

# 10 QUESTIONS

## for Chief Judge Petrese B. Tucker

U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

### INTERVIEW BY DEBORAH WEINSTEIN

**U**.S. District Court Chief Judge Petrese B. Tucker is the first woman to be chief judge of the Eastern District of Pennsylvania and the first African-American woman to sit in the Eastern District. The Philadelphia native and former assistant district attorney, a graduate of Cardinal Dougherty High School, Temple University and Temple Law School, is married to Philadelphia Court of Common Pleas Judge Leon Tucker.

**DEBORAH WEINSTEIN: Do you see yourself as a trailblazer, being the first woman to be chief judge of the Eastern District?**

**CHIEF JUDGE PETRESE B. TUCKER:** Well, I guess I don't see myself as a trailblazer, but I do think it's a big deal. I think it's a big deal and it happens for a variety of reasons. But one of the most important reasons that it happened is that the judge before me, who was chief before me, decided that he didn't want to do seven years, which is the normal term. And because he decided that he didn't want to do seven years, my time came up. So it's a combination of the number of years that you've been on board and your age. So if he had done a whole seven years, I would be over 65 and I wouldn't be eligible. So I have a lot to be thankful, for that. Historically, I think it didn't happen before is not because there weren't other women judges, but it's just the planets weren't aligned, so to speak. I think considering the fact that I was the first and the only African-American woman on the district court bench, the fact that I've become chief, is important to me and I think important to most women. But yes, it has special significance because of that.

**You've spent more of your working life as a judge than as a regular attorney. Did you aspire to be a judge when you were growing up?**

When I was growing up, I aspired to be a lawyer. I had absolutely no idea that I'd be a judge. When I got out of law school in 1976, I clerked for Judge Lawrence Prattis in the Court of

Common Pleas. It was at that point that I decided I wanted to be a judge. So I had many conversations with him about how to prepare and professionally what to do. One of the most important things that I did was go into the District Attorney's office and that was preparation for going on the bench. I think it was great preparation. And the experience that I got in the criminal courts is easily transferable to the civil court. I was only on the civil bench, at the civil side, for a very short time when I worked for SEPTA and then I came to the state bench and I was there for 13 years, and then I came here, and I've been here, this is my 13th year.

**If you were counseling someone who wanted to become a judge, would you advise them to get a lot of trial experience?**

I would say, get a lot of trial experience. The District Attorney's Office, the City Solicitor's Office, the Public Defender's Office, those are the kinds of experiences where you try hundreds of cases as opposed to one case for six months that you work on, and you just do bits and pieces.



If there's a shortage of justice, we really don't know until it impacts us and affects us personally. And then it's too late.

**How is the sequester impacting what you do and what you see for the future?**

Well, it's very sad. And it's unfortunate, because I don't think people realize the effect of the sequester on the criminal justice system, the civil justice system, because they're not affected by it, they're not impacted by it. It's not like something you go to the store, and there's a shortage of sugar, or whatever. If there's a shortage of justice, we really don't know until it impacts us and affects us personally. And then it's too late. The greatest impact right now is the Federal Defenders Association. That's the most immediate impact. But we have meetings, budget meetings.

They're telling us they want us to reduce our budget by 3 to 5 percent next year and you can't furlough law clerks, you can't furlough judges. We have to keep things going. We have not had any furloughs for this fiscal year. But there's an increase in reductions that have to be made for next fiscal year. And I'm hoping that we will not have any furloughs. But that's a possibility. And when people retire or leave, they're not replaced, so we unfortunately have to do the same amount of work with less people.

One of the most important things that can be done is for the different bar associations to speak up and let the public know the impact of the sequester

and how important it is to be supportive of the courts. The courts are a third branch of government and we're not the FAA or TSA or something like that. It's a totally different separate branch and it's important. We've struggled for a number of years to have things in the positions that they are, have justice like it is, have representation by counsel, and all of that. And all of that is in jeopardy at this point. The courts can't do it. We rely upon the bar associations to do it.

**We read a lot about the nomination process for federal judges and how the slots are not being filled as quickly as**



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**they need to be. Has that had an effect on the work of the Eastern District?**

It has had an effect, until very recently we had six vacancies, we now have three vacancies and what that meant was the senior judges had to pick up a lot of cases. As a senior judge you have an option to take 50 percent or 25 percent of your caseload. So the senior judges really pitched in and helped to keep us afloat. We now have three vacancies and my understanding is that there will be two vacancies that will be filled in the near future. But unfortunately we're still getting more vacancies, as the judges get older, we anticipate one or two more. So as we fill them, we're getting more. The bench has really turned over in the last 10 or 15 years. It looks like a totally different entity than it was 15 years ago.

