

## The District Judge

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A friend of mine, somewhat influential in Washington circles, told me the other day: “You have no idea how much I would like to see you appointed to the Boston Circuit Court of Appeals.” I took a deep breath and thanked him for his “good intentions”, but I can assure you that deep down inside I shuddered at the thought. Being just a regular human being, I find that the typical work a judge performs in a district court is more akin to my nature and disposition. As district judges, we have a broad field of action in the judicial service that many of our colleagues in the appeals court experienced, traded for the position they now hold, and miss it. After all, our daily life experiences are the ones that keep us in touch with the tragic situations human beings endure.

The district court allows broad latitude for judicial initiatives and discretion. The scope of action is very diverse and no two days are ever alike. In criminal cases we have an obligation to make the greatest effort to fairly sentence those who are just as human as we are. People who have feelings, just like we do, and suffer, get sick, have their likes and dislikes, fall in love, get into fights — with or without reason — and every once in a while need to be scared straight.

In civil cases we help lawyers define the issues in a logical and intelligent manner, as they create the record upon which the case will be decided. Being a federal district judge allows me, as well as my fellow district judges, to experiment with, innovate on, and adapt procedures that promote a fair, expedient and economic solution to cases by simplifying controversies, and encouraging judicial economy.

District judges also instruct jurors and offer comments on the evidence within the legal parameters, so juries can understand the issues and perform their decisional function. In addition, judges are teachers for attorneys and parties. Lessons taught also extend to witnesses, newly naturalized citizens, and our visitors. We recently offered a briefing for judges from Mexico, and were visited by a group of children from the Cantera sector. It was a source of immense satisfaction to see those children between six and fourteen years old ask incisive and intelligent questions about the workings of a court. It was also moving to see how some of these children had already lived through the social problems of drug addiction and crime and how, against all odds, they were making a supreme effort to live decent lives in the full sense of the word.

Going back to the appeals court judges, I confess that I respect and revere them as judges with a very special prominence, but for a regular guy who experiences a full range of feelings, who laughs and cries, makes mistakes, becomes distracted and confused like everyone else, my best performance is rendered with the litigation and daily battles in the halls of justice. Most of the decisions made in a district court such as ours are final, and only a small minority of these gets revised by an appeals court. Therefore, in most cases we have the last word, which makes it extremely important for a judge to feel the trials

and tribulations of every mortal who comes before us. I personally would feel intimidated by a “faultless” judge who may be deciding my fate. If he or she cannot feel like the rest of us, then he or she will not be able to understand my situation and my circumstances.

District judges perform their duties amidst many a storm, and their dedication, courage, and sense of justice all make a difference. Whereas it is true that there are judicial positions higher on the hierarchical ladder, I leave it to my dear colleagues on the appellate court to pass judgment on my mistakes. In the meantime, I will continue, together with my colleagues, to do the best I can to help litigants and the attorneys who represent them.

With God’s help, we will continue to resolve differences and disputes in this very real and difficult world we must live in here in Puerto Rico.

*Translated into English by Janis Palma, USCCI, Official Staff Interpreter  
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