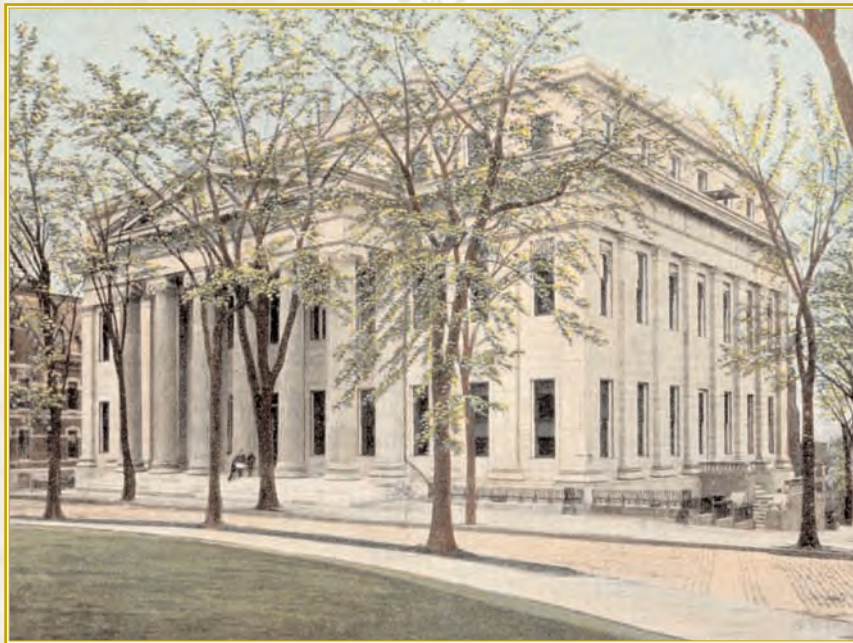


The Historical Society of the Courts  
of the State of New York

*First Gala Evening: A Living Legacy*

HONORING THE RETIRED JUDGES  
of the NEW YORK COURT OF APPEALS



HON. JOSEPH W. BELLACOSA  
HON. STEWART F. HANCOCK, JR.  
HON. HOWARD A. LEVINE  
HON. ALBERT M. ROSENBLATT

HON. RICHARD D. SIMONS  
HON. GEORGE BUNDY SMITH  
HON. SOL WACHTLER  
HON. RICHARD C. WESLEY

*Thursday, May 10, 2007*

BANKING HALL • 49 CHAMBERS STREET • NEW YORK, NEW YORK

140 GRAND STREET, SUITE 701 WHITE PLAINS, NY 10601 • TEL: 914.824.5717

E-MAIL: [THE\\_HISTORICAL\\_SOCIETY@COURTS.STATE.NY.US](mailto:THE_HISTORICAL_SOCIETY@COURTS.STATE.NY.US) • WEBSITE: [WWW.COURTS.STATE.NY.US/HISTORY](http://WWW.COURTS.STATE.NY.US/HISTORY)

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# The Historical Society *of the Courts* *of the State of New York*

The Society was launched in 2003 with the mission of preserving the legal and judicial history of the State of New York. It seeks to foster scholarly understanding and public appreciation of the rich legacy of the New York courts, the legal profession and their contributions to the State and nation.

The Society presents programs on a wide variety of topics about New York's legal history that are CLE-accredited; it publishes a scholarly newsletter and is in the process of publishing several books; it has initiated a program to collect the oral history of former New York Court of Appeals Judges; it exhibits New York legal history in Court of Appeals Hall and at the New York State Judicial Institute; and it has created a website that contains a rich and growing library of New York judicial history.

## **ANNUAL SERIES & OCCASIONAL LECTURES**

The Society holds an annual lecture each year at the New York City Bar as well as lectures held at other forums across the State. The programs feature guest lecturers who are prominent lawyers, jurists and law school and university professors who are experts in their fields.

- 2003: The Framing of the Constitution: New York's Role
- 2004: Chancellor James Kent and the Origins of Law Reporting and Legal Education
- 2005: David Dudley Field and the Code Concept
- 2005: An Empire of Reason - The History of Federalism in America
- 2006: The Scales of Justice: a Reargument of Palsgraf v. Long Island R.R. Co.
- 2006: Frontier Justice: Western New York Blazes the Trail on the Underground Railroad and Down the Erie Canal. (Buffalo, New York)
- 2006: Encore Presentation of The Scales of Justice: a Reargument of Palsgraf v. Long Island R.R. Co. (White Plains, New York)
- 2007: The New York Court of Appeals: A Biographical, Pictorial, Jurisprudential History with Dramatic Readings

## **NEW YORK COURT OF APPEALS LECTURE SERIES**

The Society co-sponsored with the New York Court of Appeals a 2006 series of lectures and will be co-sponsoring a 2007 series at the New York Court of Appeals. This represents the first time this important building has been open to the public as well as Society members for an educational lecture series.

