

*The Antidote for Invisibility: Show Up, Speak Up, and Care!*

*In Conversation with DIB Champion Hon. Elizabeth Stong*

I love origin stories – especially unlikely ones – and I’m delighted to share a bit of my own, as IWIRC’s inaugural DIB Champion.

It’s been an honor and a privilege to have served since 2003 as a United States bankruptcy judge in the Eastern District of New York. But when I entered law school, I had never met a lawyer or a judge. For better or worse, I had never been in a courthouse, and I had no idea what a law firm was. Still, I had a sense that lawyers could make a difference, though I was not sure exactly what that meant.

First, after law school, I was an unlikely law clerk. I did not know much about federal judicial clerkships, but I was drawn to the idea of public service so early in my career. I clerked for Hon. David Mazzone, a United States District Judge in the District of Massachusetts. In that role, I learned what it means to be a public servant and to have the justice system as your client. Chambers and the Boston federal courthouse were magical to a newly minted lawyer. The idea that there is a branch of government with the mission to do justice was inspiring, uplifting, and special. At the same time, women were scarce, both in chambers and in the courtroom. And there was just one woman judge in the District. I could have been a bit invisible. Instead, I showed up, I spoke up, and I cared.

Next, I was an unlikely “big law” associate and partner. I moved to New York, where I’d never lived before, to be a litigation associate at Cravath, Swaine & Moore and then a litigation associate and partner at Willkie Farr & Gallagher – and to my surprise, I loved it. I learned about what it meant to strive to be the best lawyer you could be, and I found my advocate’s voice. There were very few women in big firm litigation practice, and fewer still among the

partners. And yet, there was opportunity – and lots of it. Dedication and hard work were respected and rewarded. My first assignment as a junior associate at Cravath was to join the trial team for a six-week civil rights trial as pro bono counsel to the City of New York – and I became one of “the lads,” which was the partner’s name for his team. But there were no role models or mentor candidates who looked like me. And when one of my heels got stuck and broke in the cobblestones along Fulton Street as we dashed back to court after lunch at the office, I’m sure that no-one had any idea how I felt.

As a senior associate and partner at Willkie, my understanding and appreciation of my role evolved. For a team to succeed, every lawyer on that team must succeed. And to succeed, they cannot be invisible – they must be both seen and heard. In my role as a more senior lawyer, I could work on that – in giving assignments, providing feedback, and checking in. I’m not sure whether I ever felt invisible when I was the junior person, and usually, the sole woman, on the team, but I sure hope that no-one on any of my cases ever felt that way. For my colleagues and for our clients, I showed up, I spoke up, and I cared.

And then I was an unlikely appointee to serve as a United States Bankruptcy Judge for the Eastern District of New York, sitting in Brooklyn. When I became a bankruptcy judge, I left a firm and a practice area that had been my professional home for nearly twenty years – and while I loved private practice, I never knew a person could love a job or a role this much. Imagine a job where you can make a difference, every single day. I formed new bonds with the amazing women and men that comprise our federal bankruptcy judiciary. Many people reached out, and I took care to reach back. To this day, I remain grateful for so much good and wise advice that my colleagues shared, from how to pick out a robe (zippers, not buttons; cuffs, not

loose sleeves) to how to control your courtroom. To this day, I reflect on the advice that “if you have a bad day on this job, it’s your fault” – in a good way, of course.

Nowadays, our work is too challenging, and too important, to leave anyone out. We have no room for invisibility here. On my teams, in my chambers, and in my courtroom, whether we are restructuring a business, helping a family save their home, or getting the creditors paid, we need the best that everyone can bring to the task. And still, after more than twenty-one years on the bench, I’m grateful for the opportunity to push back against invisibility in chambers and the courtroom, and to show up, speak up, and care.