



Charles R. Weiner

Born: June 27, 1922, in Philadelphia, Pennsylvania
Died: November 9, 2005, in Doylestown, Pennsylvania

Federal Judicial Service:

Judge, U.S. District Court for the Eastern District of Pennsylvania
Nominated by Lyndon B. Johnson on May 24, 1967, to a new seat authorized by 80 Stat. 75.
Confirmed by the Senate on June 12, 1967, and received commission on June 14, 1967.
Assumed senior status on December 31, 1988.
Service terminated on November 9, 2005, due to death.

Other Federal Judicial Service:

Judge, Special Railroad Court, 1982-1997

Education:

University of Pennsylvania, A.B., 1947
Temple University School of Law (now James E. Beasley School of Law), LL.B., 1949
University of Pennsylvania, M.A., 1967
University of Pennsylvania, Ph.D., 1976

Professional Career:

U.S. Navy: 1941-1945
Assistant District Attorney, Philadelphia County, Pennsylvania: 1952-1953
State Senator, Pennsylvania: 1953-1967; minority floor leader, 1959-1960, 1963-1964; majority floor leader, 1961-1962
Private Practice, Philadelphia, Pennsylvania: 1967
Member, U.S. Judicial Panel on Multidistrict Litigation: 1978-1983

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Judicial Biography

*In 1967, President Lyndon B. Johnson nominated Charles R. Weiner to the Court.

Weiner, a World War II Navy veteran, obtained his college degree from the University of Pennsylvania and his law degree from Temple Law School. Unique among his colleagues before or since, he also earned a Ph.D. in Political Science from the University of Pennsylvania. He was a longtime Democratic State Senator representing a district in North Philadelphia. His legislative colleagues chose him at different times as either the Senate's majority or minority leader, depending on whether his party had control of the chamber. The NAACP strongly supported his appointment to the bench. A man of boundless energy, he always seemed to be able to do a dozen things at once and was second to none in his ability to settle or otherwise dispose of cases. Like Joseph Lord, he served on the Judicial Panel for Multidistrict Litigation.

Major litigation occurred in the 1970's with respect to gender discrimination in the Philadelphia Police Department. In 1974, the United States as well as Philadelphia police officer Penelope Brace filed actions against the City of Philadelphia, its Police Commissioner Joseph O'Neill and others in which they alleged systematic discrimination against females in violation of Title VII of the Civil Rights Act of 1964 and the Equal Protection Clause of the Constitution's Fourteenth Amendment in connection with recruiting, hiring, promotion, transfer, and assignment practices of the City's Police Department. The City did not dispute that its policy of hiring women only as Juvenile Aid Officers was discriminatory. Instead, relying on the statutory bona-fide occupational defense, it argued that only men could function effectively as police officers in other situations.

In the middle of the trial in front of Judge Weiner, the parties agreed to the entry of an interim order in which the Court enjoined certain discriminatory practices and required an increase in the number of women to be hired on the force. Further hearings ensued in which Judge Weiner had to deal with the City's violations of his orders to remedy discrimination as well as with the exception under the Civil Rights Act for a bona-fide occupational need. Today, women serve in all types of roles within the Philadelphia Police Department, and no one appears to give it much thought.

The court in the 1990's and beyond was a favored venue for significant multidistrict civil litigation. In 1991, the Judicial Panel on Multidistrict Litigation ("MDL") transferred Asbestos MDL Case No. 875, the largest MDL in history, to the Eastern District of Pennsylvania for coordinated pretrial proceedings before Judge Weiner. This MDL involved tens of thousands of lawsuits involving millions of claimants who had sued thousands of manufacturers and sellers of asbestos and asbestos products for personal injuries and wrongful death resulting from various forms of cancer. To complicate matters, over a hundred of the defendants were in bankruptcy or otherwise out of business. After Judge Weiner died in 2005, Chief Judge Giles assumed his

* 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.

responsibilities. When Judge Giles resigned from the bench in 2008, the torch passed to Judge Robreno.

Judge Weiner passed away in Doylestown, Pennsylvania on November 9, 2005, at the age of 83.