

# Hon. Joan Humphrey Lefkow

## Senior Judge, U.S. District Court for the Northern District of Illinois

by Jordan Paige Vick



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**H**on. Joan Humphrey Lefkow recently commented to her brother, “It’s remarkable that a kid from rural Kansas could become a federal judge in Chicago.” “No, it’s not remarkable,” he replied, “It’s *a miracle*.” Judge Lefkow could not stop laughing. Gracious, thoughtful, exceedingly kind and, above all, Judge Lefkow speaks about her many accomplishments as if they were serendipitous. But anyone who knows her, knows that she is a trailblazer and her life story is one of quiet courage, hard work, and unwavering public service.

Born Joan Marilyn Humphrey in Woodlawn, Kan., a small farming community in rural Nemaha County, Judge Lefkow describes her hometown as having withered before she was born. The post office opened in 1881 and closed in 1906. Her mother, Donna Grace Glenn, was born in Woodlawn in 1915 and came of age at the onset of the Great Depression. She was a self-taught poet who never attended high school and married Judge Lefkow’s father, Otis “Jake” Humphrey, at age 18. For Judge Lefkow’s mother, education was “one of many dreams denied,” a sentiment that is echoed in the words inscribed at the back of her posthumously published book of poems.

When Judge Lefkow was born, Woodlawn had just two churches and a one-room schoolhouse, which was in session only eight months a year. Judge Lefkow believes she may never have left Kansas had it not been for a new pastor who came to the family’s church when she was in high school. The pastor had attended Wheaton College and, although Judge Lefkow had never been outside of Nemaha County, he encouraged her to apply. She followed his advice and was later admitted to Wheaton College in 1961. When she left for college, it was also the first time she ever left Kansas. Reflecting on that time, Judge Lefkow recalls, “I was scared. I thought I would come back, but I never did.”

To most, Wheaton College is known as a small liberal arts school in a quiet, conservative suburb of Chicago. In the early ’60s, students were expected to attend church and were required to attend chapel services at the college. Neither movies nor dancing were allowed. But for Judge Lefkow, it was a trans-



formative experience. She took classes with inspiring professors, developed an interest in the social sciences, and one day in the reading room of the college’s library, she met Michael Francis Lefkow, whom she would later marry.

Michael was a law student at Northwestern University, but lived in Wheaton and used the college’s library to study. One day, he and Judge Lefkow were the only two left in the library after the doors were closed for chapel services. They began talking and soon discovered that both were writing papers on Indonesia. All of the books Michael was looking for were checked out to the judge. They stayed in touch while she finished college and he completed law school. After she scored high in law on an aptitude test, it was Michael who encouraged her to apply to law school, telling her that she would make a fine lawyer.

Judge Lefkow was one of about 20 women at Northwestern Law School when she began in 1968. (She suspects she was only accepted because it was a big year for the military draft and the school lost male students.) Though she was only “a babe in the woods” when she began law school, she slowly became caught up in the spirit of the times. She joined a women’s consciousness-raising group and was on law review.

By graduation, she had secured a coveted clerkship with Hon. Thomas E. Fairchild of the Seventh Circuit Court of Appeals.

“Judge Fairchild modeled empathy and graciousness,” Judge Lefkow observed. “He had a kind and gentle manner which made me understand that one doesn’t have to be tyrannical to be a good judge.”

After she finished her clerkship in 1972, Judge Lefkow joined the Legal Assistance Foundation of Chicago as a staff attorney, representing indigent people who were, as Judge Lefkow puts it, “up against the system.” From there, Judge Lefkow became an administrative law judge with the Illinois Fair Employment Practices Commission, the predecessor to the Illinois Department of Human Rights, which was tasked with investigating and hearing employment discrimination complaints.

In 1975, Judge Lefkow and Michael were married. Their first daughter, Maria, was born in 1977. Helena followed two years later. In 1980, when Michael took a job with the Equal Employment Opportunity Commission in Florida, the family moved across the country. Judge Lefkow began teaching at the University of Miami Law School, but the move was a difficult transition for everyone. With two young children, modest incomes, and their extended family so far away, the young family soon decided to move back to Chicago.

The last week they were in Florida, Michael was taking a walk with Helena when they came across a young woman who was crying. He stopped and asked the woman, whose name was Doris, what was wrong. Doris explained that she had come from Colombia to work for a family in Miami, but that the family had become abusive, was refusing to pay her, and had isolated her from friends and family. He invited her home and before long Michael and Judge Lefkow invited Doris to move to Chicago with them to care for their children. They formed a plan to rescue Doris in the middle of the night and give her safe harbor at their house until they left. It was all very “cloak and dagger,” explained the judge.

A week later, the Lefkows and Doris set off across the country together. Doris stayed with the Lefkows for a year or so, while Judge Lefkow worked as the executive director of the Cook County Legal Assistance Foundation. Doris flourished in Chicago. She became a Spanish teacher, married, had children, and her children went on to attend Ivy League colleges. Doris’ grandchildren refer to Judge Lefkow as grandma and the families continue to see each other often.

In 1982, one of three magistrate judge positions was vacated in the Northern District of Illinois. Judge Lefkow applied to fill the vacancy. At that time, there were only two other women on the district’s bench, one district court judge and one magistrate judge. During the interview, a man asked Judge Lefkow how she could perform the job when she had children. Judge Lefkow matter-of-factly explained that she would have childcare and assured the man that she could perform all of her duties. (After that incident, Hon. Susan Getzendanner,

the only female district court judge, made it a point to ask male candidates the same question.) Despite the skepticism she faced as a working mother, Judge Lefkow was appointed as a U.S. magistrate judge for the Northern District of Illinois.

