



Hon. Rubén Castillo

Chief Judge, U.S. District Court for the Northern District of Illinois

by Craig T. Liljestrand



Craig T. Liljestrand, a partner at Hinshaw & Culbertson LLP, Chicago, has extensive experience in toxic tort, product liability, and mass tort litigation. He is recognized for his litigation and trial skills in the areas of asbestos, silica, welding fumes, lead paint, chemical, and occupational disease claims. His client base is expansive, and he has successfully defended a vast array of industrial product and equipment manufacturers, distributors, contractors, and premises owners in numerous toxic tort cases throughout the country. Liljestrand was also a judicial law clerk to Hon. Doyle A. Rowland in the U.S. District Court for the Western District of Michigan.

After a career of accomplishing “firsts” of his own, Chief Judge Rubén Castillo is stepping aside for another first: for the first time in its 200-year history, a woman will preside as chief judge in the Northern District of Illinois. Judge Castillo made that announcement on International Women’s Day—a full year before his term as chief judge expired. Stepping down early ensures that his successor meets the age requirements of the position. This was important to Castillo, who himself has broken down his fair share of barriers. As Castillo sees it, having the first female chief judge in the Northern District is long overdue. On July 1, Judge Rebecca Pallmeyer was sworn in as chief judge, and Castillo moved on to the next chapter of a history-making career. And while he did not know what came next, he felt like the luckiest man in the world.

As a kid growing up on the West Side of Chicago, the only thing Castillo set out to do was to become a trial attorney. This was an ambitious goal, and it made education a priority. Nobody in his family had finished college. His father had immigrated from Mexico, and his mother had come from Puerto Rico. Had Castillo gone to his neighborhood high school, he might not have been the first in his family to finish college. Fortunately, he had two loving parents who made sacrifices to send their son to a high school with an eye toward college. That high school was Gordon Tech, and to get there, Castillo had to take two buses and a train—each way, each day.

While attending Gordon Tech, Castillo saw a play called “Inherit the Wind,” which was adapted from a famous legal case in the 1920s. Castillo was fascinated by the portrayal of defense attorney Clarence Darrow’s role in the trial. Determined to figure out who Darrow was, Castillo found and read every book written about him. All this reading had a transformative effect on Castillo and helped him see what to do about his not-so-great math and science grades: Go to law school.

Castillo made it through high school without getting into the kind of trouble as other kids on the West Side of Chicago. He was either too busy in the books, or too busy playing hockey. Keeping his head down paid off. He was accepted at Loyola University Chicago, which was the only school he applied to. Castillo



did not even set foot on the campus until the first day of class. As a freshman at Loyola, Castillo played as a goalie on the club hockey team. While hockey had a stabilizing effect in high school and helped keep him out of trouble, Castillo had to reexamine its place in his life after he received his first lousy grade in college. He was good at hockey, but not good enough to do it for a living, so he had to give it up. His love and passion for the sport never ended though.

At the end of his second year at Loyola, Castillo visited with his ward committeeman about a summer job. Castillo wanted to work on a sanitation truck. He had done the research and discovered it was the highest paying job. When the committeeman heard what Castillo wanted, he laughed and asked, “How would you like to work in the court system?” Castillo took the job. It was only supposed to last his sophomore summer, but it turned into a full-time job that continued throughout his time at Loyola and later at Northwestern Law School. But the schedule was grueling. Castillo went to school during the day, got home at 5 p.m., did homework until his night court shift began at 8 p.m., worked until 3 a.m., and then went to sleep for three hours before getting up to do it all again. Throughout this time, Castillo was motivated and supported by his family’s undivided attention and unqualified love. His mother made sure he ate when

there never seemed to be enough hours in the day, and both his mother and father worked hourly jobs to ensure they could cover their son's tuition. They could not tell him what he should do, but they could support him along the way.

The steadfast support of his family paid off. In 1979, Castillo graduated from Northwestern Law School and began working at Jenner & Block. He remained at the firm until 1984 when he was named an assistant U.S. attorney for the Northern District of Illinois. In 1988, Castillo became director and regional counsel for the Chicago office of the Mexican American Legal Defense Fund. In 1991, Judge Castillo joined Kirkland & Ellis as a partner. In 1994, U.S. Sen. Paul Simon, chair of the Senate Judiciary Committee, nominated the then-38-year-old Castillo to the federal bench. Castillo's young age for such a prestigious position in the justice system was not lost on the nominee.

Castillo knew why he wanted to be a federal judge, and in his opening statement told senators that:

In my career I have had the privilege of serving various clients from all walks of life, from some of the corporate 100 organizations to individuals who had literally no assets, and I have always enjoyed the role of being the advocate for those clients, but I really came to the conclusion that I would like to have only one client from now on, and that client being justice, per se, and that is why I want to be a federal district court judge.

