

TRIBUTE TO JUDGE NORMA LEVY SHAPIRO

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In almost thirty-three years on the federal bench I have become an experienced judge-watcher, able to identify the premier judges in the system, nationwide and circuit-wide. I say with total confidence that Norma Shapiro is one of the very best judges in the federal system. I have been familiar with Judge Shapiro's judicial work product for a quarter-century—for three and one-half years as a colleague on the District Court for the Eastern District of Pennsylvania and for well over two decades as a Judge of the Court of Appeals for the Third Circuit, reviewing her cases on appeal. We have also sat together on Third Circuit panels.

Judge Shapiro has written well over a thousand opinions. I obviously have not read them all but I have read quite a number. Her opinions are consistently first rate. They are beautifully structured, well documented, tightly reasoned and thoughtfully conceived. They plainly go through endless drafts, a supposition confirmed by her law clerks, one of whom recalls not only "repeated editing to perfection" of draft opinions, but even "debates over the uses of semicolons." Judge Shapiro's opinions are, needless to say, held in very high regard by the judges of the Court of Appeals for the Third Circuit. She is rarely reversed.

Judge Shapiro has authored opinions in virtually every area of the law. Nothing baffles her—not even the recesses of maritime law. Her ability to identify and clarify key issues in this often arcane area of law is impressive. For example, in *Van Muching [sic] & Co. v. M/V Star Mindanao*, 630 F. Supp. 433 (E.D. Pa. 1985), Judge Shapiro had to construe British as well as American maritime law in her analysis of the duty to stow cargo aboard seafaring vessels. She cogently and succinctly analyzed the pertinent issues and rendered simple and clear what was, in fact, a complicated set of responsibilities devolving on different parties, including the master of the vessel. It comes as no surprise, of course, that a mind as insightful and precise as hers could accomplish this, and every other task, with such facility.

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Judge Shapiro is considered to be a superb trial judge by those who have appeared before her; I know because I have talked to litigants and lawyers, whose praise is very high. Her ability to size up a trial situation and work out problems is uncanny. And she is an excellent settlement judge. One law clerk attributes this to her listening to each side, sizing up what each wants and, then working with both of them towards settlement, refraining from volunteering a settlement figure until she understands the positions of both sides.

Judge Shapiro's judicial work ethic is legendary. On the occasion of her investiture, one of her law partners, H. Francis DeLone, observed:

We were delighted when about 10 years ago Norma indicated she wanted to resume her legal career and she returned to the office on what was supposed to be a part-time basis and I will tell you: If you had anybody working for you part-time, get somebody like Norma Shapiro, because her part-time is overtime to anybody else.

Her long work hours have continued throughout her judicial career.

Much is generally known about Judge Shapiro's work with the American Bar Association. But this activity was presaged by herculean labors for both the Philadelphia Bar Association, whose Board of Governors she chaired, and the Pennsylvania Bar Association, where she served on the House of Delegates and chaired several important committees.

What makes Norma Shapiro a great judge? There are many qualities found in our best judges, among them high intellect, knowledge of the law, industry, even temperament, and courtesy. Norma Shapiro possesses all of these in abundance. She also possesses other qualities that pervade her judicial work and her relations with the judicial family, including her extraordinary humanity, which set her above the rest.

Norma Shapiro is the universal woman who "does it all." She has always been an extraordinarily busy person throughout her life, but never too busy for an interest in, and a concern about, her fellow human beings and their problems. This concern extends to everyone with whom she has worked and had contact. Everyone who has known her has come to appreciate her warmth, her sympathy, her humanity, and her understanding of the problems of others.

First and foremost among these are her law clerks who revere her for her mentoring and her friendship. Their stories are legion. One clerk recalls the time she was sick and Judge Shapiro stopped at her apartment on her way home from work with egg drop soup from a

restaurant in Chinatown. It was the closest thing she could find to chicken soup. Another clerk remembers Judge Shapiro's showing up in her hospital room with a gift on the day of the birth of her first daughter. Judge Shapiro got past the nurses by telling them she was the grandmother, omitting the fact that she was the "judicial grandmother." That same clerk recalls Judge Shapiro's encouragement when she was deciding whether she would work part-time while her children were small. The Judge reminded her that the children would not be small for long and that she would not want to miss that time with them. Judge Shapiro also gave practical suggestions on how to get the most work done and how to stay up to date on legal developments. Still another clerk recalls Judge Shapiro's welcoming her clerks, not only into her chambers, but into every aspect of her professional life. They were encouraged to express interest and participate in any activity in which the Judge was involved—whether it was the ABA, the Jewish Publication Society, or the Inns of Court. They were routinely invited to many of the events she was attending and the Judge made a point of introducing them to people in the legal community with similar interests.

Remarkable too is Judge Shapiro's personal relations with her colleagues, and how she remembers each of their birthdays with cakes and gifts. Nothing slows her down, not even physical handicap. At seventy-five her energy and enthusiasm for her work, her colleagues, her employees, and her friends is unabated. How proud would be her parents, whom I knew.

One final observation is in order. I know of no more remarkable employment relationship than that of Judge Shapiro and her courtroom deputy clerk Madeline ("Madge") Ward, who started working for the Judge at the Dechert firm and has been with her every day since she has been on the bench, first as secretary and then as deputy clerk. No Judge has ever been served more capably or loyally than Judge Shapiro by Madge. Judge Shapiro has reciprocated with an abiding respect and affection for Madge that has cemented their extraordinary relationship. I add that Madge was a great help to me in preparing this tribute, for which I thank her.

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