- NY Times v Sullivan and its Times: The Press and the Community
  - Dreiser's "An American Tragedy:" The Law and the Arts
  - The Shape of Justice: Law and Architecture
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## **2007 NEW YORK COURT OF APPEALS LECTURE SERIES**

- Democracy a lecture to be delivered by U.S. Supreme Court Justice Stephen Breyer (May 29, 2007)

## **SCHOLARLY PUBLICATION**

The Society publishes twice yearly a literary publication of articles of historical substance and scholarship, including writings by distinguished historians, attorneys and other presenters. Our current issue contains articles on John Jay as New York's First Chief Judge by Walter Stahr; on C.C. Burlingham by George Martin; and on Judge Harold Stevens, the first African-American to serve on the New York Court of Appeals.

## **BOOK PUBLICATIONS**

The Society is in the process of publishing the following:

- The Judges of the New York Court of Appeals: A Biographical History edited by Hon. Albert M. Rosenblatt with foreword by Chief Judge Judith S. Kaye, providing a comprehensive, authoritative guide to 160 years of the important legal legacy of the New York Court of Appeals. Available in Summer, 2007 published by Fordham University Press.
- Historic Courthouses of the State of New York: A Study in Postcards by Julia and Albert Rosenblatt., featuring rare postcard images of county courthouses throughout New York State with accompanying text. Available in Spring, 2007.
- Oral History of Judge Bernard S. Meyer by Norman I. Silber, Professor of Law, Hofstra University, compiling the oral interviews conducted by Professor Silber with former Court of Appeals Judge Bernard S. Meyer
- 2006 Court of Appeals Lecture Series: Compendium of the three lectures comprising the 2006 Court of Appeals Lecture Series

## **ORAL HISTORY**

The Society is committed to recording the oral history of New York Court of Appeals Judges in order to preserve the living record of their experiences, and to provide future generations with their words and thoughts. The Society has completed four oral histories of New York Court of Appeals Judges, including Judges Richard D. Simons, Bernard S. Meyer, Richard J. Bartlett and Matthew J. Jasen.

## **WEBSITE**

The Society designed and launched its website in 2003. It contains an extensive library, including portraits and photographs of judges and other notable legal figures accompanied by biographies; documents of important note in the State's legal history; Society publications; and we are in the process of including as webcasts all lectures given after the 2006 annual lecture as well as the Court of Appeals lecture series.

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*A Living Legacy*

THE RETIRED JUDGES of the NEW YORK COURT OF APPEALS

*Program*

*A personal and entertaining look at the tenures of the Retired Judges  
through a lively exchange between the Judges and*

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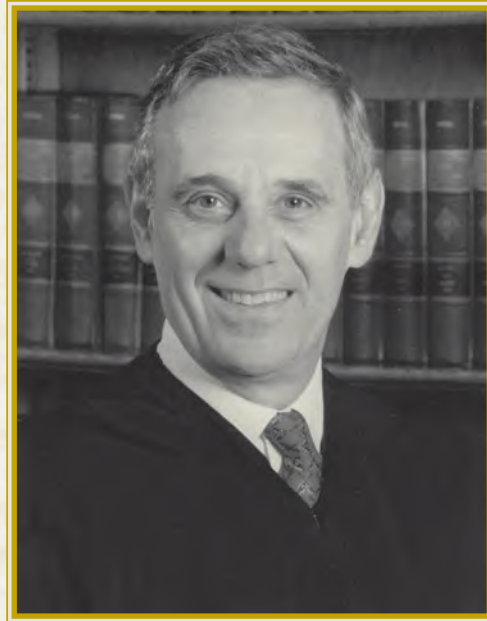
JUDGE ALBERT M. ROSENBLATT



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# JOESPH W. BELLACOSA

ASSOCIATE JUDGE 1987-2000



**J**OSEPH W. BELLACOSA was born in Brooklyn, New York. He received his B.A. from St. John's University in English in 1959 and his LL.B. from St. John's University School of Law in 1961. In 1987, he received an Honorary Degree and, in 1998, the University Medal of Honor. He was admitted to the New York State Bar in 1961.

Judge Bellacosa served in the General Counsel's Office at New York Life Insurance Company from 1961 to 1963; as Law Secretary to the Honorable Marcus G. Christ in the Appellate Division, Second Judicial Department, from 1963 to 1970; and as Assistant Dean and Assistant Professor of Law at St. John's University School of Law from 1970 until 1975, when he became Clerk of Court and Counsel in the New York State Court of Appeals. After serving as Chairman of the New York State Sentencing Guidelines Commission from 1983 to 1985, Judge Bellacosa was appointed Chief Administrative Judge in the New York State Unified Court System from 1985 to 1987. In 1987, he

was appointed by Governor Mario Cuomo to the New York State Court of Appeals. He thereafter served as Dean of the St. John's University School of Law from 2000 until 2004.