In 1984 and 1988, Judge Lefkow and Michael had their third and fourth daughters, Laura and Meg. Her law clerks and many of the attorneys working in the courthouse were also having children around that same time. She saw the need for close, affordable childcare and advocated for the opening of a daycare center in the courthouse. The idea was met with some resistance, but she persevered and, in 1989, a daycare center was opened in the Dirksen Federal Building. In 2013, the center was renamed the Judge Joan Humphrey Lefkow Daycare Center in her honor.

Judge Lefkow served as a magistrate judge for 15 years, until 1997, when she was appointed as a bankruptcy judge. In 2000, President Bill Clinton nominated her to serve on the district court. She is one of only two judges to have ever served in all three capacities.

Like her mentor Judge Fairchild, Judge Lefkow is a model of empathy and grace on and off the bench. Hon. Elaine Bucklo described her as “kind, compassionate, generous, and very smart. She will always find whatever good there is in any person. She is also strong, dispassionate, fair, and thoughtful. She is quiet and unassuming, but she cannot be intimidated. If one were going to create a profile of the perfect judge, it would be Judge Lefkow.” Similarly, Judge Joan Gottschall observed:

What has always impressed me about Joan is her unusual combination of quiet, serenity, humility, and strength. She is often overlooked, I think, because she doesn’t push herself into the limelight, but when it falls to her to make a contribution, what emerges is amazing clarity of thought and strength. I don’t know if she gets this from her Kansas roots or from her undergraduate education at Wheaton College or both, but for most of us, we struggle to be servants, always afraid that we won’t get enough attention and will somehow be losers. I don’t think she thinks like that. She never pushes herself ahead of anyone and never pushes herself to the front of the line. Nevertheless, everyone who knows her knows that she thinks like a laser beam and is strong as nails.

Judge Lefkow’s grace, empathy, and strength are most visible during the difficult task of sentencing, which she approaches with a deep sense of contemplativeness. “You are confronted with someone who is broken, but you have to apply the law regardless,” Judge Lefkow explains, and “the law is a blunt instrument.” This is why she goes to great lengths to acknowledge each defendant as a human being, replete with strengths and weaknesses, and to give them some sense of hope before being imprisoned. “Every single person she sentenced, she could

see herself in their shoes. She wasn't just thinking about the legal arguments, she was thinking about what they mean to the people who were being affected by them," stated one of her former law clerks, Michelle Olson.

Given her exemplary judicial temperament, it was the cruelest twist of fate that Judge Lefkow became the subject of two senseless assassination attempts. First, by a white supremacist in 2003 and second, on Feb. 28, 2005, by a disgruntled litigant whose case she had dismissed for lack of subject matter jurisdiction. It was during this second assassination attempt that Judge Lefkow's mother, Donna, and husband, Michael, were shot and killed in the Lefkow home.

Through 30 years of marriage, Michael had steadfastly remained Judge Lefkow's biggest fan. He would often visit her courtroom to observe proceedings, eat lunch with her in chambers, and pick her up at night. "He believed in me and was confident in me," said Judge Lefkow. She went on to explain that "Michael had a very strong, unbending moral compass. He was very principled. In a way, I found my voice from his."

After the murders, Judge Lefkow and her family were besieged by the media. She did not want to become a celebrity, but knew that she could do something to bring greater awareness to the threats against the judiciary. On May 18, 2005, Judge Lefkow testified before Congress to raise awareness about threats against judges and to secure more money for the protection of the federal

judiciary. As a result of her advocacy, Congress increased funding for the U.S. Marshals Service, which is tasked with protecting the judiciary. This allowed the Marshals Service to increase the number of marshals and to give all federal judges home security systems. In recognition of her service and advocacy, a conference room at the Marshals Service headquarters was named after Judge Lefkow.

Unintimidated and determined to continue providing for her family, Judge Lefkow returned to the bench with her characteristic grace and empathy. Hon. Ilana Rovner of the Seventh Circuit Court of Appeals recently remarked that when she "thinks of the adversity Judge Lefkow has lived through and how she was able to stay the remarkably kind and honorable person that she is, it is such a testament to the human spirit and her personal courage." As another of her former law clerks, Jason Yonan, discerned, she continues to be "a terrific judge, but an even better human being."

Judge Lefkow assumed senior status in 2012 and now maintains about half of her previous caseload. Nevertheless, her chambers are still filled with life. If you stop by on any given day, chances are you will see children, grandchildren, and former law clerks with their children visiting with Judge Lefkow and her longtime staff. When asked what the future holds for her, Judge Lefkow replied, "watching my family grow as long as providence allows." ☺

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#### **Washington Watch** *continued from page 11*

ity Administration and the Executive Office of Immigration Review to take appropriate steps to ensure the security of their administrative law judges and immigration judges, and all others who participate in its proceedings.

#### **Veteran Disability Claims Adjudication**

The Federal Bar Association supports legislative and administrative improvements to the veterans disability claims process in the Department of Defense and Department of Veterans Affairs to assure equitable and expeditious determinations.

#### **Attorney Fee-Based Representation of Veterans**

The Federal Bar Association supports proposals to expand the availability of fee-based representation of veterans in the disability claims process and to oppose any efforts to repeal the authority of attorney representation to veterans in the furtherance of such claims.

#### **Frivolous Litigation**

The Federal Bar Association opposes legislative proposals to eliminate judicial discretion in the imposition of sanctions for frivolous litigation, including proposals to revise Rule 11 of the Federal Rules of Civil Procedure by imposing mandatory sanctions and preventing a party from withdrawing challenged pleadings on a voluntary basis within a reasonable time. ☺