

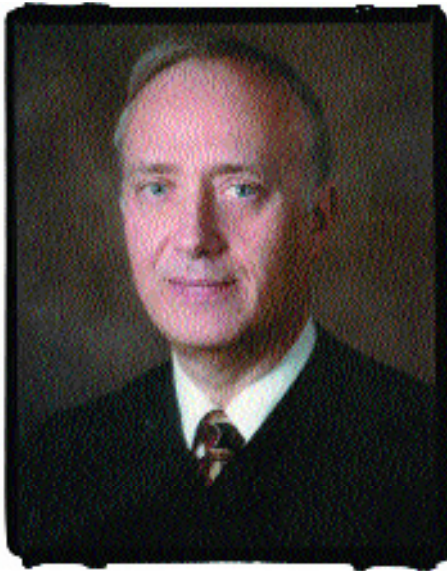
Judicial Profile

JOHNNY W. CARTER

George P. Kazen U.S. District Judge, Southern District of Texas

AFTER 23 YEARS on the bench, Judge George Kazen has settled into a daily routine. He begins every workday by attending Mass at 7 a.m. After the conclusion of Mass, he drives downtown to Laredo's Federal Building, an outdated edifice that has sat for 80 years on Matamoros Street.

Even as early as 8 a.m., it may already be 90 degrees in Laredo, Texas. In Jarvis Plaza, across the street from the Federal Building, the taco vendors are setting up their stands, and the older, retired people are commencing yet another all-day game of dominoes. The morning drug busts have begun on four international bridges and at three checkpoints, and



up and down a 130-mile stretch of the Rio Grande immigrants from Mexico and Central America will attempt a dangerous river crossing into that corner of the United States identified by 28 U.S.C. § 124(b)(3) as the Laredo Division of the U.S. District Court for the Southern District of Texas.

The smuggler and the illegal immigrant cross the river for different reasons, but they face similar perils. Each has to avoid

detection by a veritable army of federal agents deployed over the last two decades in southern Texas to fight twin wars on drug trafficking and illegal immigration. At any given point, hundreds of smugglers and illegal immigrants are caught up in various stages of the federal criminal justice system in Laredo. Undoubtedly, on this very morning, some will be in the federal courthouse on Matamoros Street, awaiting

arraignment, sentencing, or trial.

Now it's 9 a.m. — time for sentencing to begin. Or perhaps this morning, it's a suppression hearing or a trial of a cocaine smuggler. Or maybe there's an occasional hearing or trial in a civil case — a suit against an international freight forwarder for damaged freight or perhaps a class action by migrant farm workers alleging unfair labor practices. At least one certainty faces Judge Kazen on this morning and every other morning — an endless supply of work.

Laredo has markedly changed during Judge Kazen's tenure on the bench. The population has increased by 93 percent, from 94,449 in 1980 to 176,576 in 2000. On the Mexican side of the border, Nuevo Laredo has swelled from a sleepy town to a traffic-choked, polluted metropolis of 650,000 people, many of whom work at dozens of *maquiladoras* (U.S.-owned factories) that sprang up before and after the passage of NAFTA. Sixty percent of the overland import-export business between the United States and Mexico now passes through Laredo in thousands of trucks that clog the streets and highways on both sides of the border. Rapid population growth, rampant social problems, and massive federal law enforcement efforts have geometrically multiplied the workload of the federal court in Laredo, yet the federal government has been slow to provide the resources necessary for the court to keep up with the increased workload.

From 1992 to 1998, the number of criminal defendants charged in the Laredo division nearly tripled — from 385 to 1,117 — as the government poured hundreds of new federal agents into border areas. In those years, as in all previous years since 1979, Judge Kazen was the only U.S. district judge in the Laredo division. Thus, in 1998, he was the only district judge in a division that charged more defendants than did the federal government in each of 30 different states. In 1997, he told *The Washington Post*: "It's like a tidal wave. As soon as I finish 25 cases ... the next 25 are on top of me, and then you've got the sentence reports you did two months before. There is no stop, no break at all; year in and year out, here they come. We've already got more than we can say grace over down here."

Help for Judge Kazen did not arrive until 1999, when a second district judge was appointed for the

Laredo division. Nevertheless, Judge Kazen has continued to juggle a very heavy load of criminal cases, civil cases, and administrative responsibilities. Since 1996, he has been the chief judge of the Southern District of Texas — the fourth busiest judicial district in the nation in terms of total civil and criminal filings. As chief judge, Kazen has administrative responsibilities for a district with 20 district judges, 14 magistrate judges, and six bankruptcy judges serving seven million people. Some judges might simply be overwhelmed by the level of responsibility faced by Judge Kazen. Fortunately for Laredo, Judge Kazen is peculiarly equipped to handle the challenges that face him. In addition to his unusually keen intellect and unparalleled work ethic, Judge Kazen has extraordinarily deep roots in the community he serves.

