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A New Chief

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During a ceremony held in the Trenton U.S. Courthouse on May 23, 2019, the Hon. Jose L. Linares (Ret.) "passed the gavel" to our Court's new Chief Judge, the Hon. Freda L. Wolfson. In this Special Edition, the Historical Society is proud to commemorate that event, as well as several others that have celebrated the unique accomplishments of our Court's three most recent "Chiefs".

Passing of the Gavel

On May 23, 2019, the Historical Society proudly commemorated the "Passing of the Gavel" from the the Hon. Jose L. Linares (Ret.), to the Hon. Freda L. Wolfson, our Court's 17th Chief Judge. The ceremony took place in Chief Judge Wolfson's courtroom on the 5th Floor of the Clarkson S. Fisher U.S. Courthouse in Trenton, and featured remarks from: Historical Society President Keith Miller, Esq.; former Chief Judge Linares; a moving introduction by Christopher Perrino, Esq., Chief Judge Wolfson's former law clerk and the immediate former Attorney General of New Jersey; and videographed congratulations offered by two Associate Justices of the Supreme Court of the United States, Sonia Sotomayor and Elena Kagan. Also in attendance were members of Judge Wolfson's family — including her husband, the Hon. Douglas Wolfson, J.S.C., and their son, Brian Wolfson, Esq. — as well as many of Chief Judge Wolfson's former law clerks and long-time members of her Chambers staff.

During her moving remarks, Chief Judge Wolfson focused upon the support, guidance and inspiration she's received from her family (including her parents, who were both Holocaust survivors), and noted that she is unique in at least one respect: our Court's first Jewish Chief Judge. Indeed, Chief Judge Wolfson reflected upon the various predecessors under whom she served during her more than three decades (and counting) on our Court's bench, as follows:

> *I have served under a number of Chief Judges, each of whom brought his or her own style, personality and talents to the Court. First, there was Clarkson Fisher, for whom this Trenton courthouse was so appropriately named. He successfully obtained funding for three new courthouses and help found the Historical Society. He made the move from sitting in Newark to presiding here in Trenton at the same time I joined the Court. He always made me feel welcomed and even reminded me — for those you who were present at my investiture ceremony — not to take myself too seriously. He was a regular kind of guy who knew how to get things done.*

Then came Judge Gerry who oversaw the building of our three courthouses, and despite his brilliance, never acted impressed with his owns abilities and success. He led with humility and a quick wit.

Judge Thompson followed. Our first female Chief Judge and also first African American. We are fortunate to still have her elegant manner grace us as she continues to ably and energetically try cases and serve our Court.

Then came Judge Bissell, who you just saw a few moments ago. A truly collegial leader and also a founder of the Historical Society. With all the personalities that dominate the Court during his years as chief, his ability to reign us in and lead us is truly remarkable.

Judge Garrett Brown, my colleague and friend, came on the court also in 1986, right? Just a few months before I. He had and still has the most unflagging energy, while as Chief his answering to staggering case loads that on occasion got some judges underwater was to simply take on more cases himself even while maintaining his full docket in Trenton. Garrett, you were an inspiration.

Then Jerry Simandle. My longtime colleague and dear friend. First, we were Magistrate Judges together then District Judges. His tenure as Chief Judge was marked by his even tempered and thoughtful approach to every issue. His guiding post was to support all members of our Court, lead by consensus and ensure that we consistently serve the bar and public well. He's an expert on the ethics rules and probably just about every other rule you can imagine. While he's not able to be with us today, we are looking forward to seeing him sit with us at future celebrations.

And finally my predecessor Jose Linares. I thank him for assisting me in the transition. And I also want to applaud his efforts in looking for innovative ways to get judicial assistance for the Court during our time of unfilled judicial vacancies.