Sen. Simon's first words that day to the nominee weren't at all directed at Castillo—but were directed at Castillo's children, aged 13 and 9 at the time. Simon said, "I just want to know if they got the day off from school to be here today?" Castillo looked at his children as they sat there—not knowing what to say or do—and at that moment Castillo, in perhaps his last act as an attorney, said to the senator, "On the advice of counsel, they are respectfully taking the Fifth Amendment." Laughter filled the room, but Castillo's hearing was not all laughs and love.

Sen. Arlen Specter questioned Castillo about how he would be as a judge and if Castillo would succumb to the "black robe bias." Castillo answered by recalling lessons he learned from his mother: Treat everybody like you want to be treated yourself. Specter replied that Castillo's mother would not be with him on the bench. But Castillo was quick to respond that the senator was wrong and that his mother's advice is with him at all times because he carries her advice in his heart. After the emotional exchange, the senator didn't know how to respond. But Castillo's father did.

Castillo's father, who himself has no formal education, took it upon himself to find Sen. Specter and talk to him about what happened in the hearing, which Castillo thought had gone pretty well. Castillo's father told his son not to worry about Specter. The elder Castillo

cornered Specter and asked if he was going to vote for his son. The senator said that he would. Castillo realized then and there that his father would, if allowed, go to each and every senator and confront them as to how they were going to vote. In the end, Castillo did not need the help of his father to win over the committee. On May 6, 1994, Castillo was confirmed by the full Senate to become the first Hispanic federal district judge in the Northern District of Illinois.

In 1999, the U.S. Sentencing Commission was in search of seven new commissioners. At the time, the commission was unpopular with both sides of the aisle. The commissioners had overextended their political capital trying to equalize penalties for powder and crack cocaine. President Bill Clinton and Attorney General Janet Reno took sides in opposition to the commission, and rather than renominate the commissioners, the president allowed their terms to expire. Given his vast experience with the criminal justice system, Judge Castillo was under consideration for an appointment to the commission, and while he was intrigued by the prospect, he was not so sure if this was a job he wanted. His father once told him, however, that "if your country calls upon you to do something, you need to step up to the plate ... you can't look the other way and say you're worried about your career." Judge Castillo accepted the appointment from President Clinton, was renominated by President George W. Bush, and served a total of 11 years on the commission.

Serving on the commission was harrowing work. When the U.S. Sentencing Guidelines became advisory, the commission had to convince judges that the guidelines were worth following, that they were right, and that they were worthy of respect. Castillo framed the conversation as "a battle for the hearts and souls of judges" and noted that Congress could sometimes interfere in the commission's work by voting on mandatory sentencing legislation in ways that made the commission's job harder. Castillo recalled the problematic political calculus for members of Congress voting to reduce criminal penalties after having voted to increase them. In Castillo's view, the problems the commission faces are not exclusively the fault of the commission.

Judge Castillo is proud of the work he did on the Sentencing Commission, which finally included lowering the crack cocaine penalties as well as the penalties for low-level drug offenders while raising the penalties for white collar offenders, political corruption, and firearms offenses. During his time with the commission, he focused on issues of disparities in sentencing, and traveled to federal courtrooms throughout the country, studying their technology and security capabilities. He served with distinction on the commission, including a period as its vice chair, until 2010. On July 1, 2013, Judge Castillo was sworn in as the chief judge for the Northern District of Illinois. He was welcomed into the role with a government shutdown. Nevertheless, Judge Castillo worked tirelessly to improve the Northern District during his

tenure as chief. He has diversified jury pools, brought technology into the courtrooms, and improved security. Castillo runs an open court, and as chief judge, he enjoys reaching out to the community and talking to people. He also navigated the most recent government shutdown without furloughing anyone.

As a judge, Castillo enjoys being able to make a difference every day. He tells kids all the time to do a job they would do for free. And that is what being a judge has been for Castillo. His favorite part of the job is being able to resolve disputes, and he points to an old biblical phrase, “blessed are the peacemakers,” to describe his approach. Judge Castillo proudly assumes the role of peacemaker in his courtroom whether it is during the trial or at mediation.

As his tenure as chief came to an end, Judge Castillo did not want to be remembered as the first Hispanic judge. He only wants to be recognized as a good judge—period. That is not to say he is not proud of the barriers

he overcame. Castillo is pleased that his father saw him sworn in on four separate occasions—as a district judge, chief judge, and twice at the Supreme Court during his two terms as vice chair of the U.S. Sentencing Commission. Castillo has had a stellar and noteworthy career. His energy is unlimited, and his accomplishments are many. He is loved at the court, as well as by his family. He considers himself fortunate to have a devoted wife, Sylvia, whom he married more than 40 years ago. He is a proud father of Francisca, a teacher, and Roberto, a lawyer. His most important title nowadays is grandfather, who enjoys taking his two granddaughters to hockey games.

Tough decisions lay ahead for the chief judge. After all, the next chapter remains unclear for that kid who grew up on the West Side of Chicago and who has already had an impact on so many. For now though, Castillo feels like the luckiest man alive, and he still very much cherishes and respects the only client he has had for many years—justice. ☺



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