



Hon. Mary Gordon Baker

U.S. Magistrate Judge, District of South Carolina

by Andrew R. de Holl



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The Charleston bar is a tight-knit group. Despite the frenetic demands of practicing law in the 21st century, we, by and large, are a group of close friends who remain engaged in our community, commit to true collegiality, and are always willing to help. One of the most well-rounded examples of those core qualities is U.S. Magistrate Judge Mary Gordon Baker.

Judge Baker's immersion in the law has been lifelong. Born and raised in downtown Charleston, Judge Baker was the daughter of Charlie Baker, a revered trial lawyer in town. With no cell phones or email back then, it was common for clients to call the Baker home to speak with their lawyer on evenings and weekends. Judge Baker often was the one answering the phone, chatting with her father's clients and taking messages if he wasn't available to talk. From having those conversations and watching her father work, Judge Baker came to understand early on that practicing law was ultimately a way to help people facing difficult situations. Throughout her entire upbringing, her father's work fascinated her. Tragically, Mr. Baker passed away while she was in high school at Ashley Hall. Long before that, however, he had inspired Judge Baker to become every bit the compassionate, brilliant advocate he had been.

Judge Baker studied political science at the University of South Carolina. After graduating Phi Beta Kappa and magna cum laude in 1981, she continued her education in the law by working as a securities litigation paralegal for two years at Fried, Frank, Harris, Shriver and Jacobson in Washington, D.C. Armed with that practical litigation background, she then returned to South Carolina and excelled at her alma mater's law school. Judge Baker was a member of the Order of Wig and Robe, the Moot Court team, and the Order of the Barristers. She received American Jurisprudence awards for her performance in contracts and in damages. In addition to serving as an associate editor on the *Journal of Law and Education*, she published an article in it titled "The Teacher's Need to Know Versus the Student's Right to Privacy."



During her final year of law school, her classmates chose her to receive the Claud N. Sapp Award, given to the third-year law student who possesses the best combination of scholarship, leadership, and industry.

A seasoned litigator, Judge Baker has tried more than 20 cases to a jury—both civil and criminal, and both sides of the aisle. She began practicing as an associate at Nexsen, Pruet, Jacobs & Pollard in Columbia, S.C., where she focused on business litigation and civil rights. After four years of civil private practice, she joined the U.S. Attorney's Office in South Carolina, working in its criminal division. Over her 16 years in the office, Judge Baker investigated and prosecuted an array of complex cases, including bank fraud, securities fraud, and drug conspiracies, and she frequently instructed other federal prosecutors at the National Advocacy Center in Columbia. She also served as senior litigation counsel, deputy chief of the criminal division, and first assistant U.S. attorney.

The year 2006 brought a dramatic change in the judge's practice: she joined the Federal Public Defender's Office, representing indigent criminal defendants in both trial and appellate courts. In addition to working on hundreds of criminal cases, she co-edited

the first published collection of pattern jury instructions for federal criminal cases in South Carolina. In fall 2013, Judge Baker returned to private practice, joining Duffy & Young as special counsel and handling civil matters for both plaintiffs and defendants.

When asked about the most rewarding part of being a trial attorney, Judge Baker reflects, “It was a constant challenge. For me, it was the highest calling—the most exciting way to practice law. You know, a trial lawyer’s job is never really complete. The learning process never ends because you can always improve and can always make something better for the next case. I loved that.” She also appreciates the uncommon number of perspectives she gained by litigating on both sides of the *v* in both civil and criminal law: “It taught me how to stand in the shoes of the other lawyer. When you understand how the other side will look at your case, you can be better prepared.”

Of course, Judge Baker did not spend her entire litigation career working on cases. To the contrary, she committed herself to maintaining the integrity of her profession and to ensuring it served the greater good. As a young lawyer, she participated in the state bar’s Young Lawyers Division and chaired a project to help the public better understand what lawyers do and how they can help others. Following that, she chaired the bar’s Pro Bono Committee while also sitting on its Service to Indigents Committee. Later, she became a fellow in the American College of Trial Lawyers, and she served on the state Supreme Court’s Commission on Continuing Legal Education and Specialization. In 1998, her law school gave her the Compleat Lawyer Award, an honor for alumni who have made significant contributions to the legal profession and exemplify the highest standards of professional competence, ethics, and integrity.

Long known by her double name, Mary Gordon Baker was given another one—“Your Honor”—when she was sworn in on Jan. 5, 2015. After decades at counsel’s table, she found moving to the bench “almost surreal.” Not only was she wearing a robe she had respected her entire life, but she now had chambers just down the street from her father’s former office a couple blocks from where her brother (an outstanding litigator himself) practices. And in those chambers, her father’s law degree hung on the wall next to her own.

Seven years later, she still finds her position exhilarating. Recognizing how well her unusual background prepared her for the bench, she calls her judgeship “the perfect blend of my leadership skills and my legal skills. I get to learn something new every day. I have an incredible staff and we make a great team.” As one of the District of South Carolina’s eight magistrates, Judge Baker handles a high volume of civil and criminal matters. By rule, her criminal duties include handling pretrial matters in felony cases and trying federal misdemeanors.¹ But her passion for the criminal justice system has led her to participate in the BRIDGE Program, the district’s federal drug court, and in a reentry program known as

REAL court. These programs use counseling, substance abuse and mental health treatment, and community supervision to rehabilitate defendants so that they may successfully return to their communities and avoid reoffending. These two additional roles have been some of the most meaningful work in the judge’s long career.

One of Judge Baker’s favorite parts of her job is its numerous opportunities to mentor young lawyers. On top of regularly speaking at legal education programs and participating in the James L. Petigru American Inn of Court, she and other judges host a program at the Charleston courthouse known as “Bridging Broad Street.” Established by two local luminaries—Charles Goldberg and U.S. District Judge Patrick Michael Duffy—these lunchtime gatherings give newer lawyers opportunities to meet up with one another during the day and learn from some of their most experienced peers, who attend as guest speakers. The program is an update to an old Charleston tradition of lawyers meeting up over coffee at a drug store and helping one another work through tricky issues in their cases. Judge Baker’s father was once a sought-after ear at those meetings, and the judge is thrilled to facilitate a way for lawyers to continue that tradition.

Judge Baker fosters collegiality everywhere she goes; if you walk down the street with her, the warm words she offers others makes you wonder if she’s ever met a stranger. At the courthouse, she greets every guard, clerk, and custodian by name, and she carries that inviting spirit into her chambers and her courtroom. Some of that comes from her natural extroversion. But she also understands litigation’s grinding tendency and knows that, when lawyers are locked into contentious debate or are feeling worn down by the work, a little kindness from the judge can go a long way. “The practice of law is never easy—you have to find a way to reduce the stress. Find the joy in it,” she encourages lawyers. “Don’t let the mechanics of practice beat you down to the point that you forget to treat your colleagues with dignity and respect. And remember: the case is not about you; it is about your client’s interests.”

When asked for advice to any lawyer appearing before her, Judge Baker’s answer sums up both her personality and her approach to being a judge: “Just reach out. We are always here. My team is always accessible. I want to have the opportunity to introduce myself and get to know you.” ☺

Endnotes

¹See 28 U.S.C. § 636(a) (2012); Local Crim. Rule 58.01(A)-(B) (D.S.C.).