So I also thought – and I've been thinking about this for a little bit – whether I could claim to be the first in any category in becoming Chief Judge of our District. Everybody likes to talk about first, right? So, am I the first woman? Nope I'm the second. Judge Thompson was the first. She was also the first African American Chief. First Magistrate Judge to be become chief? No, that belongs to Jerry Simandle. Judge Linares was our first Hispanic Chief Judge. So I wondered, where does that leave me? And then I finally figured it out. First Jewish Chief Judge.
It's something.

The Historical Society joins the entire Federal Family in welcoming Chief Judge Wolfson.

A Portrait of
Former Chief Judge Jerome B. Simandle

On the afternoon of September 20, 2018, a portrait of former Chief Judge Jerome B. Simandle was unveiled in the ceremonial courtroom of the Clarkson S. Fisher U.S. Courthouse in Trenton. The unveiling was presided-over by then-Chief Judge Jose L. Linares. Throughout the courtroom were an array of current and former Judges, the United States Attorney, generations of Court personnel, many of Judge Simandle's former law clerks, and distinguished guests including Judge Simande's wife Jane.

The ceremony featured remarks from Chief Judge Linares, former Chief Judge Anne E. Thompson, the portraitist Alan Brown, and of course Judge Simandle himself. Prior to the unveiling, Judges Linares and Thompson appropriately commented upon Judge Simandle's exceptional abilities and his leadership as Chief Judge. After the unveiling, Judge Simandle lauded Alan Brown, and shared two very special aspects of the portrait with his audience, as follows:

> *I don't know if you noticed this background, but there are some orchids there. The orchids have three stems, and each stem is different; they're a different color and a different species of orchid, but they're combined. They're combined in one pot and they were a beautiful arrangement that speaks to harmony and strength. I wanted those in the background, and Alan helped me to portray those. These symbolize our three courthouses, Newark, Trenton and Camden, and the people in each of them – each a little different, each beautiful, but it's not until they're put together that you get the synergy and the entirety of what it is that makes this Court so special. For me that is a joy, just like looking at those orchids.*
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> *The other thing in the background is this picture. It is one of my favorites. It's from Jane and Jane picked it out. It depicts a victory parade one day in New York City after World War I where people came together, they turned the tide of war and they celebrated safely back home. That picture has always spoken to me, as it does to Jane, and I'm just so glad that Alan was able to capture these things.*

A Special Commentary:
Judge Linares Reflects Upon His Tenure As Our Court's Chief

In May, 2019, the Hon. Jose L. Linares (Ret.) concluded his tenure as our Court's 16th Chief Judge, and retired from the bench. Shortly thereafter, Judge Linares generously agreed to share his reflections upon the time he spent as Chief Judge — and indeed, upon the nearly two-decades that he served as a judicial officer of our Court. To that end, the Historical Society posed a series of questions intended to touch upon Judge Linares' personal experience as Chief Judge, and his more general views on our Court's development. What follows are Judge Linares' thoughtful responses to those questions, which have yielded an interesting and important contribution to the Federal Family's ever-growing historical record. The Historical Society is deeply grateful to Judge Linares for dedicating his time and talent to this endeavor.

Historical Society: *Having recently completed your service as Chief Judge — and nearly two-decades on the bench — did the Court experience any changes during those time periods that are particularly important to you?*

Judge Linares: Yes, two areas of change stand out: first, the Court's diversity; and second, the Court's outreach to the community.

With respect to diversity, I am very proud to have been the first Cuban-born Chief Judge of a U.S. District Court, and the first Hispanic Chief Judge of our Court. I think that is important, in that it sends an appropriate message to the community from the perspective of role-modeling. But it is really emblematic of what

our Court is doing as an entity. Specifically, during my time on the bench, we had our first Hispanic chief of probation, the first female chief of pretrial, the first Hispanic U.S. Marshal, the first Hispanic female to serve as a judicial officer in our Court's history (Judge Salas, first as a Magistrate Judge, now as a District Judge). Further, just before I left the bench, the Court selected to two new Magistrate Judges, both of whom are of Asian descent. So the Court's increased diversity during the years that I was on the bench is very gratifying. We have certainly seen the Court change its face and its culture over the years. That was good.

