The following remarks were delivered by
Hon. Shira A. Scheindlin
of the United States District Court,
Southern District of New York,
at the
“Celebration of the Impact of The Sedona Conference
& the Vision of Richard G. Braman,”
held on September 24, 2011 in Arlington, VA.
A Tribute to Richard Braman

We have come together tonight to honor Richard Braman for his unique achievement in and contribution to the legal profession. The Sedona Conference, which he founded nearly 15 years ago, is a part of today’s legal landscape. I suspect that at least 50% of American lawyers and 100% of American academics and judges are familiar with the work of the Conference. That makes L’il Richard a giant in the legal world.

Four outstanding judges will follow me in speaking about Richard’s achievements. It is inevitable that our words will overlap as we all speak of Richard’s vision in conjuring up this new, creative and vibrant institution known as the Sedona Conference. So I have chosen a different focus for my remarks – a very personal focus – and that is to describe what it has meant to me to have Richard as a friend these last ten years.

Few people understand the inner lives of judges. For many years you are a lawyer – practicing law with many colleagues, sharing stories in the office, a drink after work, active in local bar associations, grumbling a bit about clients and billing but generally leading a productive and comfortable life. The next day you become a judges and your life changes. Your former colleagues are now on the other side of the bench. They can’t take you to lunch or buy you a drink and you can no long
afford to do the same for them! You are respected but now separated from the lawyers you always worked with. You must be careful not to express opinions, lest you be viewed as biased, outspoken, or predictable. You can share ideas with your judicial colleagues but the deferential “your honor” means that you may no longer hear what the lawyers really think about you or your colleagues for fear that they will offend you – which could be costly when they next appear in your courtroom. There is a real risk of becoming both isolated and insulated.

And then came Richard. He really likes judges and I think he senses their need to participate, as equals, in the development of the law and the legal profession. With me he crossed the line – the line I really wanted someone to cross. In his unaffected, down home, mid-Western, never-wear-a-suit manner, “Your Honor” soon gave way to Shira - a name I forgot I had. We became real friends – confidants who could share our highs and our lows – and who could count on each other for support whenever we needed it.

How invaluable this friendship has been to me because I am a judge. Here was someone who never failed to write or call when my name appeared in the New York Times, or I issued a landmark opinion, or to celebrate a big birthday – but who also wrote when he knew things were not so good – a reversal by the Second Circuit (all too often), a hoped for job I didn’t get, or a family problem. And he let
me do the same for him – in addition to many talks about legal issues and the work of the Sedona Conference – we talked of elderly parents, illness, and even love and marriage. He even bridged the gap between East and West explaining the esoteric term “Howdy” – a term unfamiliar to the Eastern intellectual establishment!

And Richard brought judges into the work of the Sedona Conference in a way that integrated us back into our community. He helped us cross the line, once again, from being shut away in our courthouses, to finding a forum in which we could once again exchange ideas with lawyers in the comfortable informal setting of a casual dress meeting somewhere in the wilds of Arizona. This has been a very good thing. Bringing judges back into the process is not only good for the bar – it is very good for the judges. It is no surprise to hear that judges are not so good at dialogue! We generally don’t say: “I think, I believe, I agree.” We generally say, “I find, I hold, I rule.” Because of Richard many of us here today have been able to leave our ivory towers and reacquaint ourselves with our roots.

So, in sum, I feel very lucky to be Richard’s friend, confidante and colleague. I wish him many more years of success and I hope that I will continue to be a part of his life and of the Sedona Conference.