Laredo is an old place, at least by Texas standards. It was founded in 1755 in an attempt by Spain to protect against French incursions into the far reaches of New Spain. Laredo remained loyal to Spain during the Mexican War for Independence, and even after the Mexican victory the local landowners never fully accepted rule by Mexico's central government. They also never accepted the sovereignty claimed by the Republic of Texas. Finally, in 1846, a Texas Ranger raised the flag of the United States in Laredo. The Rio Grande was established as the boundary between the United States and Mexico, thereby splitting Laredo into two towns, Laredo (north of the border) and Nuevo Laredo (south of the border).

Laredo of the late 19th century was part of the Old West, with cowboys and occasional gun battles, and it was an outpost in the often lawless frontier between the United States and Mexico. It was into this milieu that Abraham Kazen arrived from Lebanon and started a family that would become a dynasty in Laredo's civic affairs.

Abraham Kazen's four sons and one daughter each became a pillar of Laredo society. His youngest son, Abraham (Chick) Kazen Jr., George Kazen's uncle, served in the state Legislature for 20 years and in Congress from 1967 to 1985. He is remembered for, among other things, joining Henry B. Gonzalez in 1957 in a 30-hour filibuster against a series of bills intended to maintain segregation in Texas by circumventing *Brown v. Board of Education*. To this day, this is the longest filibuster in the history of the Texas Legislature.

Chick Kazen's brother, E. James Kazen, shared Chick's passion for public service, serving for 15

years as a district attorney and 20 years as a state district



Judge Kazen with his grandchildren.

judge. George Kazen was born to James Kazen and his wife Drusilla on Feb. 29, 1940.

George Kazen was a child prodigy in one of the most prominent families in town. He was recognized as a boy genius, graduating from high school at the tender age of 15. He then attended the University of Texas at Austin, where he received a degree in business administration with highest honors in 1960. Not long thereafter, he graduated from U.T.'s law school at the age of 21 and achieved the highest score in the state on the bar exam. Immediately after law school, George Kazen served three years as a legal officer in the U.S. Air Force, attaining the rank of captain. During this time, he married the beautiful Barbara Ann Sanders from Albany, Texas.

In 1965, upon concluding his stint in the Air Force, George Kazen could have gone anywhere with his academic credentials. But he chose to return to his hometown, where he soon became one of the most respected and prominent lawyers in town. During the next 14 years, George and Barbara Kazen served in a wide variety of civic organizations in Laredo while building their family of four children. George Kazen handled all manners of cases and handled them well. He represented the famous and infamous, such as 1960s drug guru Timothy



Judge Kazen in chambers.

Leary, charged with possession of marijuana in a case that eventually went all the way to the U.S. Supreme Court. But as a founder and first president of the Laredo Legal Aid Society, he also helped secure representation for the forgotten and downtrodden.

In 1979, President Jimmy Carter appointed George Kazen to serve as the U.S. district judge in Laredo. Judge Kazen was then 39 years old. In his 23 years

of service, Judge Kazen has been an exemplary federal judge. He is a deeply religious man, has respect for all people, and is humble to a fault. Because of his even temperament and fundamental decency, he is gracious and kind to lawyers, litigants, and criminal defendants. Because of his inquisitive mind and superior intellect, he naturally assumes the mien of a judge. Even if he were not vested with a position of authority and the symbolism of a black robe, people

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would turn to him to resolve problems, recognizing that he is truly a wise man.

When you research Judge Kazen's judicial career, you find a few cases that stand out, such as a 1988 decision holding that the Reagan administration could not halt humanitarian aid to Nicaragua and a 1982 ruling that Texas' involuntary commitment statute was unconstitutional. These cases are one measure of Judge Kazen's judicial career. Another measure is the acclaim and respect accorded to him by his fellow judges, as evidenced by his appointment as the chair of the Judicial Conference's

Criminal Law Committee and his longtime service on the Judicial Council of the Fifth Circuit. Perhaps the truest measure of Judge Kazen's career are the thousands and thousands of unknown, unremembered

cases to which Judge Kazen continues to give his careful and full attention. One cannot appreciate how conscientious Judge Kazen is until seeing him accept the 20th guilty plea at the end of a long morning, still taking great care and time to question the defendant in detail to ascertain that the defendant understands the plea and is making it willingly.

And while Judge Kazen is painstakingly interrogating the defendant about the voluntariness of his guilty plea, new work will land on his desk back in chambers: an employment issue in the clerk's office, a call from a fellow judge looking for advice on how to handle a sentencing issue, or an emergency motion to block the deportation of a Chinese citizen. Upon returning to chambers after taking the last plea, Judge Kazen will keep working, handling each issue with grace and care. And at 6:45 p.m., he will emerge from his office, round up the law clerks, and tell them, "We must live to fight another day." The black robe comes off; his trademark cowboy hat goes on, and he heads home.

It is still 98 degrees outside. The domino players and taco vendors in Jarvis Plaza have gone home. A drug mule drives across International Bridge Number 1 in a truck stashed with two tons of marijuana. A Salvadoran laborer begins his fourth attempt at crossing the Rio Grande, wading headlong into the swirling currents south of El Cenizo.

And at 7 the next morning, it all begins again. TFL

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