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TRIBUTE TO THE HONORABLE BAREFOOT SANDERS: WISDOM AND LOVE OF LIFE

Jennifer Anglim Kreder
(’98-’99)

AS the first person in my family to attend law school (or any school past college), I had never heard of a judicial clerkship before arriving at Georgetown. During the first year of school, however, it became apparent that it was a good thing to do if you were lucky enough to nab one. So, at the start of the 2L year, the applications went out. I was lucky enough to get a few interviews and called any Georgetown alumni who I thought might have information about the judges who were interested in interviewing me. Everyone said a clerkship was a great way to open doors, but the Sanders clerks said a Sanders clerkship would be one of the best years of your career—and your life.

On the 6:00 a.m. flight out to Dallas, I slept in a pair of comfy old pants, a T-shirt and sneakers, with my suit hanging in the little coat closet on the plane. I had chosen the suit with care. I had the feeling from speaking with the clerks and Phyllis Macon, the lifeblood of chamber’s operations, that “*joie de vivre*” was an important trait in the selection process. My resume is a little unusual with lots of study abroad and graduate study at Karl Marx University in Leipzig, Germany. So, I picked my magenta Chanel-like suit and pinned on my large sterling silver sun pin purchased in Oaxaca, Mexico.

Upon arrival in Dallas, I went to Budget Rent-A-Car and retrieved my keys and map. Before going to the car, I changed into my suit—and discovered I had forgotten to pack my shoes. I had an interview with The Honorable Barefoot Sanders and had no shoes myself—the irony was apparent but no comfort. So, I drove into downtown Dallas, desperately hoping to find a pair of shoes somewhere along the way. I found nothing before I hit downtown, so I drove around looking for something promising. Luckily, I passed by a Pay Less Shoe Source located just a few blocks from the federal courthouse. Thank goodness I had no idea what Nieman Marcus was! I parked the car illegally, ran inside in my sneakers, asked for any sized 7 ½ black heel. I paid and ran back outside in slick-bottomed four-inch heeled shoes that didn’t bend, jumped into the illegally parked car (and if memory serves, I had a ticket), followed the map to the courthouse, parked (legally this time) and ran into the courthouse. Of course, I had to slow down for security, but then I pretty much slid the

rest of the way to the elevator in my slick shoes to arrive just minutes before the scheduled interview.

Then I met Phyllis in person—and she was just as colorful and lovely in person as she was on the phone. Then I met Erin and Richard. All were obviously very intelligent, competent, and friendly. I noticed a marked contrast between Erin and Richard. Erin is as bubbly as one could be, whereas Richard was much quieter and reserved. Both were impressive and asked me serious, probing questions. They were protective of Judge and Phyllis (and later I realized they also were protective of Jan and the entire extended Sanders family)—making sure to recommend the right person for the job. Then I met Judge.

I had never before and have never since “visited with” (that’s what they say in Dallas) someone who was so instantly and simultaneously awe-inspiring and likeable. I had never before and have never since wanted a job for which I interviewed as much as I wanted the Sanders clerkship. What was so great about the interview was that Judge’s intellect and wisdom were so obvious, but he was just as interested in swapping travel stories with me as in talking “shop.” He and I had both ridden in busses with chickens across Mexico and stayed in some interesting (and sometimes shady) places. I think he figured that one’s academic record can attest to a candidate’s ability to perform the basic functions of the job, but that a candidate’s personality mattered just as much in terms of whether the office (and lunch!) would function smoothly—and happily. To Judge, being an inquisitive and friendly person was just as important as being good at one’s job—and he certainly was all of those things. He was full of life and did everything to its fullest, especially smoking cigars. At the end of the interview, he wished me well and told me he would get back to me after consulting with Phyllis, Erin and Richard. I was so thrilled when I heard his drawl on the other end of the phone the next day offering me the job. Of course, I accepted immediately and withdrew my candidacy from all other chambers to which I applied.

I never said this to any of the clerks before, but I think there was a bit of a pattern to the hiring. I think each year, there typically is a bubbly, a bit quirky dare I say, and a more politically attuned clerk. This was a reflection of Judge’s intellect, interests, personality and outlook on life. For the years in which Judge was Chief Judge and had three clerks, I’m sure Judge was even happier to add one more personality to the lunch table where everyone ate together almost every day, complete with Frito’s and mini Snickers bars.

We had such wonderful times together—and he was an inspirational and incredibly knowledgeable mentor. I clerked with Bill Olsen—he was the politically astute clerk (which I guess means I was the quirky one). We both went off on interviews to try to fix our destinies after the Sanders clerkship. Bill landed a great job at the DOJ—what a tribute to Judge! I was less sure about what I wanted to do. By December after a lot of soul searching and advice from Judge, Phyllis and Bill, I inter-

viewed with large firms in New York, where I never imagined I might work when I entered law school. I basically wanted State Department type-work that I found interesting, but at law firm prices because I had humungous student loan debt. I identified partners in big firms who had highly developed international arbitration practices in 1998, figuring that they might have international litigation-type work I might find interesting. There were only about a dozen I thought might have the kind of work I wanted. I sent them my resume with highly personalized cover letters. I set up interviews over one week in March and flew to New York.

The best fit was a large well-known firm, where I was offered a position working on the Holocaust litigation. The fascinating litigation was likely to be resolved largely through treaties. It sure sounded like State Department type-work at law firm prices. I then asked, "Who's your client?" The response: "Deutsche Bank." My jaw hit the floor. I *never* imagined I would represent a defendant in Holocaust litigation. I asked what would happen if the treaty negotiations fell through and the cases' path toward litigation continued. I was assured that would not happen, but I had to think things over and consult with Judge, Phyllis, Bill and others. I simply couldn't fight survivors in court with no prospect of compensation for them. Later, I was told that if I took the job and ever wanted to be removed from those cases, that I would be reassigned without question. I still had to think about it.

The following Monday back in Dallas, the offer was the subject of our lunch conversation. The moral dilemma was whether I should use my prized and privileged education in this way for my own profit. Judge told me unequivocally regarding the offer: "Take it!" Judge said that it would be a good thing for someone who recognizes the dilemma to be working—and diligently—on the defense of the litigation. He didn't give me the cliché about everyone being entitled to a defense. We all knew that. His advice was that I would learn a tremendous amount working on litigation of historical significance. The experience would be challenging; it would allow me to become financially stable; and it would allow me to pursue my dream of becoming a law professor and using my talents to make a positive societal impact. As always, he was wise. He was correct in every respect. As was true in regard to the Sanders clerkship and the *Tasby* litigation, I learned a tremendous amount in the New York job and witnessed how very little in complex litigation is black and white.

As a law professor, I am privileged to try to mentor students in the same way that Judge mentored the Sanders clerks—I hope I can manage to even hold a candle to him in this respect. I tell them all that they should try to nab a judicial clerkship, and that the most important aspect of one is finding a Judge as interested in seeing his or her clerks learn as in getting the daily business of chambers done. I tell them that they actually have more power than they realize to shape their careers starting with the first job they accept upon passing the bar. I tell them they have

the right to choose how to use their talents even though financial reality cannot be ignored. Most importantly, I tell them to surround themselves with wise people who know how to live life to the fullest in all its respects.

Thank you, Judge, for steering me to the fulfillment of my dreams. Just thinking about you and everyone in the Sanders family brightens my day. We all will miss you dearly.