

Judicial Profile

SUSAN S. MURPHY

Hon. José A. Cabranes

U.S. Circuit Judge, U.S. Court of Appeals for the Second Circuit

ON MAY 24, 1994, PRESIDENT CLINTON nominated U.S. District Judge José Cabranes to serve on the U.S. Court of Appeals for the Second Circuit, stating that “Judge Cabranes has an outstanding record of achievement in the legal profession, in academia, and in public service.”

A look at Judge Cabranes’ distinguished career reveals why — he has had an unparalleled commitment to all three: public service, learning, and the law. Sitting in his chambers overlooking his alma mater, Yale University (which is, in the judge’s opinion, the “best view in New Haven”), the judge is more inclined to discuss the achievements of others rather than his own. And, although Judge Cabranes rightfully attributes much to those closest to him, his many accomplishments are due not only to the assistance and influence of his family and his mentors but also to the hard work and dedication that are the hallmarks of his extraordinary career.

José Alberto Cabranes was born to Manuel and Carmen (López) Cabranes in Mayaguez, Puerto Rico, in 1940. His parents — both teachers — spent a lifetime working with organizations devoted to helping others. In the early 1930s, Manuel Cabranes was one of three Puerto Ricans chosen to attend graduate school in social work in the continental United States. He studied at Fordham University in the Bronx while living in East Harlem as a resident social worker at the Union Settlement House. He then returned home, becoming one of the first professionally trained social workers in Puerto Rico. Following his return to Puerto Rico at the height of the Great Depression, Manuel Cabranes worked primarily with the Puerto Rico Reconstruction Administration, a New Deal agency. He was also a founder of the probation and parole system of the Puerto Rican justice system and served as the executive director of a training school for wayward youth.

Carmen Cabranes was, in Judge Cabranes’s words, “unusually well-educated and independent for her generation of Puerto Rican women, having always worked outside the home.” Nevertheless, she gave up her teaching job to move to New York City in 1946,



when Manuel Cabranes was recruited by the National Council of Jewish Women to become the executive director of Melrose House, a settlement house in the South Bronx serving both newly arrived Jewish immigrants and Puerto Rican migrants to New York. Carmen Cabranes, a full-time homemaker for six years upon her arrival in New York, honed her English-language skills and entered the workforce, working in publishing first as a proofreader for McGraw-Hill and then as a production editor for the American Society of Mechanical Engineers. Following his tenure as executive director of Melrose House, Manuel Cabranes served as the first head of the office of the government of Puerto Rico in New York and, from 1951 through 1965, was the highest-ranking Puerto Rican in government service, serving as an official of the municipal government.

Judge Cabranes, who moved with his parents from Puerto Rico to the Bronx when he was five years old,



Judge Cabranes with his family on vacation in June 1997: his wife, Professor Kate Stith Cabranes; and their two sons, Alejo (standing) and Ben (on his shoulders).

attended New York public schools. He graduated from Columbia College with a bachelor of arts in 1961 and received his Juris Doctor from Yale Law School in 1965. During his time at Columbia and at Yale, Judge Cabranes was mentored by two professors: Henry F. Graff of Columbia University and Myers S. McDougal, Sterling professor of law at Yale Law School, both of whom, the judge states, he owes “a special debt of gratitude.” The judge describes both men as “formidable and influential scholars and inspired lecturers” who “both had a strong desire to be of direct and practical help to their protégés.” Judge Cabranes attributes his interest in foreign affairs to the influence of his father and of Professors Graff and McDougal, who sponsored Judge Cabranes for the Kellet Research Fellowship from Columbia College and the Humanitarian Trust Studentship in Public International Law from the Faculty Board of Law of the University of Cambridge. Under these two fellowships, Judge Cabranes studied in England and was awarded a graduate degree (M.Litt.) in International Law from Queens’ College, University of Cambridge, in 1967, where he was supervisor in law from 1966 to 1967.

In 1967, Judge Cabranes returned to the United States and joined the firm of Casey, Lane & Mitten-dorf, where he practiced law from 1967 to 1971. Judge Cabranes states that, upon his return to the United States, he “rather naturally became interested in the work of the sort of organizations with which my parents had been involved for a lifetime — those devoted to helping others in need.” In the years before his appointment to the bench, Judge Cabranes served on the boards and commissions of a wide variety of organizations, both public and private, local and national, concerned with education, health, and local and state government. In the early 1970s, Judge

Cabranes served on the first board of directors of the then newly established New York City Health and Hospitals Corporation, as a consultant to the New York State Commission on the Powers of Local Government, and as a consultant to the New York State Special Commission on Attica. In the late 1970s, he served on President Carter’s Commission on Mental Health. Although Judge Cabranes devoted his time to a wide variety of social and civic organizations, his true passion was for service to organizations devoted to helping those who are marginalized by society, particularly newly arrived immigrants and minorities. The first board that Judge Cabranes joined upon his return to the United States was the board of the Hudson Guild, a settlement house located in one of New York City’s worst neighborhoods, Hell’s Kitchen. Judge Cabranes also served on the board of *Aspira*, an educational agency that helps Hispanic youth prepare for college, and was a founding member and member of the board of the Puerto Rican Legal Defense and Education Fund.

