

So You Want To Become A Federal Judge by 35?

Follow these instructions and, who knows, maybe they'll work for you too.

By ALEX KOZINSKI
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YOU'RE DAYDREAMING in your office, "procrastinating" a brief, when the phone rings.

"John [or Jane]," a deep voice at the other end says, "this is the president. I've been looking for a distinguished lawyer to fill that judgeship in your circuit, and everyone I ask mentions your name. I have the nomination papers all drawn

up. You'll be doing me a big favor if you accept."

"Well, Mr. President, this is certainly unexpected," you lie. "I've never even imagined that I deserve to wear the robe. May I have a few days to talk it over with my domestic partner?"

"Why, of course, John [or Jane]," the president replies, "but don't take too long. I'm counting on you—and so is your country."

Hasn't happened yet? Well, it could, but only if you follow the directions below to the letter. Don't improvise.

1 Decide early. This, the most obvious step of all, is too often overlooked. You'll surely flounder if you're not willing to admit—at least to yourself—that you

have judicial ambitions. Go ahead, lock yourself in the bathroom, look in the mirror and say: "I'm honored to be in the presence of such a distinguished jurist." If these words send a chill down your spine, go to step two.

2 Get into politics. Judging is not a partisan political process, but being fitted for the robe definitely is. Pick a party or candidate and lend your support when it matters.

And don't be too finicky about the kind of work you're willing to do. If there's a job serving coffee, don't hold out for senior policy adviser. All organizations—and political campaigns in particular—are overrun by incompetents. If you keep the coffee fresh and hot, you'll quickly earn a can-do reputation; in no time, you'll be promoted to speech-writer or special confidant.

3 Never back a loser. Campaigning for the Spotted Owl Party in the middle of lumberjack country may

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soothe the soul but won't get you a robe. Of course, you shouldn't campaign for a candidate whose views you despise, but within the realm of what you can tolerate, let ambition, not idealism, guide you.

4 Get a job in Washington. If you want to become a federal judge, you might as well peddle your wares in the federal judgeship bazaar. Sure, a lot of judges are appointed from the provinces, but your odds improve if you share

an area code with the people who pick judges. While there, you'll want to...

5 Get to know your senators. You won't get a federal judgeship if a senator from your state objects, particularly if the senator belongs to the same party as the president.

If your senators don't sun themselves at your pool on weekends, at least have lunch with members of their staff. A good word from an aide can turn an ambivalent senator into an ally.

6 Make friends on both sides of the aisle. If you get into political trouble, it's always good to have open channels to those who oppose you. You might be able to blunt, if not repel, their attacks.

7 Ask a lot of people for favors. This is very important, so pay close attention. Most people believe that the way to get ahead in politics is to do a lot of favors for others so they'll owe you favors when you need help. In fact, people hate to pay back favors—it makes them feel cheap; anyway, they always think the favor you're cashing in is worth much less than the one you're asking in return. So, they promise to help you but don't. Or, they pretend to help but damn you with faint praise.

The way to get ahead in politics, in fact, works just the opposite; call it Kozinski's Axiom: Get people to do you small favors and next time they'll owe you big favors. Once people have a stake in your career they start to take pride in your success. Unless you turn out to be an ingrate (See No. 8 below) or a dizzard (See No. 9 below), they'll be pleased to learn you've made the most of the help they gave you. Your success becomes their success and next time they'll be willing to do a little more.

8 Give credit where it's due—and especially where it's not. When you do achieve a measure of success—perhaps your first political appointment—be sure to thank all those who helped. And by all means go overboard; give everyone full credit. Even if you suspect someone didn't help very much, or that the help given didn't do much good—no matter. Your goal is to give as many people as possible a stake in your success because—well, remember No. 7 above.

9 Do your level best at whatever job is entrusted to you. Political assignments are not merely stepping stones; they are important jobs in themselves. People in politics have very long memories. If you disappoint someone who has helped you, don't expect that person's help again.

10 Don't be daunted. People will look at you as if you're nuts the first time you mention your ambition, and it may take friends and family a while to get used to the idea. But the second time you mention it they won't seem quite so surprised and, by the third time, you may find out they've already taken steps to help you.

There's a fine line between being persistent and being a pest; don't cross it, but do get very close to it.

Will it work? If you follow these simple rules—and have a modicum of intelligence and common sense—you'll have a very good shot. And if you don't make it, don't worry: You're now 35, so you're all set to run for president (See Nos. 1-10 above). ■

Judge Kozinski was appointed to the Ninth Circuit when he was 35.

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For more information, contact the recruiting director or visit our website.

Nancy Gordon
FISH & RICHARDSON P.C.
One Riverway
Suite 1200
Houston, Texas 77056

713 629-5070
fax 713 629-7811
jobs@fr.com
www.fr.com

Look



FISH & RICHARDSON P.C.

jobs@fr.com

Boston
Houston
New York
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