

Judicial Profile

KATHRYN CARNEY COLE

Hon. Joanna Seybert U.S. District Judge, Eastern District of New York

JOANNA SEYBERT HAS been committed to public service for 39 years. During her career, Judge Seybert has worked as a trial attorney with the Legal Aid Society and the Federal Defender Services, as a municipal attorney, as a state court judge, and as a district judge for the Eastern District of New York for the last 16 years.

On a sunny September day, Judge Seybert graciously invited an interviewer into her chambers. She is the quintessential picture of balance: impeccably dressed, patient, collected, and deliberate; one would never suspect that Judge Seybert is in the center of a storm. At the time of the interview, she was presiding over a nationally publicized trial involving former executives of a military equipment supplier charged with insider trading; obstruction of justice; conspiracy; and mail, wire, and securities fraud. In the course of the eight-month trial, one of the longest in the history of the Eastern District of New York, the jury heard from 70 witnesses and was then deliberating, giving Judge Seybert some time to reflect on a remarkable career.

Born in Brooklyn, N.Y., Judge Seybert is living what her father would call the “American dream.” Her father, who recently passed away at the age of 95, was part of the “Greatest Generation.” A veteran of World War II and a survivor of the attack on Pearl Harbor, he did not have a formal education and worked two or three jobs at a time to ensure that his children lived the American dream. “I was truly *blessed* to have had him as my father,” recalls the judge.

Judge Seybert graduated in 1967 from the University of Cincinnati, receiving a B.A. in history. After a year of working in the business world, she enrolled at St. John’s University School of Law, graduating in June 1971 as one of only a handful of female graduates.

Upon her graduation, Judge Seybert considered following the path of a number of her classmates who were joining Wall Street law firms. However, sensing that employment with a large firm would involve a great deal of research but little actual trial work, she instead accepted a position as a trial attorney



with the Legal Aid Society of New York City, where she defended indigent defendants charged with state criminal offenses. The position was everything Judge Seybert had hoped for, allowing her to gain trial experience quickly. A few years later, her success as a trial attorney for the Legal Aid Society led her to accept a position as a senior trial attorney with the Federal Defender Services, where she was able to use her trial skills to defend indigent criminal defendants in the U.S. District Court for the Eastern District of New York.

In 1974, Judge Seybert was blessed by the arrival of her son, John. Shortly thereafter, the judge and her family relocated to Long Island, N.Y. Intent on continuing to practice law, Judge Seybert went into private practice but soon realized that she missed the pace and collegiality of working in the public sector. Therefore, she took a position as a senior staff attorney with the Legal Aid Society of Nassau County. Although life with a demanding career and a young child was “a constant juggle,” Judge Seybert credits this period with helping her to develop the ability to prioritize competing obligations.

In 1980, Judge Seybert joined the Nassau County Attorney’s Office, where she soon became the chief of the Major Litigation Bureau. During her seven

years in this position, Judge Seybert defended the county and its employees in numerous federal civil rights actions. One of her subordinates, Peter B. Skelos, now an associate justice of the New York State Supreme Court's Appellate Division, recalls that Judge Seybert's diligence, demeanor, and preparation made it easy for her to command respect from the overwhelmingly male police and correctional officers whom she represented.

In one such case, Judge Seybert represented two police officers who had shot and killed a 15-year-old robbery suspect, at a time when indemnification was not yet available to county employees. As a result, the homes and assets of the two police officers were at stake. Judge Seybert was able to demonstrate to the jury that, despite the tragic shooting, the police officers had acted reasonably under the circumstances, resulting in a verdict in favor of her clients.

It was around this time that the judge became involved in local politics, an experience that gave her the "inner strength that comes from knocking on doors that you know will soon be closed on you." In 1987, she was elected to a judgeship on the Nassau County District Court in which she was primarily responsible for adjudicating misdemeanor state criminal offenses and disputes between landlords and tenants. Judge Seybert fondly recalls the Nassau County District Court because of the "immediate and real impact it has on ordinary citizens." Judge Seybert held this position until 1991, when she was elected to a seat on the Nassau County Court, handling state felony offenses. "Judge Seybert was always even-handed, and treated litigants with respect," recalls her then supervising judge, Marie Santagata. "She was hard-working, competent, dignified, and efficient in her caseload."

In 1992, President George H.W. Bush nominated Judge Seybert for a position on the U.S. District Court for the Eastern District of New York. However, her nomination was not approved before the election of President William J. Clinton. To her delight, however, President Clinton also chose to nominate her for the same position. She was confirmed by the Senate on Nov. 20, 1993, and assumed the federal bench on Jan. 12, 1994.

Judge Seybert's enthusiasm for her position as a district judge is apparent. "Judge Seybert is so invested in the welfare of the Court as an institution and is selfless in this regard," observes Chief Judge Raymond Dearie. Indeed, according to Judge Dearie, "she is always trying to innovate in an effort to improve the institution." One such example is her practice of meeting with jurors at the conclusion of each jury trial in order to get candid feedback on their experience as well as suggestions for improving the process. "While it is difficult for judges to get honest feedback from either jurors or attorneys, Judge Seybert craves the feedback because she is a working judge with aspirations to constantly

improve the process for jurors and lawyers," Judge Dearie reports. "She truly understands, at the core, what civil service is all about."

