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JUDGE DAVID N. EDELSTEIN: MY BOSS, MY MENTOR, MY FRIEND

*Joseph B. Shumofsky**

Immediately after Judge Edelstein offered me a position to serve as one of his law clerks, I realized that working for him would not only be a substantive learning experience. Indeed, I was more excited about hearing the many life lessons that I hoped he would impart to me. Every law clerk, no matter which judge he or she clerks for, has the opportunity to learn about the everyday workings of the law. Not every clerk, however, has the same opportunity I was afforded—to work for a man who dedicated almost his entire career to public service, who buddied with an ex-President and an ex-Attorney General/Supreme Court Justice, who sat on the federal bench in the most prestigious district court in the country for nearly fifty years and presided over two of the biggest cases in American jurisprudence (the IBM case and the Teamsters case), who was well known and well respected by the entire federal bench, who battled back time and again with fortitude and grace from formidable obstacles that would have defeated a lesser individual, and who was a true mentor in every sense of the word.

Fortunately, Judge Edelstein was deeply interested in his clerks' progress and development as well as their career after they left the clerkship, and, therefore, was more than happy to share his wealth of life stories and lessons with them. As I reflect upon my two years with the Judge, I know that while I worked on some very interesting and challenging legal matters, it is the time I spent with the Judge talking with him, listening to his many stories and historical anecdotes, and trying to learn from them that I will always cherish most. In just two years, the Judge provided me with an abundance of knowledge with which to proceed confidently into my post-clerkship life. The things that I learned have equipped me to be successful not only professionally, but personally as well.

Having served as the Judge's last law clerk, it would be remiss for me not to share some insights about the Judge's work ethic at the end of his life. Judge Edelstein had a strong sense of duty as evidenced by the fact that in November 2000, he would have begun his 50th year on

* The author served as a Law Clerk to Judge Edelstein and is a 1998 graduate of Fordham University's School of Law.

the bench. Further, although he was eligible to take senior status in 1975 when he turned 65 because by that time he had already served 15 years as a federal judge, he declined to do so. He continued to handle a full caseload and did not take senior status until 1992, when he suffered a debilitating stroke. Even after taking senior status, Judge Edelstein refused to slow down. Until the end, Judge Edelstein arrived in chambers every day. Even after heart surgery in November 1999, by March 2000, Judge Edelstein was back at work every day until he went back into the hospital for the final time in July 2000. Just days before his passing, when I visited the Judge at the hospital, he ruled upon an extremely important matter in the famous Teamsters case. It was this type of dedication to the bench that convinced many that he would be working at 40 Centre Street for years to come. Despite knowing his age and his medical condition, I and the other members of his chambers were still shocked at the news of his death.

In February 2000, Judge Edelstein celebrated his 90th birthday and his 60th wedding anniversary. To commemorate those milestones, as well as the beginning of what would have been the start of his 50th year on the bench in November 2000, I and the other members of his Chambers presented him with a tribute book. The book is comprised of letters and anecdotes from fellow members of the judiciary, members of the clergy, friends, and past clerks. The tribute book includes letters from Vice President Al Gore, Chief Justice William Rehnquist, Mayor Giuliani, and FBI Director Louis Freeh.

As I compiled the many letters comprising the book, I was not surprised to learn that the Judge's other law clerks share similar sentiments to mine. The following are excerpts of letters from some of the Judge's past clerks:

“Judge, throughout your life you have certainly touched many lives. I have been enriched beyond words by having you as my teacher, advisor, and friend.”

—*Jason D'Angelo, 1997-1999*

“Working late with the Judge one night while overlooking the Brooklyn Bridge and the ‘stillness/darkness’ of the City, the Judge shared thoughts and views about life, the wonders of the City, and what a wonderful experience it was to have been so fortunate to rise through the ranks of Fordham Law School to ‘play cards with President Truman, the senior Kennedy and (later) Justice Tom Clark’ and to become the Chief trial jurist in what was then considered the most important and dynamic federal district court in the country. The Judge opined about

the many notable judges (for example, Friendly and Weinfeld) who served (and graced) the federal bench. What insights! This personal view spoke volumes about the kind of man the Judge was”

—*H. Neil Broder, 1971-1972*

“Judge, I regard the two years that I served as your clerk as a pivotal experience in my career and I am grateful for having had that experience.”

—*David W. Sussman, 1981-1983*

“I am struck once again by how the understanding of the legal process and the insight into its human aspects which I learned from you have been invaluable to me over the past twenty-five years.”

—*Marsha E. Novick, 1973-1975*

“I think you know how much you have meant to my legal career, but I cannot begin to describe the profound impact you have had on all aspects of my life. I am a better person for having served as your law clerk and for being included among your circle of friends.”

—*Lev L. Dassin, 1990-1992*

An attorney who practiced before Judge Edelstein for about 20 years told Jonathan Demson, 1993-1995, “You know, I hope you appreciate your time there. They just don’t make them like Judge Edelstein anymore.”

Notes & Observations