

Judicial Profile

CHRISTOPHER P. SULLIVAN AND LAUREN N. TRAN

Hon. Denise J. Casper U.S. District Judge for the District of Massachusetts

JUDGE DENISE JEFFERSON CASPER is the first African-American woman to serve as a district court judge in Massachusetts' 223-year history. She continues the legacy of her predecessors, Judge Reginald C. Lindsay and Judge David S. Nelson, who both broke barriers to serve the country as federal judges.¹ With the joint recommendation of both U.S. senators, President Obama nominated Judge Casper to fill Judge Lindsay's vacated seat on April 28, 2010. The Senate confirmed her appointment on Dec. 17, 2010, and she received her commission on Dec. 20, 2010.

During her official swearing-in ceremony, Chief Judge Mark L. Wolf noted that Judge Casper was one of the few nominees confirmed before Congress recessed in December 2010. Despite the politically charged climate in Massachusetts, Judge Casper received overwhelming support from both Sen. John Kerry, a Democrat, and Sen. Scott Brown, a Republican, as both were immensely impressed by her credentials. At her swearing-in, Sen. Kerry highlighted his respect and appreciation for Judge Casper, noting that he could not "think of anybody more deserving or more prepared to follow the great tradition of our legal system and to add to it intellectually and spiritually in her values and her approach than Denise Casper."

Originally from Medford, N.Y., Judge Casper received her undergraduate degree from Wesleyan University in Middletown, Conn., in 1990. She received her law degree from Harvard Law School in 1994. That same year, she began her professional career as a law clerk for Hon. Edith W. Fine and Hon. J. Harold Flannery of the Massachusetts Appeals Court. After clerking, Judge Casper joined Bingham McCutchen's civil litigation practice. In 1999, Judge Casper left private practice to become a federal prosecutor serving as assistant U.S. attorney in Boston. In 2007, she became the deputy district attorney for the Middlesex District Attorney's Office



in Cambridge, Mass., until her confirmation as a federal judge in 2010. Judge Casper has also taught legal writing at Boston University School of Law.

Throughout her distinguished career path, Judge Casper has been known to be a great leader who inspires the dedication, loyalty, and commitment of those who have the opportunity to meet and work with her. Similar to her mentor and predecessor Judge Reginald C. Lindsay, Judge Casper is also soft-spoken but firm. While she has a calm exterior and easy laugh, Judge Casper is serious and tough when necessary. Her critical analysis and uncompromising integrity have allowed her to protect and serve the most vulnerable victims in the legal system. Her honesty, compassion, and patience have allowed her to foster numerous long-lasting personal and professional relationships.

It is no surprise that so many people from her past attended her swearing-in ceremony to celebrate her appointment. Both personal and professional peers—including Sens. Kerry and Brown, Middlesex District Attorney Gerry Leone, law firm partners Julia

Frost-Davies and Damian Wilmot—spoke of Judge Casper's high character, intellectual ability, impeccable integrity, temperament, and fair judgment. According to her close friend, Rachel Hershfang, a trial attorney at the Securities and Exchange Commission and former clerk to the late Judge Lindsay, Judge Casper is "privately as she appears publicly: [i]ntelligent, thoughtful, meticulous in her preparation, and dedicated to doing justice." Additionally, District Attorney Leone remarked on Judge Casper's ability to add the "human touch" to her leadership approach, be it professionally or personally. Regardless of whether she is managing an office, working with community groups, or raising her family, Judge Casper applies the same team building approach. Her ability to focus on the human element at the core of every individual has allowed her to arrive at fair and impartial resolutions.

At the judge's swearing-in, Sen. Kerry recalled her confirmation hearing before the Senate Judiciary Committee in December 2010, and noted that not only the judge's immediate family had attended the hearing, but also aunts, uncles, former colleagues, and even some of her sorority sisters. These people fondly participated in Judge Casper's moment, because she values each and every person who becomes a part of her life. Indeed, Judge Casper was quick to give her staff special recognition in her speech. Her appreciation and dedication to all the people in her life is happily reciprocated by those people with the pleasure of being part of her life.

In addition to all the responsibilities that her job demands, Judge Casper is also very much dedicated to her family. She is an exceptional mother to her twin sons and a loving wife to Marc N. Casper, who currently serves as president and chief executive officer of Thermo Fisher Scientific. Judge Casper proudly credited her husband of almost 18 years for supporting her through all of her professional achievements and for encouraging her to take on her current role.

Anyone who attended Judge Casper's swearing in last February would have noted the empowering presence of her immediate and extended family, including the presence of her mother. During her speech, Judge Casper spoke of her late father and her paternal grandfather, noting that both would have been very proud to see her accomplishments.

Even though the first anniversary of the judge's appointment was not too long ago, Judge Casper has already made some changes in the court. For instance, she issued a Standing Order that urged the bar to allow younger, less-experienced lawyers greater participation in hearings and trials. Judge Casper understands the benefits that young lawyers can gain from practical trial experience in the courtroom. One pointer Judge Casper gives to young lawyers who might be appearing before her—narrow the dispute's scope before filing motions.

Reflecting on her experience gained during her freshman year on the bench at a Federal Bar Association event last fall, Judge Casper noted that the support and good humor of her judicial colleagues have certainly helped her transition from the bar to the bench. Moreover, she has been able to balance out her role as a judge with her past role as an attorney by engaging in other civic activities such as speaking to teachers about teaching the judicial system to their students, and working with high school and college students in the court's Nelson Fellows and Lindsay Fellows Programs. Judge Casper has pointed out that she approaches her role on the bench with the same underlying principle that she did while she was on the bar—increase the public's knowledge of the judicial system and advance the dialogue between bar and bench.

Judge Reginald C. Lindsay has left behind some very large shoes for Judge Casper to fill and yet, Judge Casper, despite being new to the bench, has shown that she is up for the challenge. **TFL**

Christopher P. Sullivan is a partner in the Boston office of Robins, Kaplan, Miller & Ciresi L.L.P., where he specializes in civil jury trials of complex litigation matters. Lauren Tran is a second-year law student at Boston College and was a summer associate at Robins, Kaplan, Miller & Ciresi L.L.P.'s Boston office.

Endnote

¹In 1979, Judge Nelson became the first African-American District Court Judge to serve the District of Massachusetts through an appointment by President Jimmy Carter. Judge Nelson honorably served as judge until 1995. In 1993, President Bill Clinton appointed Judge Lindsay to the federal bench in Massachusetts. Known to be soft-spoken but firm, the late Judge Lindsay served both the court and the public with great distinction. He grew up in segregated Birmingham, Ala., before the civil rights movement to become the second African-American district court judge in Massachusetts. He also overcame many personal and professional obstacles, including an illness that left him unable to walk since 1983. Despite this disability, Judge Lindsay was known for his humor, kindness, brilliance, and courage until his passing away in 2009.