With respect to community interaction and outreach, I do think that the Court over the years has developed more of a social and community consciousness, if you will, in that we started to become more active in things that we were not involved with before. For example, I know that during my tenure as Chief Judge we ran what was the biggest opioid symposium in the country; an educational program in the face of this horrible epidemic about the ills of the opioid epidemic and how we can hopefully change it. The Court has also become more involved with outreach through our POP and Reentry Programs, neither of which existed until fairly recently. These programs have proven very effective. Collectively, they represent diversification of the Court on a different level — justice with a larger understanding of the need to address other community issues. I think there's a broader understanding of drug-related crime with respect to addiction issues and mental-health issues. The Court has tried to address those issues in more depth than perhaps we did many years ago.

Ultimately, I think that over the years our Court has become warmer, more inclusive, and more attuned to what is happening in the community and in our society. And to be the face of the Court and bring those developments to the attention of not just the bar, but also to the community, has been tremendous. When working with my fellow Judges, I was amazed at the level of support for the issues I just mentioned, and I am very grateful to all of them.

The Historical Society: *Do any particular challenges stand out from your tenure as Chief Judge?*

Judge Linares: The government shutdown, which was historic in its proportions. We are a Court of almost 400 employees, and with regard to those people, the Chief Judge plays a critical administrative role. The Chief Judge supervises relations, pretrial services, the Clerk's Office, budgetary matters, and myriad other issues. With the government shutdown looming, we had to make a contingency plan — are we going to lay-off people, or not? If so, who are we laying-off? What are we going to do with certain vendors? So the government shutdown was interesting, and came to highlight for me all of those essential areas of the Court's administration that nobody really sees. Of course, everybody sees the ceremonial aspect of the Chief Judge's role. But the government shutdown was really an eye-opener for me and with respect to the critical importance of the Chief Judge's role behind the scenes.

The Historical Society: *How did you approach interacting with your fellow Judges as the "First Among Equals"?*

Judge Linares: I approached that aspect of the Chief Judge's role from the perspective of: what can I do to help you resolve an issue, as opposed to, I think we should resolve the issue a certain way. The Court's Judges all handle their dockets differently. And my philosophy was, well, if particular Judges may need help, how can I help? As opposed to exercising a dictatorial way of moving things around. And the problem, of course, is that we are in an era of unprecedented vacancies on the Court. Additionally, we have the greatest number of Senior Judges in the Court's history, and are approaching equipoise with the number of active Judg-

es. I am so thankful for the Senior Judges, because without them, obviously there would be even more of a burden. But, those Senior Judges have paid their dues, and they're entitled to a reduced docket. Moreover, in addition to the vacancies, we have an increase in criminal filings, Hatch-Waxman cases following recent jurisprudence on venue, and MDL filings — with the latter two types of cases putting particular strain on the Magistrate Judges.

When you combine all of those factors, it makes for very complicated case management decisions. My policy was to not get overwhelmed by the problem, and simply try to help in any way that I could. For example, I approached the Senior Judges and asked them to help, and they all responded very positively: Judge Hayden agreed to once again take Social Security appeals; and Judge Chesler became the Court's first ever Senior Judge to take a patent case. Things like that. It was a policy of trying to get the idea out there: hey, we're all in the same boat, and we need to help each other. By and large that happened, and everyone has worked well together.

The Historical Society: *Were any particular members of the Federal Family particularly helpful during your tenure as Chief Judge?*

Judge Linares: As Chief Judge I got to travel throughout the country as part of different committees and on different speaking engagements. I saw what happens in other districts, and by virtue of that, was able to truly appreciate how efficient our Court really is. I can tell you that one of the most revealing things when I became Chief Judge was the ability to work on a daily basis with so many Clerk's Office personnel from all three courthouses, particularly including: Marcy Plye in Camden; Melissa Rhodes and Emma Fernandez-Regan in Trenton; Andrea Lewis-Walker and Susan Travis in Newark; and of course Jack O'Brien, Theresa Burnett and the incomparable Bill Walsh. All of those people are amazing in terms of their efficiency and their professionalism.

