It may sound like an unusual compliment, but many who know Judge Diane Wood have been compelled to utter it: she's the kind of person it's OK to disagree with. She won't often abandon her point of view, but she'll listen with respect and consideration to yours. And you can stay colleagues and even friends during and after your debate. That quality—of being able to disagree without being disagreeable—is one of Wood's many attributes that are likely to serve her well in her new role as Chief Judge of the Seventh Circuit Court of Appeals. It's also, Wood pointed out, a quintessential Law School value that has been exported to the Seventh Circuit.

Wood, an 18-year veteran of the court, succeeds Judge Frank Easterbrook and Judge Richard Posner, both of whom served as Chief Judge in the last 20 years. All three of them are Senior Lecturers in Law and former professors at the Law School. Even before becoming Chief Judge, Wood already enjoyed a solid reputation as a catalyst for change and consensus building and someone who sticks to her principles and is always, without exception, incredibly well prepared. She's considered an intellectual heavyweight, a reputation that has put her on the short list for the Supreme Court in past years. Some Court observers have surmised that it was Wood's willingness to take positions on controversial cases that actually kept her from becoming a justice; it is easier to earn an appointment when you have kept out of sticky issues.

That may be true, Wood said, but it just isn't her way. “I took very seriously when I became a judge the idea of an independent judiciary,” she said. “I think it means you call it as you see it. If you are always making decisions with an eye to the next job, I don't see where the principle in that is. I tell people, sometimes taking a principled position comes at a cost. And that's not just in the judiciary.”

Wood said this summer that she was looking forward to tackling the job of Chief Judge, which started October 1 and will last seven years. Her duties include sitting on the Judicial Conference of the United States, making policy decisions and organizing conferences for the Circuit, and reviewing claims of judicial discrimination or disability. “The Chief Judge really sets the tone for the circuit,” Wood said.

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She remarked that she has big shoes to fill, as Easterbrook has “done a fantastic job” for the past seven years. She said that one of her goals is to work with the Seventh Circuit Bar Association to keep up to date with the countless changes in the legal profession, many of them technological. For example, she said, lawyers and firms are struggling now with the extremely high costs of electronic discovery.

Easterbrook said that Wood has shown the skills necessary to take over the job. “Since this is an institution of equals, in which you lead by example rather than commanding, it is an important skill of leadership that you be comfortable engaging in
Chief Judge keeps the office for seven years or until his or her 70th birthday, whichever comes first.

Wood is no stranger to being a gender pioneer. When she became a professor at the Law School in 1981, she was the only woman on the faculty and just the third female professor in school history. She was the only mother on the faculty until the late 1990s. The day she started teaching, she had one child who was 19 months old, and another child who was just two weeks old. ("They're both lawyers today, so they seem to have survived me," Wood said, laughing. She later had a third child as well.)

Wood was appointed to the Seventh Circuit in 1995, where she quickly earned a reputation as an intellectual force and a liberal counterweight to conservative judges such as Posner and Easterbrook. That was especially true when she started, Posner said, when the court's overall balance was much more conservative than it is today.

"She handles disagreements very well without upsetting people or getting upset herself. That's important for the leadership of an ideologically diverse group," Posner said.

Wood will be the first woman to serve as Chief Judge in the Seventh Circuit, which Wood acknowledged as a milestone even while pointing out that several other circuits have already been led by women. The line of succession for the role is determined by statute. The position goes to the judge with the most seniority who has not previously been Chief Judge and is also under the age of 65. The
He pointed out that Wood has displayed leadership capabilities in at least two positions; first, as Associate Dean at the Law School from 1989 to 1992, and then in the Department of Justice’s Antitrust Division, where she was Deputy Assistant Attorney General for International, Appellate, and Legal Policy Matters from 1993 to 1995.

Eighteen years ago, she joined the Seventh Circuit. She has continued to teach every year at the Law School since then. “I enjoy teaching. I enjoy the contact with the students, and it’s a way of keeping in touch with my colleagues,” she said. “I’ve also managed to teach in areas that intersect quite well with my judicial responsibilities.” This coming year she will teach Civil Procedure to 1Ls, a topic she often reminds her clerks is part of virtually every case.

“One of those colleagues, Professor Martha Nussbaum, described Wood as a friend and collaborator. Wood was a lead participant in a conference on affirmative action that Nussbaum co-organized with India’s Jawaharlal Nehru University in New Delhi. Nussbaum took Wood to meet female leaders of village panchayats (councils). Nussbaum said that her memories of that trip illustrate why Wood is such an effective leader.

“Diane has an incredible work ethic. Traveling on the long flight to India, she was reading slip opinions while I was reading mystery novels! She also has tremendous curiosity and empathy. It was wonderful how she related to the female village leaders, with such enthusiasm to learn, and such a powerful imagination.”

Nussbaum thinks it’s no accident that the Law School was the starting place for former and current Chief Judges Wood, Easterbrook, and Posner.

“First of all, all three were excellent scholars before they became judges, and that helped them to become leaders on the court. But also, we have an intellectual culture in which
“Judge Wood sets the bar very high,” said Nadia Nasser-Ghodsi, ’11, an associate at Kirkland & Ellis who clerked for Wood after graduation. “She expects a lot of herself and therefore of her clerks. Trying to reach her standards, I grew so much as a person.” For example, Nasser-Ghods said, Wood expected her clerks to know the record of each case so well that it was as if they had tried it from the beginning. That’s a work ethic Nasser-Ghodsi has never forgotten, she said.

For Strubel, who clerked in 2002 and 2003, Wood was a role model in a very personal way. Strubel had a six-month-old baby when she started her clerkship. “She was a tremendously powerful role model for me, because here she was writing these critical judicial opinions and consulting with Judges Posner and Easterbrook on important legal matters, and at the same time, she was packing up a U-Haul and driving her daughter to college,” Strubel said. “She really indicated that you can prioritize all of these things, and she did it with such grace that it was frankly superhuman.”