



Hon. Brenda T. Rhoades

Chief U.S. Bankruptcy Judge, Eastern District of Texas

Chief Judge Brenda T. Rhoades did not dream of presiding over the U.S. Bankruptcy Court for the Eastern District of Texas or practicing at prestigious Dallas law firms when she moved from South Korea to Anchorage, Alaska. But, from an early age, she learned the value of individual rights and developed an empathetic personality that would make her the advocate and protector of the U.S. Constitution that she is today. Chief Judge Rhoades was born in Seoul to a Korean woman and American man serving in the U.S. Army. After she moved with her mother and sister to Alaska, Chief Judge Rhoades developed a reverence for civics and formed a belief that lawyers are “champions of the people” as she helped her mother study for her naturalization test. These events have guided Chief Judge Rhoades to develop an effective and personal approach to the practice and administration of law.

Chief Judge Rhoades has aimed to preserve justice and represent the legal profession, first, by zealously representing her clients in bankruptcy and corporate finance matters and, now, by spreading her love of knowledge for the law as chief judge of the bankruptcy court. On the bench, Chief Judge Rhoades cherishes the opportunity to look beyond the perspectives of each party in a dispute. Although she misses playing the role of the advocate, the empathy that made her such a respected attorney has been an extremely useful tool in the courtroom.

Chief Judge Rhoades first came to Texas when she enrolled as a junior at Texas A&M University. She describes this initial exposure to Texas as “a complete culture shock at the time”; however, she quickly assimilated to the new culture and embraced it as her own. “The country music and overall ‘Ag’¹ culture was quite different from anything I had ever experienced,” says Chief Judge Rhoades. “Even though [Texas] A&M was much different than what I was used to, once I figured everything out, I fit right into the community,” she remembers. Attending “yell”² practice and the football games helped her settle into her new life in College Station, Texas, but it was the university’s Corps that made Chief Judge Rhoades feel most at home. “As the



child of an Army service man, you become quite familiar raising the flag each morning and lowering the flag in the evening where everyone stops and stands at attention,” she reminisces. “When the A&M Corps honored that tradition, it didn’t strike me as being odd or different; I was actually very comfortable with it because it is what I grew up doing every day.” The Texas culture had a strong impact on Chief Judge Rhoades and, although she briefly left the state after college, it was not long until she came back for good.

In the classroom, Chief Judge Rhoades focused on math and the sciences and gave back to the community as a math tutor. Until she decided to take the LSAT with a friend, she had planned to use her degree in applied

mathematics to pursue a career in either biochemical or aeronautical engineering. "I always thought I was going to be a technical person. Law school was not in the plans until my last year of college. [But] when I had an opportunity to participate in the [legal] system, I figured I would try," Chief Judge Rhoades explains. Rediscovering her passion for civics, she attended Arizona State University's College of Law, graduated magna cum laude, and received the Justice Sandra Day O'Connor Constitutional Law

Award for excellence in constitutional law studies.

As she began her law career, Chief Judge Rhoades strived to become a "champion of the people." First as a young associate with the Akin Gump firm and, later, as a partner with Baker Botts LLP, Chief Judge Rhoades approached the practice of law by channeling her empathy and love for civics while maintaining her professional candor. "As a professional, you have to have some level of distance from your client, but I found myself owning the issues," she recalls. "Clients

really appreciate when you communicate their problems in the context of 'we,' and not 'you.'" Chief Judge Rhoades felt honored with the opportunity to take on her clients' issues, but that did not remove any of the pressure involved with resolving a dispute. "I think the first time you hold someone else's problem in your hands the gravity of what you are doing sets in and the philosophy and approach to the practice changes by its very nature. It has to change because it touches you in a way that you do not necessarily expect in the beginning," she further explains. Chief Judge Rhoades believes that her strongest asset in her practice was predicting and road mapping the direction of her clients' issues. "I was pretty good at being able to take a step back and analyze an issue without coloring it with my own perspective," she says. Her client relationships benefitted from her unique perspective because she offered her clients a realistic view of what to expect from litigation and the hurdles that could potentially prevent resolution. Michelle Mendez, a partner at Hunton & Williams and the incoming chairperson for the Bankruptcy Section of the Texas State Bar, attributes Chief Judge Rhoades' empathy and care for her clients to being a single mother for her two children, Rachel and Brian. "We met when she and I were both pregnant with our first children. Being a mother is a significant part of who she is," notes Mendez.

