
AP-LS Student Committee April 2023

Career Corner

Content Editor: *Chelsea Jackson, a 4th-year JD-PhD student at the Drexel University and the 2022-2023 Student Committee Law Liaison.*

The Career Corner is intended to highlight individuals who work at the intersection of law and psychology, where they come from, how they got there, and how their experiences influence their research, teaching, and/or practice. This edition of the Career Corner profiles the Honorable Elizabeth Hey, a federal magistrate judge here in the Eastern District of Pennsylvania. Judge Hey presides over a federal mental health court while also presiding over pre-trial matters for the district.

Chelsea Jackson, a 4th-year JD-PhD student at the Drexel University and the 2022-2023 Student Committee Law Liaison, interviewed Judge Hey.

APLS Student Committee: How did you first become interested in psychology and law? Which came first?

Judge Hey: For me it was definitely psychology that came first. I came by it somewhat accidentally. I was a psychology major in undergrad, which I enjoyed a lot. I had a greater interest in the clinical side than the research side. I did some psych-related jobs to figure out what I wanted to do. I then started applying to graduate programs. In retrospect, I now believe that I wasn't sure if psychology was the right career for me, so I started looking at programs that combined psychology with other things. The most interesting were the ones that combined psychology with the law. This notion of combining one discipline that wants to understand human behavior, with another that seeks to control and manage it, fascinated me. I grew up in Pennsylvania and there was a JD-PhD program right here in Philadelphia. The more serendipitous thing for me was that as I went through the program I ended up completely flip-flopping. I came in focused on psychology and came out exclusively practicing law. I completed my psychology degree, but I never got licensed or practiced. The PhD has always been handy in my work as a judge, and I would not have found my way to doing what I do now if I had not done this program.

APLS Student Committee: Can you briefly describe your career trajectory, beginning with undergraduate studies?

Judge Hey: When I finished my last year of law school, I still had my clinical year and dissertation to do. By that time, it was becoming clear to me I was more interested in working in the legal field than working as a psychologist or trying to find a job that combined the two. I

decided to apply for a clerkship and applied for law firm jobs. My resume looked a bit odd for the traditional law job. I got lots of questions about my PhD from the lawyers and judges I applied to. After graduating with my doctorate, I worked for a yearlong clerkship for a Third Circuit judge in Wilmington, DE, then I took a job at a big corporate law firm for about four years. At that point, my work was not related to my psychology degree in any way, but I started to think more about my career as a lawyer, what I wanted to do, and how I wanted to use my skills. I ended up joining the Federal Defender's office and that was my most important, productive, and rewarding work as a lawyer. I was there for 12 years doing trial work and later appellate work. Certainly, there were ways my background came in handy more than was required. There were many clients who had mental health issues, addiction issues, and I was perhaps more likely to get assigned to those cases. It was incredibly rewarding work, but I also wanted to try other things. I had gotten to know what the life of a magistrate judge was like from practicing in front of them for many years. I decided to apply, three times actually, and I began as a magistrate judge in 2007. I am coming up on 16 years as a judge.

APLS Student Committee: The track from PhD to becoming a federal judge is a very rare and unique trajectory. Can you talk about how you got to where you are now, and why you decided to become a federal judge?

Judge Hey: As a criminal defense attorney, my career options were somewhat limited unless I wanted to go back to the law firm environment or teaching. The role of a judge was just really intriguing to me. It was not something I had ever thought about in a million years – which is a testament to why you should keep an open mind about your career. As a judge, I have a very different opportunity to practice law; to use my skills and impact the lives of people who come before me in a different way than I could as a lawyer. One thing that has been very rewarding has been STRIDES, which is my court's mental health court program. The judge who was developing that program came to me to see if I was interested in participating and I was. I was involved during its planning and since it launched in 2011.

APLS Student Committee: How do you perceive that law and psychology intersect in your day-to-day work as a federal judge?

Judge Hey: The STRIDES program is the most obvious day-to-day way that my background plays a role. STRIDES is a federal mental health court program that is designed to maximize pre-trial and post-conviction participants' success in the community. Violations often occur because participants are not able to manage what they need to manage, which can then devolve into greater problems. Our program helps mitigate that risk. But also, for example, as magistrate judges we handle the social security disability appeals in our district, either on the consent of the parties or by way of recommended dispositions to district judges. One of the reasons I enjoy working on these cases after spending many years in a quasi-medical field is that many of them involve disability based on emotional, psychological, or psychiatric disorders. So, I feel like I keep my hand in that a little bit. My law clerks will come to me and say, "What does this mean?" Just a little example of how my PhD comes in handy. It is rewarding to be seen as a colleague that has expertise in a particular area. I'm grateful that I have this background. I'm glad I went through this process without having any preconceived notions about what I was going to do for my career.

APLS Student Committee: Can you give an example of a case you presided over where having a background in psychology was extremely helpful?

Judge Hey: It comes up most directly on the criminal side. As a magistrate judge I am one of eight or nine judges who handle all preliminary proceedings in criminal cases. When a federal defendant is arrested, their first appearance in court is in front of a magistrate judge. We are seeing them at their most raw (e.g., they might not have an attorney yet and may not understand what's going on). We try to identify early on when we can if there are mental health issues or substance use issues that need to be addressed, particularly if the person is going to be released on bail conditions. With my background, I may be more attuned to some of the issues that we should be looking for. It's not infrequent that if I think there is a concern, I'll call attorneys up for sidebar, for example if there is a concern about competency. I think it's something that I have the ears for in those early stages.

APLS Student Committee: What advice do you have for psychology students who are thinking about obtaining a law degree or pursuing a psychology career in a legal space (e.g., courthouse, forensic evaluation, prison, etc.).

Judge Hey: There is no question that going into a JD-PhD program is just an extraordinary undertaking. So much time, so many resources. I'm sure I was less thoughtful about it at the time than I might wish as I look back on it now. I still feel fortunate that it did help me find a path that was right for me, that I would not have found otherwise. I believe that the colleagues who have been able to work in the combined area really enjoy that work. But it's hard to say, "I'm going to plan my career so I can have X specific job." It's hard to know what you are going to be good at, where your skills are best put, and what you are most going to enjoy and find fulfilling. It's hard to know that as you set out. I think it's really important as you go through school to keep that open mind about what your options are. Using myself as an example, I made significant career changes 2-3 times, and I'm glad because each one helped me get on a path of growth toward more fulfilling work. As I look back on it I am very fortunate it has worked out.

APLS Student Committee: Overall, what part of your job do you find to be the most challenging, and what part is the most rewarding?

Judge Hey: Most challenging, and most judges will tell you, are the hard calls you have to make that will affect people's lives. Sentencing is the most challenging work. It's something that has to be done, but it is difficult. On my side as a magistrate judge, it's the decisions to release someone on conditions or detain them that are tough. In both of those scenarios there are very specific statutory factors that help us make these decisions, but we know how impactful these decisions are going to be on the people involved. And that is what makes them so challenging. The most rewarding has been my time working in STRIDES.