

Judicial Profile

HON. ANNETTE G. BUTLER

Hon. Benita Y. Pearson U.S. District Judge for the Northern District of Ohio

“A judge plays the key role in dispute resolution. In disputes before the Court, it is the role of a judge to fairly and impartially apply the law to the facts consistent with due deference to the plain meaning of legal text and applicable legal precedent.”

—Hon. Benita Y. Pearson in a written response to Sen. Grassley’s inquiry in connection with Judge Pearson’s confirmation hearing



On Dec. 27, 2010, after having served as a magistrate judge in Akron, Ohio, for two years, Judge Pearson was appointed to serve as the first African-American female Article III judge in the state of Ohio. Judge Pearson was selected for the Youngstown, Ohio, courthouse following the retirement of Judge Peter Economus. Prior to Judge Pearson’s appointment as magistrate judge, she provided eight years of distinguished service as a trial assistant U.S. attorney in the Criminal Division of the Northern District of Ohio U.S.

Attorney’s Office.

As an assistant U.S. attorney, Judge Pearson prosecuted numerous high-profile cases, including, among others, *United States v. Emmanuel Onunwor* (criminal prosecution for accepting bribes, kickbacks, and secret payoffs during the defendant’s tenure as mayor of East Cleveland); *United States v. Nate Gray* (prosecution of several public officials, including the chief of staff and the director of building services for the city of Houston for their roles in a contract steering scheme); *United States v. Terrence Gasper* (prosecution of the chief financial officer of the Ohio Bureau of Workers’ Compensation for taking bribes); and *United States v. Mark Lay* (prosecu-

tion of an investment adviser whose fraud caused the loss of more than \$200 million held in trust for injured Ohio workers). Steven Dettelbach, a former assistant U.S. attorney and current U.S. attorney, was Judge Pearson’s co-counsel in the *Onunwor* case and has nothing but praise for Judge Pearson:

Benita Pearson never does anything halfway. I can say that as her former trial partner, but it is not simply limited to the courtroom. I vividly remember Benita when we were investigating and prosecuting one of the largest municipal corruption cases in the country. I would take a day off to sleep or relax every so often, but not Benita Pearson. When she took a day or week-end off, it was, much to my horror, to enter some sort of extreme endurance race. Not just marathons, but those races that are 50-plus miles. Talk about making your trial buddy feel like a slug! You always knew when you went into court with Benita Pearson that she would bring the same talent, the same determination and the same quest for excellence to that endeavor as well. Working with her remains one of the highlights of my entire career.

Prior to her tenure as an assistant U.S. attorney, Judge Pearson served as a law clerk for the late John M. Manos, U.S. district judge for the Northern District of Ohio. She also spent several years in one of the nation’s premier major law firms, Jones Day, Reavis and Pogue. She graduated from the Cleveland-Marshall College of Law at Cleveland State University following a successful career as a certified public accountant; and she remains certified to this day. When asked why she chose law when she had an exciting career with British Petroleum, she remarks, “Accounting was always only a vessel to transport me to the law. I needed money to attend law school and to live.” This alone is testimony to the uniqueness of this judge.

After graduating from Georgetown University, Judge Pearson worked in the accounting field. She was offered jobs with every accounting firm to which she applied, but she chose British Petroleum, because she wanted to return to Cleveland—her home, her family, and the site of her high school alma mater, Hathaway Brown High School. For

many years, she has remained loyal to and involved with Hathaway Brown and frequently contributes her time and energy to the school. In addition, she has taught courses in animal law and advanced brief writing as an adjunct professor at her law school alma mater, Cleveland-Marshall. She has also found time to serve on the boards of trustees of the Cleveland Metropolitan Bar Association and the Eliza Bryant Village, a senior citizens' housing center in Cleveland.

Judge Pearson is an outdoor enthusiast and a devoted long-distance runner. Her passion for running is legendary; during lunch hours, she often runs through the streets of whatever city she finds herself in. For her serious running marathons, she enlists her sister, Renee Dancie, to serve as sideline support. Dancie notes that Judge Pearson is always nervous before a race and sometimes finishes with a vow to never participate again. That vow lasts only until the next race is scheduled. Dancie admires her sister for her persistence and dedication to whatever task to which she commits herself.

Judge Pearson, who is the third of six siblings, also loves to cook and was often the one in her family to put together a meal. Dancie confessed that she would often burn the dinner in order to induce Judge Pearson to do the cooking. Because Judge Pearson has been a vegan since college, her mother, Kay Spates, found herself creating recipes to accommodate her daughter's culinary requirements. For example, when baking Judge Pearson's birthday cakes, Mrs. Spates substitutes baking powder, baking soda, vinegar and olive oil for the traditional butter and eggs most recipes call for. When asked about Benita as a young girl, Mrs. Spates admits that Judge Pearson was smart like all her children were but was just more focused. Dancie agrees with that characterization of her sister and adds that Judge Pearson is also known for her humility. She is quick



Judge Pearson with some of her colleagues volunteering at Hathaway Brown High School—(l to r) Bill Christ, Patricia Gaughan, Benita Pearson, Marilyn Shea-Stonum, Alice Batchelder, Joe Vogel, Geri Smith, and Dennis Terez.

to roll up her sleeves and get to work. "She stays grounded," her sister says. Those of us who know Judge Pearson well can certainly attest to that.

Not only is she an avowed strict vegan, but Judge Pearson also extends her passion and devotion to the value of animals and every living thing. As Judge Pearson's e-mail signature endnote reminds us, it was Mahatma Gandhi who said, "The greatness of a nation and its moral progress can be judged by the way it treats its animals." What better philosophy could jurisprudence require? **TFL**

Hon. Annette Butler is a common pleas judge in Cuyaboga County, Ohio, and past president of the FBA's Northern District of Ohio Chapter. © 2012 Hon. Annette G. Butler. All rights reserved.