

Judicial Profile

JERMAINE WATSON

Hon. Kathy A. Surratt-States U.S. Bankruptcy Judge, Eastern District of Missouri

IT IS STILL dark outside her St. Louis home when Judge Surratt-States starts her day. While stuffing pleadings, legal pads, her four-in-one pen, and draft opinions into her briefcase, she calls out to her seven-year-old daughter, “Are you ready to leave for school?” Today, Judge Surratt-States will drive to Hannibal, Mo., to preside over bankruptcy cases in the Northern Division of the Eastern District of Missouri. Her daughter responds, “Not yet.” “You have to hurry, I must pick up my law clerk and drive to Hannibal today,” calls

Judge Surratt-States. This back-and-forth continues for a few minutes until her daughter comes downstairs with her backpack. In a rush, they get inside the rental car parked on the street in front of the house, and the judge drives to the nearby private school her daughter attends. After Judge Surratt-States drops her off and leaves the school, she stops by her law clerk’s apartment and begins her monthly drive to Hannibal. After presiding over her motion and trial dockets, Judge Surratt-States drives back to St. Louis in time to pick up her daughter from school. This was just another typical day in the life of this hardworking mother, wife, and judge.

Judge Surratt-States is the first African-American bankruptcy judge ever appointed to the bankruptcy bench in the Eighth Circuit and only one of eight African-American bankruptcy judges in the United States. She and her three siblings were raised by their late parents in Tulsa, Okla. At a very young age, the judge was a voracious reader and possessed exceptional writing skills. If asked, Judge Surratt-States will tell you that she has always wanted to be a lawyer so that she could help people resolve their legal problems. Accordingly, she prepared herself for a career in law by performing well at the prestigious Booker T. Washington High School in Tulsa. Judge Surratt-States later attended and graduated from Oklahoma City University in 1988 with honors. Her hard work earned her a scholarship and a coveted slot at Washington University School of Law in St. Louis.

Judge Surratt-States was intent on returning to



Oklahoma after completing her law degree. However, she changed her plans after her first summer employment at the Bankruptcy Court in St. Louis and an internship with now Chief Bankruptcy Judge Barry S. Schermer in her second year of law school. After this experience, Judge Surratt-States decided to focus her legal career on the practice of bankruptcy law in St. Louis. A natural litigator, Judge Surratt-States appreciated both the litigation and transactional aspects of bankruptcy law. She was also intrigued by how the Bankruptcy Code balanced relief for corporate and individual debtors with the rights of creditors.

After earning her law degree from Washington University in 1991, Judge Surratt-States obtained a judicial clerkship with Bankruptcy Judge James J. Barta, who is now retired. After completing her clerkship with Judge Barta in 1993, she entered private practice with Campbell & Coyne P.C., a commercial litigation firm in St. Louis. In 1997, she was appointed to the Chapter 7 Panel of Bankruptcy Trustees for the Eastern District of Missouri. Judge Surratt-States remained at Campbell & Coyne until 1998, when she joined Ziercher & Hocker P.C., a mid-sized firm in St. Louis. Her diligence and superb performance as a

Chapter 7 trustee earned Judge Surratt-States recognition as an up-and-coming lawyer by the *Missouri Lawyers Weekly* in 1999.

The turning point in Judge Surratt-States' career occurred in 1999 when she was appointed trustee for a Chapter 7 bankruptcy case filed by Family Company of America (doing business as National Foods) and its four affiliated companies. At a time when many eight-year attorneys were still assisting senior partners, Judge Surratt-States ran a 12-day going-out-of-business sale and was responsible for winding down the then third largest grocery store chain in St. Louis. She will tell you that all the experience and preparation from her legal training was tested. In the first major case of her young career, the judge had to close more than 15 stores throughout the St. Louis metropolitan area. She then had to re-open those stores to sell remaining inventory, hire counsel to litigate claims, and manage employees. Accordingly, her hard work and dedication in the National Foods case eventually led to her being named partner at Ziercher & Hocker in 2000.

In 2001, Ziercher & Hocker merged with the large regional firm of Husch & Eppenberger, LLC, now known as Husch Blackwell Sanders LLP. Judge Surratt-States joined the insolvency practice group at Husch, where she focused on advising corporate clients on bankruptcy and insolvency related matters. She also continued to serve as a Chapter 7 bankruptcy panel trustee.

Her involvement in and service to the St. Louis community led to several high-profile appointments. In 1999, Judge Surratt-States was appointed to the Regional Disciplinary Committee by the Supreme Court of Missouri, and in 2001 she was appointed to the St. Louis City Board of Elections Commissioners. In 2000, the Bar Association of Metropolitan St. Louis presented her with the President's Outstanding Service Award.

Judge Surratt-States was content with her professional life at Husch until Bankruptcy Judge David P. McDonald announced his retirement from the bench. Judge Surratt-States then applied for the judicial vacancy, was duly appointed by the Eighth Circuit, and was sworn in on March 17, 2003. During her

time on the bench, Judge Surratt-States has developed a reputation as a fair, even-tempered, and diligent judge among the St. Louis bankruptcy bar. Many practitioners in St. Louis will also tell you that she possesses an exceptional legal mind.

Because St. Louis routinely ranks near the top of consumer bankruptcy filings in the entire country, Judge Surratt-States manages a full caseload at all times. Nevertheless, she still finds time to speak at conferences throughout Missouri and the United States. Judge Surratt-States is also a member and former president of Altrusa International of St. Louis, an association of professionals dedicated to community service. This is a testament to the support provided by her judicial assistant, court staff, and her current and former law clerks.

When it is time to leave her gavel on the bench and hang her robe in chambers, Judge Surratt-States enjoys spending time with her family. She has been married to Clifford A. States for more than 10 years and describes him as her soul mate. The couple has one daughter. Clifford, a sergeant in the St. Louis Metropolitan Police Department, has a demanding schedule as well. The judge's dual role as federal bankruptcy judge and working mother is complemented by the support she receives from her family, especially her siblings.

Judge Surratt-States is mindful that her path to the bench is a testament to the opportunities created by those who came before her. Judge Surratt-States may never have considered applying for an appointment to the Chapter 7 Panel of Bankruptcy Trustees had she not been advised to do so by one of her early mentors. Appreciative of how her first internship shaped her legal career, Judge Surratt-States now regularly hosts judicial interns.

Judge Surratt-States enjoys her family as well as her professional and community activities, and she looks forward to many more rewarding years on the bench. **TFL**

Jermaine Watson served as Judge Surratt-States' first law clerk from 2003 to 2007 and is a bankruptcy attorney with Cox Smith Matthews Inc. in Dallas.