



## Judicial Profile

by Veronique Urban

# Hon. Carla E. Craig Chief Judge, U.S. Bankruptcy Court for the Eastern District of New York

**I**t is easy to see why the Hon. Carla E. Craig was recently reappointed to a second term on the U.S. Bankruptcy Court for the Eastern District of New York. With her approachable demeanor, inquisitive nature, and obvious passion for the law, she embodies all of the characteristics of an ideal bankruptcy judge.

Judge Craig grew up in Pittsburgh and attended Williams College, a small, liberal arts school located in northwestern Massachusetts, after falling in love with the beauty of the campus. She graduated in 1976 with a B.A. in English and started law school that fall at the University of Michigan. Judge Craig went to law school under the assumption that it would offer her an opportunity to continue a course of study similar to the English and philosophy classes that she had so enjoyed at Williams. Although that assumption turned out to be “completely incorrect,” she found the study of law, though very different than literature and philosophy, to be equally compelling. While at law school, she also fell in love—with a fellow student, Stuart Freedman, to whom she has now been married for more than 30 years and who is a partner at Schulte, Roth & Zabel LLP.

After graduating from law school, Judge Craig joined the firm of Milbank, Tweed, Hadley & McCloy LLP in 1980 as an associate. Initially unsure about the type of law that she wanted to practice, Judge Craig joined the litigation department after participating in a rotation system that exposed her to the firm’s various practice areas. As Milbank’s bankruptcy practice grew increasingly active, however, Judge Craig soon requested to switch departments. “It was an interesting and dynamic time in the bankruptcy world,” she vividly recalls. “The Bankruptcy Reform Act of 1978 had recently taken effect, and practitioners were still feeling their way around in terms of the new laws

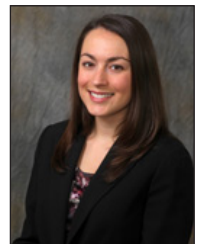


and procedures that had been put in place—the law had been completely revamped. It was an exciting time to get involved [in bankruptcy law].”

Although Judge Craig had not taken any bankruptcy courses in law school, she was able to ramp up quickly by learning the basics from the co-heads of Milbank’s

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bankruptcy practice at the time, John J. Jerome (now of counsel at Sullivan & Cromwell LLP) and Barry G. Radick (now a senior advisor at GMA Forensics LLC). “John and Barry were two important mentors to me. They were very supportive. ... It was a great bankruptcy group, and we had a great team.” The concept of mentorship is an important one to Judge Craig, who believes that the legal profession as a whole could benefit from some kind of formal or informal mentoring program. The development of such a program would help provide an avenue for lawyers new to bankruptcy practice to seek guidance and advice from more seasoned attorneys.

In 1983, Judge Craig left Milbank to join Hertzog, Calamari & Gleason (now Winston & Strawn LLP), a small general practice firm. Her interview was conducted by none other than Loretta A. Preska, then a partner at the firm and now the chief judge of the U.S. District Court for the Southern District of New York. Judge Craig practiced in the litigation department at Hertzog and also did bankruptcy work as needed. During the economic downturn of the late 1980s and early 1990s, she began to spend an increasing amount of time representing clients, such as the Federal Home Loan Mortgage Corporation (better known as Freddie Mac), in New York’s bankruptcy courts. Being in court so frequently did more than sharpen Judge Craig’s litigation skills—it also sparked a desire to become a judge herself. “I thought to myself ‘That looks like a great job. I would love that job.’”

Upon Hertzog’s dissolution in 1998, Judge Craig joined the firm of Brown Raysman Millstein Felder & Steiner LLP (now-dissolved Thelen LLP) as the head of its bankruptcy group. During her time there she often worked with firm founders Jeffrey Steiner and Barry Felder—“two great lawyers” she notes. The possibility of judicial service, however, continued to interest her, and, when Judge Marvin A. Holland announced his retirement in 1999, Judge Craig applied for the open position. In doing so, she reached out to her friends and family, colleagues, and adversaries for support, recommendations, and advice. It is in this same vein that Judge Craig offers guidance to young practitioners: “Don’t be afraid to ask for help in your career. If you have a goal you want to achieve, whether it be working for a certain kind of law firm, starting your own firm, becoming a judge, or becoming a law professor, think about who you know that could help you with that.”

