

INTRODUCTION

*Judge Albert M. Rosenblatt**

Thank you for putting this together, Professor Bonventre. The plan for this program grew, I think, out of our book on the history of the New York Court of Appeals. In its magnificent court room we have seen oil paintings of the Court's Judges. We recognize some but there are many about whom we knew very little, and so the idea was generated: why not a book revealing who they are?

Vince pointed out that the book is on sale and I appreciate the promo but hasten to add that the book was written pro bono, and every penny goes to the Historical Society of the Courts of the State of New York. And so I hope you will freely go forth and buy copies for your friends, families, relatives, neighbors, and even total strangers.

I am privileged to make these wonderful introductions and you will see that the present members of the Court of Appeals will each talk about a past Judge of choice. The rules were set down by Professor Bonventre: The Judges may not select Judge Cardozo or any living Judge. So, short of that, it was anyone they like, and you will soon see why they chose a favorite.

I will now introduce the Judges even though they really need no introduction. We have heard about Chief Judge Judith S. Kaye in glowing terms and we all agree that she is one of the great Chief Judges of all time. Having served with her I can attest first hand to that. This is her last year and it is going to be a bittersweet event for all of us, but her legacy will live on forever. She is going to talk about Judge Lawrence H. Cooke (1914-2000) and I see Judge Cooke's family here. They rose before to a round of applause.

We will then hear from Judge Carmen Beauchamp Ciparick, who is seated over there—you can see her smiling at us. My wonderful friend Judge Ciparick joined the Court in 1994. Before that she had been counsel to the State's Judicial Conference. She is a graduate of Hunter College and St. John's Law School. She will be talking about Judge Vito Titone (1929-2005) with whom she served.

* Associate Judge of the New York State Court of Appeals (1999-2006); J.D., Harvard Law School; B.A., University of Pennsylvania.

After that we will be hearing from our good friend Judge Victoria A. Graffeo, a graduate of State University of Oneonta and of this distinguished law school. After that, she served as counsel to Assembly Minority Leader Pro Tempore. Did I pronounce that right? Pro tempore, the accent is on the tempore. She joined the Court in 2000 after having served as New York State Soliciter General. I had the great pleasure of being on the Court with her and like the others she is a marvelous colleague. She will be talking about Judge Francis Bergan (1902-1998). I hear oohs and aahs out there; yes, he was a favorite son.

My first visit to the New York Court of Appeals as an assistant district attorney involved a leave application before Judge Bergan; it was probably about 1965. I got to the court house, knees shaking a little bit, and arrived at his office, and there he sat at a desk; he's very neat. On the desk was absolutely nothing. Not a shred of paper. I thought, this must be a very good job. I soon realized that he carried everything around in his head.

We will be hearing from the illustrious Judge Susan Read, a graduate of the University of Chicago Law School, before that from Ohio Wesleyan University. She was a Floyd Meacham Prize Scholar at Chicago Law School, then counsel to General Electric, and then deputy counsel to Governor George Pataki. Before joining the New York Court of Appeals in 2003 she was Presiding Judge of the New York State Court of Claims. Judge Read will be telling us about Chief Judge John T. Loughran.

Judge Robert Sherlock Smith will be next, and he'll be talking about Judge Cuthbert Pound (1864-1935), so he's going back a little farther. In some of the instances, the Judges will be giving you some personal anecdotes, because the affinity is based on actually knowing the Judges they describe. Judge Smith, of course, did not know Cuthbert Pound, who died nine years before Judge Smith was born, but he knows an awful lot about him and he wrote a chapter in the biography of the New York Court of Appeals¹ about Judge Pound, and we're delighted that he's going to be talking about someone who was on the Court a couple generations back. Judge Robert Sherlock Smith is a graduate of Stanford and of Columbia Law School where he was first in his class and editor of the *Columbia Law Review*. He joined the Court in 2004, and, again, I had the great privilege of being on the

¹ See generally THE JUDGES OF THE NEW YORK COURT OF APPEALS: A BIOGRAPHICAL HISTORY (Albert M. Rosenblatt ed., 2007).

Court with him.

Judge Eugene Pigott will be talking about another, Buffalonian—is that the right way to say it, Gene, another Buffalonian? Well, another Erie County person, a great Judge, Matthew Jasen (1915-2006). Judge Pigott, like Judge Jasen, is from that area, and a graduate of Buffalo Law School as well. SUNY, in Judge Pigott's case. My friend Judge Pigott joined the Court in 2006 after having been Presiding Justice of the Fourth Department. He served on the Administrative Board of the Courts—along with Justice Anthony Cardona, P.J. of the Third Department, whom I see sitting in the audience.

And, lastly, Judge Theodore Jones, who replaced me on the Court, and when we say filling shoes, the shoes are already overflowing. He's the gentleman wearing the bow tie. On the way up in the stairs, I said, "that's a nice looking bow tie, Ted," and he said he only wears it on Fridays. He says he doesn't think it works well with the robe, even though it's kind of red and black and it looks good, rouge et noir, but he won't wear it on the bench, so you are all privileged to see this. He's going to be talking about Justice Harold Stevens (1907-1990). Judge Jones is a graduate of Hampton University in Virginia and St. John's Law School. He was the Administrative Judge in New York City and joined the Court in January 2007, a second or two after I left the Court.

So we now begin with Chief Judge Kaye who will be telling us about Judge Lawrence Cooke.