

## Hon. Jane Roth

By  
Chad M. Oldfather

"Judge Roth is the most pleasant, easygoing, down-to-earth person I have ever met, with a wonderful sense of humor."

Words such as these constitute a strong statement coming from anyone, but perhaps most of all when they are the words of one's secretary of 18 years. Yet, Debbie Wittmeyer insists they are true, and it may be impossible to find anyone willing to do anything but add to the praise. Quick with both a clever pun and an analysis that strips a case to its essentials, Judge Jane Roth is respected by colleagues and counsel, and revered by former clerks.

Judge Roth was born and raised in Wilmington, Del. She attended Smith College, graduating in 1956. Following, she spent six years as a clerk/typist with the Department of State, including stops in Teheran, Iran; Salisbury, Rhodesia; and Brazzaville, Republic of Congo. She enrolled as one of 25 women students in Harvard Law School's 540-member first year class in 1962, and received her LL.B., *cum laude*, in 1965.

After law school, Judge Roth returned to Wilmington, where she joined Richards, Layton & Finger. She spent 20 years there as a civil litigator, specializing in the defense of medical malpractice claims. President Reagan appointed her to the U.S. District Court for the District of Delaware in 1985. She served on the District Court until 1991, when President Bush appointed her to the U.S. Court of Appeals for the Third Circuit.

Though she has enjoyed each stage of her career, her time with the Department of State may have left the most lasting mark. Since her initial appointment to the federal bench, Judge Roth, sponsored by both the U.S. Information Agency and the U.S. Department of State, has actively worked to assist and educate the legal communities in developing nations. She has traveled to various West African nations on three occasions, as well as to Romania, to make presentations to judges and lawyers concerning the rule of law and the role of independent courts. She continues this work even when not travelling. Most recently, she participated in a telephone conference in Togo celebrating the 50th anniversary of the Universal Declaration of Human Rights.

Judge Roth's internationally focused work is directed toward addressing one of the fundamental difficulties faced by developing democracies — that of cultivating

a judiciary that has the will and the inclination to interpret the law independently, rather than simply reaching the outcomes preferred by those in power. It is not work that provides instant results. Judge Roth views her efforts as the planting of seeds in less-than-fertile soil, an attempt to encourage judges to be inclined toward independence and to get lawyers to understand that they have a significant role to play in the protection of human liberties.

As Judge Roth is quick to acknowledge, she has learned from her teaching. Her experience with the legal systems in developing nations has led her to realize that the American legal system's effectiveness in protecting the rights of individuals leads to greater harmony for communities as a whole. In other words, the various segments of our society can coexist relatively peacefully largely as a result of our collective faith in each individual's ability to



seek a legal remedy if he or she has been wronged. Because of the perceived and practical availability of effective remedies, otherwise marginalized groups do not feel the need to resort to terrorism or armed conflict to advance their interests.

This realization ties into what Judge Roth believes to be the fundamental appeal (no profile of her being complete without a pun, however bad) of her duties on the Third Circuit — the intellectual challenge inherent in the work, and the sense of satisfaction that accompanies the just resolution of a case. Each sitting brings a variety of new and different problems, each reasonably well defined, all of which can receive the consideration they merit. While the more reflective life of an appellate judge lacks the apparent excitement of the quick sequencing and fluidity of issues (and the occasional dramatic surprise) encountered in trial work from either the bench or the bar, the work has its own satisfying moments. These occur most often not in the courtroom, but in chambers. They are not moments of public excitement or dramatic revelation, but rather moments in which the law governing a case crystallizes into a whole that not only makes internal sense, but also furthers the protection of human liberty.

Judge Roth is married to U.S. Sen. William V. Roth, and has two children, Bud and Katy, and two grandsons (her son and daughter-in-law rejected her suggestion that the youngest one be named Ira). The Roths have two St. Bernards, Tsunami and Zippy.

In addition to her judicial and international work, Judge Roth teaches trial practice at Villanova Law School. She and Sen. Roth enjoy trips to their cabin on the Swan River in Northwestern Montana, where she specializes in the contemplative activities of fishing and watching the trees grow.

Debbie Wittmeyer knows, as only a long-time assistant can, Judge Roth is above all a good person. This, combined with a brilliant mind and unshakable integrity, makes for a great judge. As this author embarks upon a career in which he will stand before courts of appeals on behalf of clients who may not frequently evoke sympathy, he can only hope that the judges he encounters approach cases as does Judge Roth. ■

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