



Hon. Katherine A. Crytzer

Judge for the Eastern District of Tennessee

by Luke P. Ihnen



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Fewer federal judges have taken the bench with as much experience in the federal judicial process as Judge Katherine A. Crytzer of the Eastern District of Tennessee. Nominated by President Donald Trump in September 2020 and confirmed later that year, Judge Crytzer returned to Knoxville after a distinguished legal career to become the second woman to be confirmed to the federal bench in the district. She and her husband, Joe Oliveri, an attorney, are settling into a renovated 19th century farmhouse and back into a community that she never truly left.

Judge Crytzer's family moved to Knoxville nearly 25 years ago after her father accepted a position in the inspector general's office at the Oak Ridge National Laboratory. He previously served as an auditor in the U.S. Army. Her parents instilled in her a passion for public service that drives her daily.

After graduating summa cum laude from the Middle Tennessee State University Honors College, Judge Crytzer enrolled at George Mason University (now the Antonin Scalia) Law School in the metro Washington, D.C., area. She graduated magna cum laude in 2009 and accepted a clerkship with Hon. Raymond W. Gruender of the U.S. Court of Appeals for the Eighth Circuit.

At the time, Judge Gruender was a relatively new judge, having previously served as U.S. attorney for the Eastern District of Missouri. Judge Crytzer praises Judge Gruender's humility and service to his community. He taught her the importance of approaching each case with the dignity and respect that it deserves. She has tried to incorporate these principles into her own judicial philosophy.

Following her clerkship, Judge Crytzer joined the esteemed law firm of Kirkland & Ellis LLP to gain experience as a litigator in federal court early in her career. She credits her time at Kirkland & Ellis as well as her mentors with teaching her how to be a litigator and helping her develop the "hard skills" required of skilled trial attorneys: putting a case together from beginning to end and navigating the nuts and bolts of a case. She uses those same skills today in her role as a trial judge. A public servant at heart, Judge Crytzer



is particularly proud of her pro bono service at the firm representing disabled military veterans seeking Veterans Administration compensation related to service-connected disabilities.

Her sense of public service led her next to the U.S. Attorney's Office for the Eastern District of Kentucky (a mere three-hour drive from her family in Knoxville). Judge Crytzer was hired to work in a unit combating the opioid epidemic. She felt drawn to the work because of the impact she could have in the community, and because it allowed her to be closer to her family in East Tennessee. She quickly earned the opportunity to work on both civil and criminal crimes and worked to reduce the amount of illegal drugs in the community. The work was personal for Judge Crytzer: like many of us, friends and members of her family have suffered from addiction.

Her work as an assistant U.S. attorney helped Judge Crytzer prepare for her time on the bench. She looked at cases holistically when making decisions, carefully considered the exercise of prosecutorial discretion, and appreciated the role that defense attorneys played in upholding the Constitution and protecting the rights that each of us, as Americans, hold dear. Although she was ultimately nominated by a Republican president, Judge Crytzer is proud

to have worked as an assistant U.S. attorney in both Democratic and Republican administrations. She saw her work as an assistant U.S. attorney as a commitment to the safety of the community, the Constitution, and the rule of law; she believes that these principles are not inherently political. Judge Crytzer believes that there is strength in diversity of experience and thought, and that the U.S. Attorney's Office benefitted from that strength. According to Judge Crytzer, working across political divides to do good work should be "par for the course" in the practice of law.

Next, Judge Crytzer was given the opportunity to join the Department of Justice Office of Legal Policy in Washington, D.C. Always up for a new challenge, she took the opportunity to apply her experience as an assistant U.S. attorney to the Department of Justice policy space. She also brought her hands-on experience in communities like Eastern Kentucky and East Tennessee to bear on policy issues related to the opioid epidemic and violent crime. In addition to her policy work, Judge Crytzer served on a team of attorneys at the Department of Justice that facilitated the Senate's consideration of then-Judge Brett M. Kavanaugh and then-Judge Amy Coney Barrett to serve on the Supreme Court. As part of the process, Judge Crytzer reviewed the jurisprudence of both justices, an invaluable experience in solidifying her own jurisprudential philosophy.

In September 2020, President Donald Trump nominated Judge Crytzer to the Eastern District of Tennessee following the death of Judge Pamela Reeves. Confirmed in December 2020, Judge Crytzer became only the second woman confirmed as a district court judge in the district, and one of the youngest federal district court judges in the country. She calls following Judge Reeves—a legend in the Knoxville and Tennessee bars—an honor, and cannot count the number of times she has been approached by a local lawyer who graciously shares a story about Judge Reeves. Judge Crytzer's greatest honor may have come from the late Judge Reeves's husband, Knoxville attorney Charles Swanson, who, after spending some time with Judge Crytzer, said: "I think she [Reeves] would have liked you."

On the bench, Judge Crytzer went straight to work helping to clear the backlog of criminal and civil cases in the district that accumulated over the COVID-19 pandemic. She believes in the adage that "justice delayed is justice denied," and that when an individual's life and liberty are at stake, they deserve to have their case adjudicated promptly. Once she is finally able to come up for air, Judge Crytzer would like to once again dedicate some of her time to issues related to the opioid epidemic.

Judge Crytzer applies a textualist/originalist approach to her cases. That is, when interpreting text, if there is no binding precedent before her, she looks to the original public meaning at the time the relevant text was enacted. Judge Crytzer works collaboratively with her law clerks and personally reviews the briefs and pleadings that come to her chamber. She believes that

she owes it to the parties before her to read the thoughtful papers they submit. Judge Crytzer has also developed a reputation for being particularly diligent when it comes to criminal sentencing. She purposefully spends a significant amount of time reviewing the pleadings and relevant guidelines in each defendant's case. She believes that the criminal justice system works best when defendants can understand how and why they are being sentenced, and why and how the judge exercises her discretion when doing so. And she expects the attorneys practicing before her to be civil, timely, and—most importantly—thoughtful about what they argue and how they serve their clients.

Judge Crytzer and her family are adjusting to life back in East Tennessee. She enjoys gardening, especially growing wildflowers and whatever fruit and vegetables she can keep alive. She and her husband enjoy adventures outdoors and have season tickets to the Tennessee Smokies minor league baseball team. They share a love of baseball: the two met on a co-ed softball team while working at Kirkland & Ellis.

In fact, Judge Crytzer thinks we might all benefit from joining a softball league, a church, or another activity to maintain community and commit to something beyond ourselves. These opportunities allow us to benefit from the richness of life. She adheres to the notion that you can disagree without being disagreeable and believes it is easier to find common ground with someone after sitting in a dugout together or sharing a meal.

Judge Crytzer's passion for public service is readily apparent, as is her desire to constantly push and challenge herself to be and do more. Both qualities will serve her well as a federal judge. ☺

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