**You are married to another judge (Philadelphia Court of Common Pleas Judge Leon Tucker). Were you both judges when you got married?**

Our law clerks call us Mr. and Mrs. Judge Tucker. We met each other as recent law school graduates. My husband went to the University of Kentucky for law school. We're both from Philadelphia, but he came back to Philadelphia and we met after that. He was in private practice for 25 years before he went on to become a judge. So he's been on the bench maybe six years. He was a solo practitioner for 25 years and as our kids grew older and we grew older, he looked for something different. I have two daughters – one got married in June of last year and one got married in September of last year, so I had two weddings last year. But no grandchildren yet. One daughter is in Philadelphia and one's in New York City. Lindsay works for the city in the culture and art department and Leah works for an online cosmetic company in New York.

We talk very little about what we do at work. But we talk about just what everybody else talks about. We talk about family and what they're doing and what we're going to do this summer. But there is so much going on in the news about the law and courts that you can't help but talk about it.



In my spare time, I basically just hang out with my family. We've recently went to a family reunion in Virginia and my girls came down, and we just did the family thing. In the summer, we go to Cape May on the weekends, but it's mostly just family.

**Did you have mentors or other individuals who helped you along the way, gave you advice about your career or opened doors for you?**

Well, I think one of the most important people was Lawrence Prattis, who was my first legal employer. He was important, you know, he used to write me notes, this is how you cross-examine, this is how you don't cross-examine. This is what you need to

do professionally and he was very helpful. Since I've been here, the judges, especially the women judges who are here. Judge Norma Shapiro is somebody who is really just priceless. We just recently celebrated her 85th birthday among the judges and that was an important event. She celebrates everyone else's birthday, you know, she brings in a cake and she goes through a lot to increase the collegiality among the judges, but I think she's an important person. She was the first woman.

**Getting back to your career in Common Pleas Court, did you run for judge the first time or were you appointed to fill a vacancy?**

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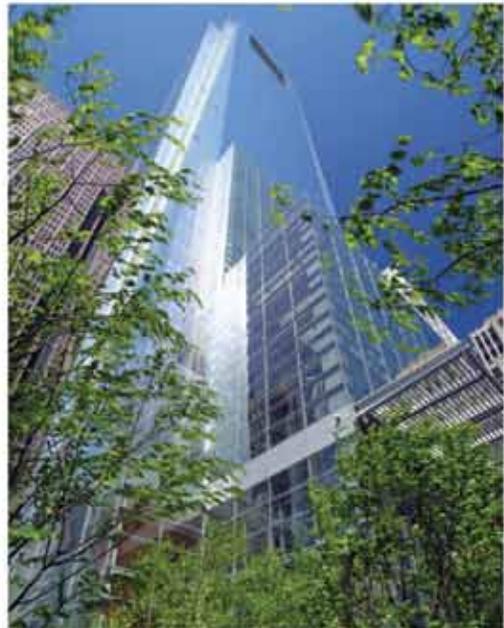


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I was appointed to fill a new position, it was not a vacancy. So I was appointed by Governor Casey and they had the Casey 10 back then. The Casey 5 had to run and the other five of us didn't, we stayed for two years and then we had to run for election. So I was a hybrid: an appointment, plus running.

Running for judge was in the back of my mind, because you know, it's never a right time to run. You just try to get as much experience as you can and make as many contacts as you can. But it requires money, and I had little kids. I think my youngest was 18 months old at the time. So it really requires a family pow-wow to run for an election under those circumstances.

**Are there any other outside groups that you're involved with? I know this is an all-consuming position.**

I'm involved with the Barristers' Association as much as I can be. It is very difficult now, but you know, I leave that for the young people, who have plenty of time and plenty of energy. I had been involved with the Avenue of the Arts, but again, it requires too much time. So I've been kind of just doing this work and being chief, at this point, is requiring a lot of time.

**Did you have the opportunity to meet with Justice O'Connor when she was here for our luncheon, or do you have**

**reflections on her visit to Philadelphia recently?**

I did have an opportunity and she always makes sure that we have some conversation. She always makes time for the women judges. There was a little reception for the women judges the last time she was here. Before then, we all went to dinner. And so, she always makes an effort to talk to the women judges and she's always very kind and it's surprising how nice she is, under the circumstances. ■

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