Indeed, those people — along with so many others in the Clerk's Office — are what makes the Court function properly. When the government shutdown came, I met with Jack O'Brien, Theresa Burnett and Bill Walsh. Together, we figured it out. It was amazing how efficient and how professional everybody was in whatever endeavor we asked them to do. People think of government entities as bureaucratic — but that's not the case with our Court.

The Historical Society: *Final question: what's next?*

Judge Linares: I am looking forward to my next chapter. I always loved being a lawyer. I never lost the desire to someday return to the practice of law, and do it one more time before I hang it all up. And I have the opportunity to do that now. I feel that I've done basically everything that I can do at the District Court level, from trying every type of case to being the Chief Judge, so I thought this was the right time to make what was a difficult decision about leaving the bench, and joining McCarter & English as a partner. I'm going to head-up their ADR practice, which we'll be creating from scratch, and that's exciting for me.

Editor's Note: Judge Linares was kind enough to conduct this interview with me by telephone as he prepared for his last official act as Chief Judge — addressing the NJ State Bar Association Convention in Atlantic City. I am enormously thankful for his thorough and candid responses, and to court reporter Cathy Ford, who transcribed the interview on short-notice. By necessity, the remarks above reflect some abridgment and limited paraphrasing of Judge Linares' comments; therefore, to the extent they are not entirely reflective of his views, I take full responsibility. — PJM

A Portrait of Former Chief Judge Jose L. Linares

On the afternoon of May 20, 2019, a portrait of former Chief Judge Jose L. Linares was unveiled in the ceremonial courtroom of the U.S. Post Office and Courthouse in Newark. The unveiling was presided over by Judge Linares' immediate successor, Chief Judge Freda L. Wolfson, in her first official ceremonial role. The event was extraordinarily well-attended, and the audience included many current and former Judges, Court personnel, the portraitist Alan Brown, and numerous distinguished guests. But perhaps most notably, the gallery of the courtroom was populated by Judge Linares' beloved family, including: his wife Gail; his son Joe, daughter-in-law Ana, and their children Adelina and Mercedes; his daughter Megan, son-in-law Guillermo Artiles, Esq., and their newborn son Hudson; and his son Eric and companion Mary Morrison. Judge Linares' former law clerk, Hector D. Ruiz, Esq., served capably as the master of ceremonies, and offered a touching introduction. That introduction was followed by remarks from Judge Linares' daughter Meg, and son Joe — both of whom are practicing attorneys, and both of whom leavened their heartfelt reflections with humor and wit. Indeed, among other ways, Meg and Joe lauded their father as follows:

> • *He once told me that you are only as happy as your least happy child, because he truly takes upon all of our burdens, and I know he does the same with his friends as well. No matter how far he rose, or what bench he sat on, he never forgot where he came from. That little Cuban boy who came to America is still in him, and every opportunity that he has had, he has given back. — Meg Artiles*
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> • *Love inspires a duty to a cause, and a love for something inspires a duty to leave it better than you found it. And that is your truest core: you love deeply. You love your family. You love your profession. You love learning. You love teaching. You love your colleagues. You love your mentors, your mentees, and you love the values and people of this nation that your parents sacrificed so much for you to live in. All of that love developed into a litany of self-imposed duties, a duty to yourself to be educated, ethical and as compassionate as possible, which in turn enabled you to serve the District of New Jersey so effectively.*
>
> *— Joe Linares*

Judge Linares concluded the ceremony with his own poignant and often self-deprecating remarks. In particular, he noted the critical themes represented within the portrait's background, including: his Cuban heritage; the Bill of Rights; a dedication to justice; and the critical role that family has always played in his life.