In 1971, Judge Cabranes’s love of learning brought him to Rutgers University School of Law in Newark, where he was an associate professor from 1971 to 1973, teaching international law, administrative law, and conflicts of laws. In 1973, Judge Cabranes became the head of the office of the Commonwealth of Puerto Rico in Washington, D.C., as well as special counsel to the governor of Puerto Rico. In 1975, Judge Cabranes returned to Yale, where he served as its general counsel and director of government relations. In 1976, he became a lecturer at Yale Law School, teaching international law. During his tenure at Yale, Judge Cabranes maintained his passion for international law, intending eventually to take his career in that direction. He was offered several ambassadorships during the late 1970s, but the unexpected possibility of a judicial appointment caused him to rethink his aspirations.

In 1979, Judge Cabranes became the first Puerto Rican appointed to the federal bench in the continental United States when President Carter appointed him to the U.S. District Court for the District of Connecticut. In 1988, Judge Cabranes was one of five federal judges appointed by Chief Justice William H. Rehnquist to the 15-member Federal Courts Study Committee. In the 1990s, the judge served as a member of the President’s Commission on White House Fellowships and was appointed by the president, on the recommendation of Chief Justice Rehnquist, as a member of the board of the James Madison Memorial Fellowship Foundation. Judge Cabranes also served, by appointment of the Chief Justice, on the board of the educational arm of the federal courts, the Federal Judicial Center. In addition, Judge Cabranes served as chief judge of the District of Connecticut from 1992 until his appointment to the Second Circuit in 1994.

Judge Cabranes states that, following his appointment to the bench, his “avocational activities were understandably limited, largely to educational matters.” His passion for service to immigrants and minorities, however, remains unabated. As the keynote speaker on the 75th anniversary of Columbia College’s core curriculum, Judge Cabranes challenged both the college and its students to resist the pressure to abandon a core curriculum in favor of one adapted to individual students. The core curriculum, the judge believes, is an essential tool in leveling the playing field amongst a socially diverse student body, which benefits and liberates minority students. In his words,

We are demeaned by the assumption that our self-fulfillment and growth depend on a reinforcement of what we know, rather than on a confrontation of the unknown. We are demeaned by the intimation that we are now and forever alien to the Western heritage. Indeed, we are isolated and marginalized even more by being deprived of engagement with the texts that have influenced humanity for centuries.¹

Judge Cabranes thus continues to speak for those who most need a voice.

Judge Cabranes is married to Kate Stith, Lafayette S. Foster professor of law at Yale Law School, with whom he co-authored *Fear of Judging: Sentencing Guidelines in the Federal Courts*, which was awarded the Certificate of Merit of the American Bar Association in 1999. Professor Stith graduated from Dartmouth College, Harvard Law School, and the John F. Kennedy School of Government. She clerked on the D.C. Circuit Court for Judge Carl McGowan and on the U.S. Supreme Court for Justice Byron R. White and then served as a federal prosecutor in Washington, D.C., and in the Southern District of New York. Professor Stith has served as the president of the Connecticut Bar Foundation and currently serves on the Professional Ethics Committee of the Connecticut Bar Association. Judge Cabranes and Professor Stith have four children: Ben, Alejo, Amy, and Jennifer. Ben is an eighth grader at Hopkins School in New Haven. Alejo is a sophomore at Dartmouth College. Amy, a graduate of Harvard College, is a development officer and screenwriter in Los Angeles. Jennifer, a graduate of Harvard Law School where she was an editor of the *Harvard Law Review*, is a stay-at-home mom of four, an adjunct member of a law faculty, and a commissioner of the U.S. Commission on Civil Rights by appointment of President Bush.

When asked how he spends his leisure time, Judge Cabranes jokingly states that, in addition to normal family activities, he indulges in a “long-term ‘hobby’ of university trusteeship.” He has served, consecutively, as a trustee of Colgate University, Yale University, and Columbia University. He is the author of *Citizenship and the American Empire*, a legislative history

of the U.S. citizenship of the people of Puerto Rico, and of articles in various law journals. In what little leisure time is left over, the judge is an avid reader, preferring biographies and English literature, U.S. history, 20th-century European history and, not surprisingly, international politics. Judge Cabranes has been elected a member of the American Academy of Arts and Sciences; he is a member of the American Law Institute and a fellow of the American Bar Foundation. Judge Cabranes has been the recipient of numerous awards, including the Life Achievement Award from the National Puerto Rican Coalition, the John Jay Award from Columbia University, the Learned Hand Medal for Excellence in Federal Jurisprudence from the Federal Bar Council, and has received the Connecticut Bar Association’s highest award, given to the Connecticut judge who “epitomizes long-term, dedicated and conscientious service to the community in a judicial role.”

Sitting in his chambers overlooking Yale University, Judge Cabranes does not bring up his many and obvious achievements. Instead, we discuss the accomplishments of others — the first Italian-American judge, his daughter Amy, Guillermo Baralt, the author of a book on the U.S. District Court for the District of Puerto Rico. Still following in the footsteps of his parents, Judge Cabranes looks to others first, demonstrating how a lifetime of stepping outside of oneself leads to greatness. **TFL**

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Endnote

¹Judge Cabranes’ remarks at Columbia College were originally published in the *Wall Street Journal* in 1995.