

MODERATOR'S INTRODUCTION

*Vincent Bonventre**

Good afternoon and welcome. As Faculty Advisor of the *Albany Law Review*, I get to bask in the reflected glory of these extraordinary students, and I get to stand up here before you, neither an alum nor a chief justice. My Italian mother thinks I'm great, so . . .

But the credit, of course, for this event goes to the *Albany Law Review*, and especially our Editor-in-Chief, Caitlain Lewis, and our *State Con* Editor, Jessie Cardinale. Now, we are talking about "great women, great editors". And Jessie—Jessie is responsible for organizing and coordinating every little thing about this event.

This event is hosted by the *Albany Law Review's* annual issue of *State Constitutional Commentary*.

The *Albany Law Review*, as some of you may not know, is actually the first student-edited law journal in the country, and it remains one of the most esteemed, and in fact one of the most heavily cited, of any law journals in existence.

State Constitutional Commentary is now in its sixteenth year. It began at this school with the help of Founding Chair Chief Judge Lawrence H. Cooke, and it serves as the only law school scholarly publication devoted exclusively to American state courts and American state judges and their decision-making, especially in the realm of public law.

This symposium is now in its fifth year, and I have to say we have had some really exceptional events in the past. Last year, we had an event that was moderated by our current great Chief Judge, Jonathan Lippman, on wrongful convictions. The year before, we had several state supreme court justices from around the country talking about their toughest decisions.

The year before that, Chief Judge Kaye, our beloved, wonderful,

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gracious, magnificent Chief Judge Kaye, actually gathered her entire court here, and each one of them spoke about their favorite judge and court history.

Now, about Chief Judge Kaye. She was invited, but it was impossible for her to come. She swore to me it was absolutely impossible, but requested that I read this letter greeting you. So, I'm going to do that right now:

Great Women, Great Chiefs¹
February 16, 2011

Having searched fruitlessly for the words that sufficiently convey my dismay for not being with you today, I will simply plunge ahead to congratulate Albany Law School for having conceived, and now executed, the idea for this wonderful symposium, *Great Women, Great Chiefs*. I can, moreover, give personal testimony that, with Margaret Marshall, Marsha Ternus and Jean Toal you have drawn the best of the best on both fronts: great women who happen also to be, or have been, great Chief Justices.

As you well know, for 25 years, three months, 19 days and 12 hours, it was my privilege to serve on New York State's high court (the Court of Appeals), 15 of those years as Chief Judge. For me that was surely the capstone of nearly 48 years in the law. During all of those years (and lots more) I have also been a woman, indeed the first woman to serve on the Court of Appeals. (Thankfully, the institution still stands!) Among the most exciting developments I have seen in all my years in the law is our growing numbers in the Bar, in the courts and at the helm of entire court systems. As of today, women lead the highest courts in 19 of the 56 jurisdictions that make up the nationwide Conference of Chief Justices. Fan-tastic!

And what of it? Does it matter at all, apart from the not insignificant fact that, in a system that calls itself the "justice system," we are at long last beginning to approach genuine diversity and equal opportunity? Plainly too, there is in our growing numbers added strength and support for one another, and for those who follow—as witness the

¹ Letter from Judith Kaye to Albany Law Review, Feb. 16, 2011 (on file with Albany Law Review).

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abiding bond among us “here” today, having struggled to mark out our own pathways to the center seat. I suspect that “what difference does it make?” will be a lively subject of your discussion today.

I will venture just one more answer to that fascinating question, and it is this. In my own years on the bench, and especially during my Chief Judge years, as the number of women lawyers, judges and chief judges has grown, I have seen both increased attention paid to subjects like children, families and domestic violence, and the phenomenon of problem-solving courts—using the moment of court intervention not simply for a case disposition but also positively and constructively to assist people who come before them. So I conclude my brief greeting with yet another question: Is all of this merely coincidental—inevitable societal progress—or is it in some way also chromosomal? You be the judge.²

Signed, Judith S. Kaye.

Thank you very much Judge Kaye . . .

She is absolutely right. I mean, our warm, wonderful, generous, magnificent Chief Judge Kaye, who's a great friend to this school and has been at two of these events in the past. She's absolutely right: we do have the best of the best.

And I just have to relate this before I leave you. A few years ago I wrote this small, little piece about nine great American judges. The nine of them were women, nine of them were chief justices. And I said that the United States Supreme Court would be a far greater tribunal if these women were on that court.

These three women, Margaret Marshall of Massachusetts, Marsha Ternus of Iowa, and Jean Toal of South Carolina were, of course, included on that list. So it really is an absolute thrill to be in the same room with these women. It's a great day for the Law School. It's a great day for you because you get to hear about them.

I'll now give the mike over to my colleague, Professor Donna Young, who will introduce Chief Justice Ternus.

Thank you very much.

² See my articles *Women Chiefs: Shaping the Third Branch*, 36 U. TOLEDO L. REV. 899 (2005), and (co-authored with Ann C. Reddy), *The Progress of Women in Law Firms, Steadied or Simply Studied?*, 76 FORDHAM L. REV. 1941 (2008).