

Chief Judge Joseph L. Tauro

By
Louis M. Ciavarra

"Although I have worn a black robe to work everyday for the past 20 years, I always think of myself first and foremost as a lawyer."

This is how Joseph L. Tauro, chief judge in the U.S. District Court for the District of Massachusetts, described himself at a meeting of the Boston University Alumni Association in December 1992. To those who know him, who have had the privilege of working with him and appearing before him, this poignantly summarizes how he has conducted court over the years. To quote a phrase, he is a "trial lawyer's judge" — one who can be tough and demanding when necessary, while never forgetting what it is like to be a lawyer and doing your best to represent your client.

At the same time, there is no question that this man is a judge. His natural way of conducting court in Massachusetts for the past 25 years is well known. He presents a commanding presence on the bench, grasps the most complex factual disputes and legal issues quickly, and conducts trials both fairly and efficiently.

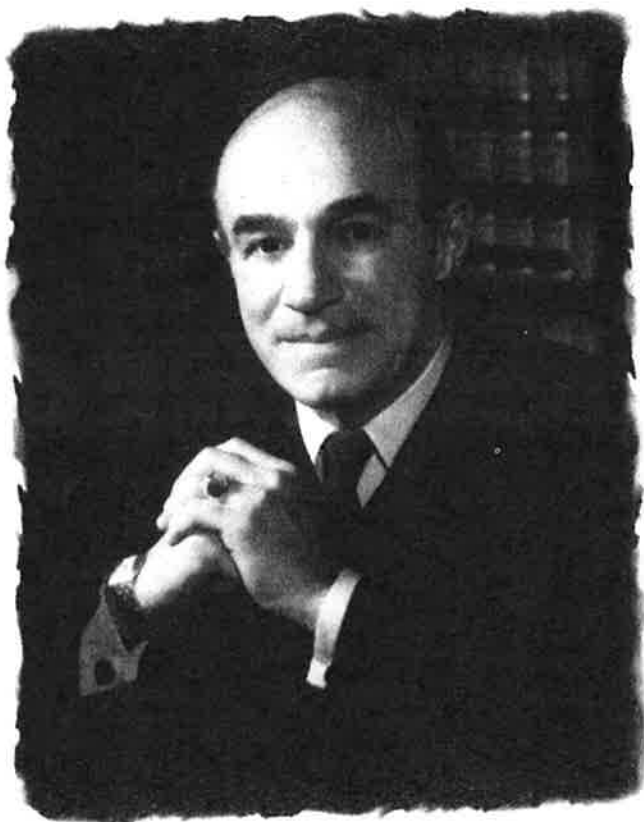
While for some the transition from lawyer to judge may be a difficult process, it was a natural progression for Judge Tauro. He is the son of one of the preeminent justices in Massachusetts. Judge Tauro's father, G. Joseph Tauro, was the only judge in Massachusetts to serve both as chief judge of the Massachusetts Superior Court and the Supreme Judicial Court, the oldest sitting appellate court in the country. As a Superior Court judge, the elder Tauro tried cases on both the civil and criminal side for almost 10 years. He then was appointed to the SJC, and presided as its chief until retirement in 1976. During these years, the younger Tauro closely studied his father and learned what a judge could be and what a judge could accomplish.

After graduating from Brown University in 1953, he attended Cornell University Law School graduating in 1956. After two years in the U.S. Army, he joined with his father to practice law in Boston. It did not take long for **government service** to attract the young lawyer, and in 1959 he was appointed by then U.S. Attorney Elliot Richardson as an assistant U.S. attorney in Massachusetts. After several years as an assistant U.S. attorney, Tauro returned to private practice and developed a reputation as a skilled trial lawyer.

In the mid-1960s, he was appointed chief legal coun-

sel to Massachusetts Governor John A. Volpe, a position he held for four years. These years of involvement in the development and implementation of public policy later manifested themselves in Judge Tauro's ability to manage complex litigation involving such public issues as how the Commonwealth of Massachusetts should care for its retarded citizens.

After several more years in private practice, Tauro returned to public service in 1972 as the U.S. attorney



for Massachusetts. Shortly after this appointment, at the age of only 41, President **Nixon** appointed him to the U.S. District Court in Massachusetts, a position he has held for the past 26 years, the past five years as the chief judge of the district.

During his years on the bench, Judge Tauro has taken a lead in setting an example of what a judge can and should be. He takes great pride in the district's reputation as **perhaps** the most collegial bench in the nation. As chief judge, he hosts a weekly informal lunch; monthly the judges gather for a more formal meeting. He is responsible for one of the largest and busiest districts in the country with 13 district court judges, five senior judges and seven magistrate judges sitting in three different cities. Although Massachusetts is techni-

cally one district, it has three "sessions": Boston, Worcester, and Springfield. Managing the judicial operations of these three courts is a full-time task in itself. However, Judge Tauro has continued to maintain his full complement of civil and criminal cases.

During his tenure, the district has seen the construction of new courthouse facilities, and was one of the first districts to implement an expense and delay reduction plan and incorporate it into its local rules, following the Civil Justice Reform Act of 1990. As a result of his efforts, our district has come a long way toward meeting his goal of taking pretrial discovery out of the adversary process.

He has at all times been extremely supportive of all bar associations and actively promotes the court's involvement. At his direction, the Massachusetts District Court judges regularly participate in continuing legal programs and regularly meet with the bar to discuss issues of mutual concern.

On the bench, Judge Tauro has faced some of the most difficult cases of our generation. For example, within a year of his taking the bench in 1972, he drew the case of *Ricci v. Okin*. That case involved a class action against a state institution for the mentally retarded. Upon assignment of the case, Judge Tauro ordered counsel for both sides to meet him at the gates, without announcement to the administrators. During a tour, Judge Tauro noted the overcrowding and the conditions which he determined to be constitutionally indefensible. Subsequent actions were consolidated by the judge and he imposed court oversight of the system. During 20 years of court supervision, which ended in

May 1993, Massachusetts' system for caring for its mentally retarded improved to become second to none in the country. Many believe this would not have happened without Judge Tauro's intervention.

Another example of Judge Tauro's ability to take control of the most difficult cases is his handling of NAACP's suit against the Boston Housing Authority alleging discrimination in housing assignments. After months of negotiations, the parties settled on terms that most observers agreed were just and fair. By his involvement, Judge Tauro was able to ensure that in the end the parties could amicably work together for the benefit of their clients.

Judge Tauro's legal ability and his strength as a jurist, as well as his obvious interest in promoting a collegial relationship between the bench and the bar, and his keen interest in promoting the efficient and fair resolution of litigation, ensure that we will never forget him or that he is one of us. ■

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