most important and enjoyable roles is as a mentor to her law clerks. "Getting to work with my law clerks is one of the most exciting parts of my job, because I have, over the years, had such wonderful clerks," Judge Brody says. "As I've often told many of them, 'Someday I am going to grow up and be as smart as you are.' They are exceptional lawyers and human beings."

Such words constitute high praise from a trailblazer like Judge Brody. Born in Brooklyn in 1935, Anita Blumstein Brody almost did not become a lawyer. With her graduation from Wellesley College on the horizon, Brody had not achieved what many of her classmates in the graduating class of 1955 regarded as the sole hallmark of success: finding a husband. As she considered her future options, she focused on her strong math and people skills and called Harvard Business School to pitch her admission and request an application. Harvard Business School, however, did not allow women to apply until seven years later. The business world's loss would prove to be the legal community's



gain, as Brody opted to return to New York City and begin her studies at Columbia Law School. Starting in a class with approximately 15 women, Brody for the first time encountered the sexism that many women faced as they embarked on their professional careers. "It never occurred to me before law school that there were people who believed that a woman couldn't do the same job as a man," says Judge Brody.

Her father, David Blumstein, taught math and also ran a summer camp in the Pocono Mountains. Judge Brody says he is the single most important influence in her life. He spoke to her often about how to succeed in life, providing the same guidance to her as to her brother, James, now a professor at Vanderbilt Law School. The confidence he instilled in her, as well as the lessons she learned at Wellesley, inspired Brody to defy the naysayers and graduate along with a handful of other women as a member of Columbia Law School's Class of 1958.

Immediately out of law school, Judge Brody began her career as a deputy assistant state attorney general in New York, but she stayed only briefly before getting married and relocating to the Philadelphia area, where her husband taught at the Medical College of Pennsylvania. Brody took nine years off from her practice

to raise her three children, something she describes as a “luxury” that is no longer afforded to young attorneys today.

When her youngest child started school in 1973, Brody returned to work, joining a small group of attorneys in private practice in Montgomery County, just outside of Philadelphia. Then, in 1981, Gov. Richard Thornburgh appointed Brody to a vacancy on the Court of Common Pleas in Montgomery County, making her the first woman to serve on that court. The voters later confirmed her appointment. She earned the respect of her peers in the position, doing a job she loved. In 1988, she lost her bid for a seat on the Pennsylvania Supreme Court. Undeterred, Judge Brody began looking toward an appointment to the federal bench. President George H.W. Bush nominated her in November 1991, and Judge Brody was one of a handful of federal judges confirmed in the final days of a Senate session, just before a presidential election, on Sept. 29, 1992. A few weeks later, on Oct. 20, 1992, she was sworn in as the newest member of the U.S. District Court for the Eastern District of Pennsylvania.

In May 2015 Judge Brody celebrated her 80th birthday. When looking for a special way to commemorate the occasion, her current law clerks found inspiration in the photographs they walked past daily. A plan was hatched, an email went out to all former law clerks, and clerks’ family pictures were collected and loaded onto a digital frame. As much as she delighted in the pictures, Judge Brody was even more delighted by the accompanying notes and birthday wishes, as she reveled in the professional and personal accomplishments of her clerks. And they are noteworthy, not only for the level of achievement, but also for the breadth of paths her former law clerks have chosen. Her former clerks are scattered across the country. Their ranks include several law school professors, two former Supreme Court clerks, prosecutors, public defenders, partners and associates at law firms, and in-house attorneys at prominent corporations and nonprofit organizations.

That there is no typical mold or path to success comes as no surprise to those who have been fortunate enough to spend time with Judge Brody. She treats her law clerks as individuals, each with distinct talents, goals, and needs. That does not mean that Judge Brody neglects the fundamentals; former law clerks expressed strong gratitude for the time and energy Judge Brody spent helping them to develop their legal writing skills.

Maya Sosnov, a permanent law clerk, says that Judge Brody is uncommonly committed to making her clerks into great writers, recognizing the importance of writing skills on the other side of a clerkship. Her personal attention—she does not issue memos to her law clerks but sits down for face-to-face discussions about the substance and style—enhances the quality of both the writing and the clerkship experience.

“Judge Brody was the one who taught me to write. She taught me to say things plainly and clearly,” says Monica Eav Glickman, who clerked for Judge Brody from

2005–06. “She always had an uncanny ability to slice to the heart of a matter quickly, no matter how hard either party tried to cloud the issues.” Glickman has passed along the lessons she learned from Judge Brody. “I supervised law school interns in my next position and found myself to be a merciless editor,” she says, “but my interns thanked me for it, saying they’d learned more interning for me than in any legal writing class. They should really thank Judge Brody.”

Judge Brody does not hesitate to solicit the opinion not only of the law clerk assigned to a particular case but also of the other law clerks as well. Her genuine interest in the opinions of her law clerks was “huge to someone right out of law school,” says Bo Ebby (1994–95). Ebby recalls frequent “roundtable” discussions where he and his two co-clerks would discuss and debate legal arguments with the judge, as well as play whiffle ball in the chambers library, where Ebby coached Judge Brody on the fundamentals of hitting in preparation for the annual judges-law clerks softball game.