When asked to identify the reason for her success, Judge Seybert modestly quips, "I was lucky." In actuality, however, her success is largely the result of her dedication to and passion for the law. Her passion is reflected in her active involvement in a number of professional organizations, including the Federal Bar Association, the International Association of Judges, the AVON Global Center for Women and Justice at Cornell University Law School, the Federal Judges Association, the International Judicial Relations Committee of the Judicial Conference, and the Alumni Association of St. John's University School of Law.

In 2006, realizing that attorneys practicing in the Eastern District of New York could benefit from membership in the Federal Bar Association, Judge Seybert marshaled friends and colleagues to establish the FBA's Eastern District of New York Chapter. "Recognizing the enormous benefits provided by the Federal Bar Association to the established bar, young lawyers and law students, Judge Seybert has been the driving force behind the EDNY Chapter of the association, serving on the board and helping boost the organization at every turn," notes Gary R. Brown, the chapter's president and the former chief of the Long Island Criminal Division of the U.S. Attorney's Office. "Recently, due in large part to her support, we have been able to triple the chapter's membership with innovative programs and efforts."

Further evidencing her commitment to law students, Judge Seybert provides mentoring and internship opportunities to law students who are eager to learn how to be effective lawyers and courtroom advocates. She also maintains an active relationship with her alma mater as a lifetime director of the Alumni Association of St. John's University School of Law.

The International Association of Judges (IAJ) is another particular focus of Judge Seybert's efforts. Founded in 1953 as a nonpolitical international organization that seeks to safeguard the independence of the judiciary in order to guarantee human rights and freedom, the IAJ encompasses associations from 74 countries on five continents. The members study problems of common interest to the judicial process in every country of the world. Judge Seybert, as a vice president of the IAJ, participates throughout the year in the association's activities and attends its annual international conference hosted.

Judge Seybert, a role model for female attorneys, is dedicated to improving access to justice for women. For example, the judge is a member of the Steering Committee of the AVON Global Center for Women and Justice at Cornell University Law

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partnerships could go beyond mere exchange programs and could form the basis for the development of American law education that is truly international in scope. The needs are great. The pre-eminent jurists whom Judge Jones met in Iraq are mostly graduates of Baghdad University Law School. But this once great school is now in great need of repair and modernization. In addition, while there is a tremendous will to learn and become expert, there currently is a void in developing sophisticated financial legal concepts and transactional legal work, and American law schools can fill this void. Judge Jones does not think that the educational efforts should be directed only to prosecutors and trial attorneys. Rather, she believes that Iraq also needs ministers, corporate lawyers, and judges who are sophisticated in the rule of law as applied to international finance.

Recently, under the auspices of the State Department, Iraq's Chief Justice Medhat and a number of other Iraqi judges traveled on a two-week exchange visit to the United States, entitled "Adjudicating Disputes Related to International Commercial Contracts and Financial Transactions." The Iraqi delegation visited Washington, D.C., and New York City, and engaged in numerous talks, round table discussions, and visits (including visits to the U.S. Supreme Court, the Court of International Trade in New York, and the New York Supreme Court's Commercial Division). The trip ended with a two-day seminar hosted by Fordham University's Law School, during which the Iraqi delegation spoke and participated in discussions on international finance, foreign direct investment, and international commercial partnerships.

Judge Jones believes that this type of exchange program is exactly the type of educational exchange that will help Iraq's judges and the Iraqi justice system. She has identified other law schools that are also creating or studying similar programs. For example, Judge Jones notes that Professor Haider

Hamoudi of the University of Pittsburgh spoke at many of the talks at Fordham Law School's recent program, and the University of Pittsburgh has been exploring the idea of a program entitled "Export of American Legal Education" in transition countries. Loyola University in Louisiana has also recently started a program with the Kirkuk University College of Law. Abe McGull, an assistant U.S. attorney in New Orleans who is currently serving as a resident legal adviser in Kirkuk, has been instrumental in initiating that program. U.S. Agency for International Development has just initiated a multimillion dollar Access to Justice Program designed for the Iraqi bar. In addition, the International Human Rights Program at Pepperdine University School of Law has had amazing results with the school's outreach program in Uganda—a program that could be a model for outreach to Iraq. In short, Judge Jones is calling upon American law schools to make a long-term commitment to Iraqi sister schools.

Conclusion

Judge Jones' mission can only be complete when Iraq becomes a fully independent, democratic nation based upon equal justice and the rule of law. When that happens, it will be a testament to her mission and the mission of all the lawyers—both Iraqi and American—who have undertaken efforts to re-establish Iraq's legal system. Judge Jones is working on that mission and is looking forward to achieving it. **TFL**

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School, which works with judges, legal professionals, and both governmental and nongovernmental organizations to improve access to justice in an effort to eliminate violence against women and girls. One of the judge's former law clerks, Kerri-Ann Law, a mother of three young children and a partner at a New York City law firm, states that "it was empowering to work for a woman who managed to be both successful in her career and involved with her family. Judge Seybert really proved to me there was such a thing as a work-life balance."

Judge Seybert's legacy of public service and commitment to the court has had a profound impact

on innumerable people, and she looks forward to continuing to improve upon the judicial process and the court as an institution and to meeting the inherent challenges in her responsibility to resolve each dispute before her fairly. **TFL**

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