Judge Craig was sworn in on February 28, 2000. One of the biggest changes she faced coming from private practice was the sheer number of cases that she now had to handle as a judge. Rather than being familiar with the intimate details of a few cases, she now had to rely on the facts being presented to her for a large amount of cases. “I like the dynamic of being a judge because I find it so interesting and stimulating to go from case to case,” she says. “Each case is a story so it’s always intriguing.” Almost seven years later to the day, on March 1, 2007, Judge Craig was elevated to the position of chief judge when close friend and then-Chief Judge Melanie Cyganowski (now at Otterbourg P.C.) retired from the bench.

Since ascending to her current position, Judge Craig

has worked hard to realize her vision for the bankruptcy court. “I want our court to be a court of choice,” she says. “If someone has a choice of different jurisdictions in which to file, I want that person to know that if they choose to file here that they will get prompt attention from a sophisticated judge who is sensitive to the dynamics of the case, whether that case be a consumer or business case.” To achieve that goal, Judge Craig has led the bankruptcy court to implement and develop various programs aimed at making the bankruptcy process transparent and easy to navigate.

On the consumer side, for example, the Bankruptcy Court for the Eastern District of New York is committed to providing *pro se* filers with access to information about the bankruptcy process and local court procedures. Assistance may be obtained from the court’s full-time *pro se* law clerk, who is tasked with educating filers about filing requirements and answering administrative and procedural questions relating to the bankruptcy process. The court also recently revamped its website to provide basic bankruptcy information and checklists for individuals who file documents without the assistance of counsel. This *pro se* program, which was originally started under then-Chief Judge Cyganowski, continues to flourish under the leadership of Judge Craig.

Judge Craig has also taken steps to make the court more user friendly for Chapter 11 practitioners.

Over the course of the past few years, for example, she has worked with bench-bar groups to revamp the court’s procedures and to develop guidelines on a wide range of topics, such as bar date orders, first day motions, financing motions, and § 363 sales, all of which are available on the court’s website. All courtrooms and attorney lounges now offer free wireless internet access, and attorneys participating in hearings have access to video conferencing. Judge Craig also meets regularly with bar groups and individual constituents to identify ways to make the bankruptcy process an even smoother one for those involved.

In addition to her administrative actions as the chief judge, Judge Craig maintains a busy docket of cases. She has presided over countless consumer cases and Chapter 11 cases, including large “mega” cases such as the bankruptcy cases of Global Aviation Holdings, Ltd., and Interfaith Medical Center, Inc. Despite her busy schedule within the walls of the bankruptcy court, Judge Craig is also active in the legal community. She belongs to the New York City Bar Bankruptcy and Corporation Reorganization Committee and frequently serves as a panelist and lecturer for CLE programs. She is also involved with the Conrad B. Duberstein Bankruptcy Moot Court Competition, which is

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**—Chief Judge Craig**

hosted annually by St. John's University.

When not in the courtroom, Judge Craig enjoys reading, cooking, traveling, and "tooling around in Brooklyn" on her bicycle. She also spends time with her husband and two children, both of whom are now in college. While Judge Craig acknowledges that being a working mother can certainly be challenging, the endeavor is unquestionably worthwhile. She adds: "There's no one answer for how you balance work and family life. Different people come up with

different solutions, and there's no one way to do it—what works at one point may not necessarily work in other phases of your family's development."

It is this balanced, open-minded outlook that once again reinforces Judge Craig's positively perfect fit as chief judge of the Eastern District of New York's Bankruptcy Court. We wish her much continued success as she begins her new term. ☺