



Norma L. Shapiro

Born: July 27, 1928, in Philadelphia, Pennsylvania

Died: July 22, 2016, in Wynnewood, Pennsylvania

**Federal Judicial Service:**

Judge, U.S. District Court for the Eastern District of Pennsylvania

Nominated by Jimmy Carter on August 1, 1978, to a seat vacated by James H. Gorbey.

Confirmed by the Senate on August 11, 1978, and received commission on August 11, 1978.

Assumed senior status on December 31, 1998.

Service terminated on July 22, 2016, due to death.

**Education:**

University of Michigan, B.A., 1948

University of Pennsylvania Law School (now Carey Law School), J.D., 1951

**Professional Career:**

Law Clerk, Hon. Horace Stern, Supreme Court of Pennsylvania: 1951-1952

Gowen Fellow in Criminal Law, University of Pennsylvania: 1954-1955

Private Practice, Philadelphia, Pennsylvania: 1956-1978

Instructor and Lecturer, University of Pennsylvania Law School: 1951-1952; 1955-1956; 1971

**Oral History:**

Shapiro, Norma L. Oral History Interview. American Bar Association Commission on Women in the Profession, Women Trailblazers in the Law Oral History Project, Radcliffe College, Schlesinger Library on the History of Women, 2005-2013. Transcript.

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## Judicial Biography

President Jimmy Carter nominated Norma L. Shapiro to a seat on the Court in 1978.

\*Norma Shapiro was the first woman ever confirmed to the Eastern District. Following her completion of law school, Justice Horace Stern of the Pennsylvania Supreme Court chose her as his only female law clerk. Sometime later, she temporarily put her legal career on hold when her three sons were young and then returned to practice to become the first woman partner at Dechert Price & Rhoads. She was also elected to the Lower Merion School Board and served as its President for several years. Her interests have included both the Philadelphia Bar Association where she chaired the Board of Governors and the American Bar Association where she presided over the Judicial Division of the House of Delegates. The President of the American Bar Association named her to head its Standing Committee on Federal Judicial Improvements. Throughout her career, she remained a strong advocate for women in the legal profession. Although she was a Republican, President Carter in her case transcended partisan policies when he selected her to be a judge.

Her arrival on the Court in 1978 was greeted at first with less than enthusiasm by some of her male colleagues who had not been accustomed to associating with professional women in the workplace. As time passed and they came to know her, these gender-related feelings ultimately disappeared.

In that era when a new judge joined the Eastern District, it was the custom for each of the other judges to select a certain number of cases from his docket and transfer them to the new member of the Court. Not uncommonly, there was a tendency to pick for transfer what were characterized as “dog” cases, that is, those which in the transferor judge’s view were either uninteresting or otherwise unappetizing. When Judge Shapiro received her bundle of assignments and then questioned the fairness of the selection process, the Court approved, albeit prospectively, a more equitable arrangement whereby cases for transfer from each judge’s calendar are chosen at random, with the transferor judge having only a veto on the reassignment of any particular case. Each succeeding judge has owed her a lasting debt of gratitude for this change in practice.

Judge Shapiro soon instituted a gracious and generous custom of her own, and which is undoubtedly unique among courts anywhere. She wrote lyrics and provided a cake for each of her colleagues on that colleague’s birthday. These celebrations now occur over thirty times a year during lunch in the judges’ dining room. With the assistance of Judge Fullam until his retirement and later that of Judge Dalzell, she led all judges in attendance in singing the lyrics to

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\* The following material is excerpted from JUDGE HARVEY BARTLE, III, MORTALS WITH TREMENDOUS RESPONSIBILITIES, A HISTORY OF THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA, 3-12 (Saint Joseph’s University Press, 2011). Reproduced with the permission of the author, Judge Harvey Bartle, III, and the publisher, Saint Joseph’s University Press.

some known tune of her choosing, and the cake was then cut and eagerly consumed. A good time was always had by all. As a result of the countless cakes she purchased over more than three decades, it is believed that she single-handedly kept the local baking industry in the black.

In 1982, several inmates incarcerated in Holmesburg Prison in Philadelphia filed a pro se class action complaint on behalf of themselves and others similarly situated, in which they sought damages as well as injunctive relief. They claimed they were suffering cruel and unusual punishment because of prison overcrowding in violation of the Eighth and Fourteenth Amendments. The action landed on the docket of Judge Shapiro. She initially dismissed it on the ground that relief could be obtained under the terms of a judgment handed down in a case in the Court of Common Pleas of Philadelphia County. The Court of Appeals disagreed and returned it to her for further proceedings. She was destined to preside over this action for almost twenty years.

An amended complaint was subsequently filed to expand the scope of the class action to include the conditions at the Detention Center and the House of Correction, the other two Philadelphia County jails. In 1986, the parties reached a settlement, approved by Judge Shapiro, which included a number of conditions such as a cap on the inmate population, a mechanism for reducing the inmate population if and when the cap was exceeded, and the construction of a new prison with 650 beds and a downtown detention facility of 440 beds. This, however, did not end the lawsuit. Over the years, the cap was exceeded. Judge Shapiro, along with a Special Master she had appointed, had to contend with that issue to insure that unconstitutional prison conditions did not occur. Before her were difficult questions concerning what categories of detainees, how many, and under what conditions they would be released pending trial. This was a highly controversial matter, with the District Attorney and the newspapers often vituperative and abusive in their unfair criticism.

The Decree was modified from time to time to allow for an increase in the prison population due, among other circumstances, to the growth of illegal drug trafficking in the City. The two prisons to be built under that Consent Decree were never constructed, but the City ultimately increased the number of beds for its inmate population. In 1991, by agreement of the parties and approval of the Court, the 1986 Decree was replaced by a new Decree. It included, among other provisions, a requirement that the City construct a new prison and expand by 1,250 the number of inmate beds and that it build a new courthouse. A new release mechanism to reduce any overcrowding was also included. Finally, the City committed to develop a long-range plan to alleviate this critical problem. A new prison facility and a new criminal justice center for the trial of state criminal cases were constructed in the 1990's under the watchful eye of Judge Shapiro. She ended her years of oversight of the Philadelphia prisons in 2000.

Judge Shapiro assumed senior status on December 31, 1998 and continued to serve in that capacity until her death on July 22, 2016 in Wynnewood, Pennsylvania, at the age of 87.