Judge Brody prepares her law clerks for the demands of legal practice. “Judge Brody gave me a lot of confidence to start my career,” says John Master (1996–97). “While she was always there with a guiding hand, she also relied heavily upon, and seemed to appreciate, my work and judgment. When I then got to a big law firm and dealt with partners and other more experienced lawyers, I had the confidence to stand up to (or with) them.”

Judge Brody cares about her law clerks’ personal goals as well as their professional development. “Judge Brody took a strong interest in my professional and personal success from the very first day of my clerkship,” says Amy Sennett (2013–14), noting Judge Brody’s own close relationships with her children and grandchildren. “She helped me navigate a challenging search for my next role after my clerkship, counseling me on where she thought I would find the greatest professional and personal happiness.” Judge Brody told her to go back to Boston with her now fiancé. “She obviously gave the right advice,” says Sennett.

“Judge Brody puts tremendous energy into mentoring her law clerks, not only professionally but as human beings,” says Leonard Braman (2005–06). “She wills them to succeed in every endeavor, and she takes a visceral joy in watching them flourish.”

“Judge Brody cares about each of us,” says Shalini Ray (2006–07), “not only in our professional success, but

**Maya Sosnov, a permanent law clerk, says that Judge Brody is uncommonly committed to making her clerks into great writers, recognizing the importance of writing skills on the other side of a clerkship. Her personal attention—she does not issue memos to her law clerks but sits down for face-to-face discussions about the substance and style—enhances the quality of both the writing and the clerkship experience.**

# Judicial Profile Writers Wanted



*The Federal Lawyer* is looking to recruit current law clerks, former law clerks, and other attorneys who would be interested in writing a judicial profile of a federal judicial officer in your jurisdiction. A judicial profile is approximately 1,500 to 2,000 words and is usually accompanied by a formal portrait and, when possible, personal photographs of the judge. Judicial profiles do not follow a standard formula, but each profile usually addresses personal topics such as the judge's reasons for becoming a lawyer, his or her commitment to justice, how he or she has mentored lawyers and law clerks, etc. If you are interested in writing a judicial profile, we would like to hear from you. Please send an email to Sarah Perlman, managing editor, at [tfl@fedbar.org](mailto:tfl@fedbar.org).

our personal fulfillment." Ray watched Judge Brody deftly handle contentious disputes between parties and balance a demanding work schedule with deep personal commitments to her children, grandchildren, and friends.

Judge Brody's former law clerks are awed by her devotion and approachability. "I had heard about the hallway lined with photos from others at Yale Law School, but I was still moved to see them in person," says Caroline Edsall (2010–11). "I was deeply struck by how much she genuinely cared about her clerks on a personal level and how she became so invested in our lives, our happiness, and our dreams of all kinds. She has the ability to and the devotion to help law clerks to become the best version of themselves in every aspect of life. I am so grateful to her for shaping me into a better lawyer and a better human being."

Many of her former law clerks are now mentoring and advising younger attorneys themselves. They try to emulate the nearly impossibly high example set by Judge Brody. "At the time I clerked for Judge Brody, I had not yet supervised another person or even truly served as a mentor," says Deirdre von Dornum (1997–98), who recently completed her tenure as the assistant dean for public service at the New York University (NYU) Law School and is now at the helm of the Federal Defenders in the Eastern District of New York. "I had only been a mentee," von Dornum says, adding that she "learned from the master" how to engage deeply, to convey deep affection without condescension, and to bring out the best in her clerks, both personally and professionally. "She is a true mentor," says von Dornum. "She engages."

Von Dornum pressed her students at NYU and her interns at Federal Defenders with equal caring rigor so that they too could learn, as she did from Judge Brody, to operate with high self-regard. Von Dornum also echoes her fellow clerks' appreciation of the judge's personal interest in their lives. When von Dornum took an appellate clerkship with limited time off, Judge Brody made sure von Dornum had good reasons to sacrifice work-life balance for the short term. Von Dornum has valued Judge Brody's continued advice for more than 17 years, as she has managed a career, marriage, and children.

Though she has taken senior status, Judge Brody continues to handle complex cases and has no interest in retiring; she continues to enjoy what she does too much to leave it behind. Working with her law clerks remains at the heart of her enthusiasm for her job, so much so that one of her grandchildren recently joked that she prefers her law clerks to her children because she actually gets to hand-pick her law clerks. While anyone who has seen Judge Brody beam with pride while talking about her children and grandchildren knows that isn't the case, her love of her role as mentor to her law clerks is not far behind her passion and commitment to her family. As for why she places so much value on these relationships, Judge Brody says, "Some people are always looking above them to determine what their legacy will be, but it's really much more important to look toward the next generation of lawyers." Those who have had the privilege to serve as one of Judge Brody's law clerks couldn't agree more. ☺