Chief Judge Rhoades does not limit the forum that she uses to spread her love of civic duty to the practice of law: she is active in the legal community outside the courtroom. She has served as the chair for the Texas

State Bar, Asian Pacific Interest Section, as well as on the board of directors for the Dallas Bar Association. Further, Chief Judge Rhoades was the president of the Dallas Asian American Bar Association and vice president of membership for the National Asian Pacific American Bar Association. When Mendez was the chairperson for the Dallas Young Lawyers' International Law Conference Liaison Committee, Chief Judge Rhoades, then a young attorney, successfully organized Dallas lawyers to personally meet at the airport each of the 60 foreign lawyers who were coming into town for a six-week-long program. Mendez remembers that "[w]hen I had to do the same thing the next year, I asked a colleague to find that woman at Weil Gotshal because she pulled it off seamlessly" the year before. Rooted in the experience of helping her mother study for her naturalization test, Chief Judge Rhoades continually employs her "champions of the people" quality outside the courtroom.

The U.S. Court of Appeals for the Fifth Circuit selected Chief Judge Rhoades for appointment as a bankruptcy judge for the Eastern District of Texas at Plano in 2003. Chief Judge Rhoades' personal goal on the bench, in addition to correctly deciding the issues in her court, is to explain how the law applies to each situation and to provide a fair and balanced forum for the parties involved. With the road mapping skill she developed as a practicing attorney, Chief Judge Rhoades looks beyond the particular perspectives of each party and determines the correct legal consequence based on the law. By acting as a guide, she assists the parties in her courtroom in making sure their focus is directed toward the relevant issues. "At the start of ... hearings, she does a good job of focusing on the issues that need the most attention," Mark Platt, a partner at Fulbright & Jaworski, explains. Moreover, Chief Judge Rhoades makes a conscious decision not to waste people's time when her court is in session. "That's one thing I've always appreciated about [Chief] Judge Rhoades, she always does a good job of giving guidance to the parties about how she wants them to proceed and not just let the parties dictate what goes on without some guidance from her," Platt continues. By demanding that all attorneys in her courtroom are well prepared, she is able to highlight the most important issues pertaining to the parties. Chief Judge Rhoades' remarkable ability to succinctly pinpoint the important issues allows litigants who need more time, an opportunity to understand their pending issues.

Chief Judge Rhoades loves sitting on the bench because she can create a more informed citizen, especially when she can give a pro se litigant an opportunity to express himself or herself. By explaining the associated legal precedent, Chief Judge Rhoades tries to provide background into the law so that when pro se litigants leave her court they understand the procedure and the "why" of her ruling. She admits that giving pro se litigants an opportunity to tell their story may take more time, but she knows it is both a cathartic release and an invaluable experience for them to learn about the legal system. "Sometimes the pro se litigants just need time to vent. There is some patience

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involved, but you just have to explain the law to them as best you can,” she explains. Chief Judge Rhoades understands that parties may not always see the fairness in the law, but she hopes that they understand its justness.

Chief Judge Rhoades’ selection to the Bankruptcy Court for the Eastern District of Texas truly suits her personality. Although she misses advocating for clients, she loves participating in the search for justice from the bench. Her philosophy about the American legal system focuses on the respect of the law: “People will not respect the legal system if the laws are not just.” However, she still worries about the issues presented in court. She explains that “it is a different kind of worry—I feel the weight of the issue in the same way, but instead of being the advocate, I’m now more worried about getting [the issues] right.” Chief Judge Rhoades still experiences the stress of participating in the legal system, but she sleeps better at night knowing that she has the support of the judiciary’s appellate process to review her rulings.

Chief Judge Rhoades is grateful for the added opportunities and associations that her position has afforded her. She feels honored to be working with other judges that share her values and beliefs in the law and the legal system. “[Judges] really care, and I think that is one of the biggest strengths of this country—the strength of the judiciary, the strength of its character. Whether you agree with a particular decision or not, judges really try to implement the law as they understand it.”

Chief Judge Rhoades has been admitted to the U.S. District Courts for the Northern District of Texas, the Southern and Middle Districts of Florida, and the District of Alaska. Although she has lived all over the world, she believes the Dallas-Fort Worth area is one of the few communities that offers a great place to raise a family and practice law at a high level. “Texas has been wonderful. Beyond what makes the state great in itself, the [Dallas-Fort Worth] area is a place where you can work on the biggest, most interesting cases, and at the same time, the community is small enough that you feel like a part of it. Dallas is a great place to raise a family. It is better than anywhere else.”

Chief Judge Rhoades cherishes the patriotism exuded in the American judiciary. Whether zealously advocating her clients’ arguments or determining the correct and just outcome in court, Chief Judge Rhoades has deep respect and love for the United States and she proudly shares this adoration with those around her. Her own words state it perfectly, “[i]t is important for people to remember that notwithstanding our differences, backgrounds, and perspectives, being an American is something that holds us together, and we [should] celebrate that regularly.” ☺

Endnotes

¹An “Ag” or “Aggie” is someone who is a student, alumnus, or supporter of Texas A&M University.

²“Yell” practice is similar to a pep rally.