Judge Bellacosa has been recognized as the Associate Editor of the St. John's Law Review; the New York State Bar Association's Gold Medal for Distinguished Service (2001) and the Cardozo Lecture — Association of the Bar of the City of New York (1994).

Judge Bellacosa, who describes himself as an unaffiliated free spirit, is the author of *Practice Commentaries for 8-Volume McKinney's Criminal Procedure Law of the State of New York*; Hon. Hugh R. Jones Fifth Memorial Lecture: *Cogitations Concerning the Special Prosecutor Paradigm: Is the Cure Worse than the Disease?* (2006 at the Court of Appeals; publication due 2007); *The Prodigal Parable: Reflections Through the Prism of Luke, Nouwen and Rembrandt* (2007 at St. Anne's Parish, Garden City, New York; publication due 2007). ■

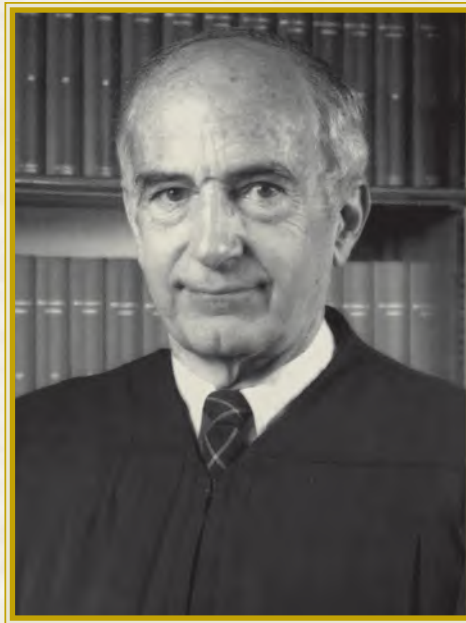
of the State of New York

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# STEWART F. HANCOCK, JR.

ASSOCIATE JUDGE 1986-1993



**STEWART F. HANCOCK, JR.** was born in Syracuse, New York on February 2, 1923, the son of Stewart F. and Marion McLennan Hancock. He received his B.S. from the **United States Naval Academy** in 1945 and his LL.B. from Cornell University Law School in 1950. He was admitted to the New York State Bar in 1950.

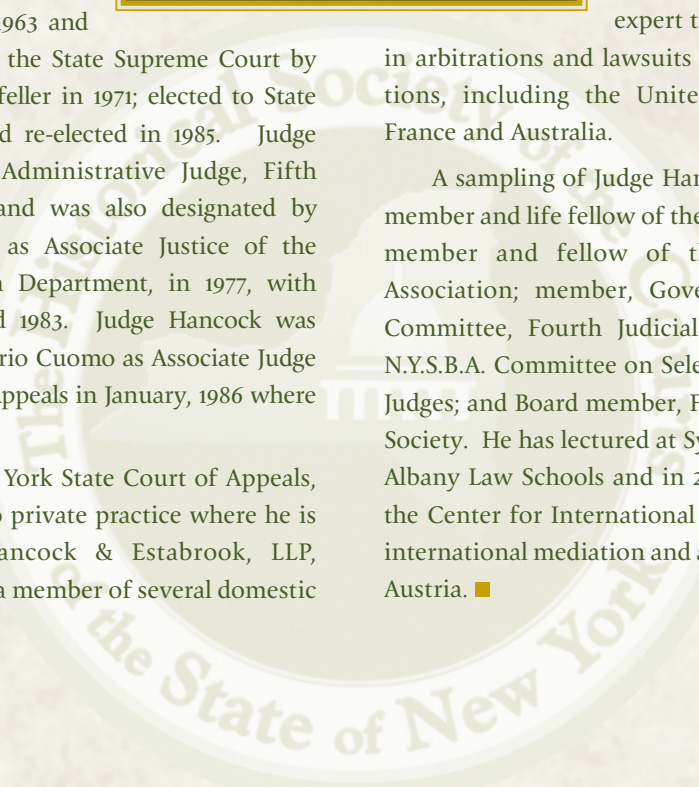
He was Corporation Counsel, City of Syracuse from 1962 to 1963 and was appointed a justice of the State Supreme Court by Governor Nelson A. Rockefeller in 1971; elected to State Supreme Court in 1971 and re-elected in 1985. Judge Hancock was appointed Administrative Judge, Fifth Judicial District, in 1977 and was also designated by Governor Hugh L. Carey as Associate Justice of the Appellate Division, Fourth Department, in 1977, with redesignations in 1978 and 1983. Judge Hancock was appointed by Governor Mario Cuomo as Associate Judge of the New York Court of Appeals in January, 1986 where he served until 1993.

After leaving the New York State Court of Appeals, Judge Hancock returned to private practice where he is currently counsel to Hancock & Estabrook, LLP, Syracuse, New York. He is a member of several domestic

and international arbitration panels, including AAA's International Arbitration Panel and Large Commercial Complex Case Panel; AAA's Employment Alternative Dispute Resolution Panel; CPR Institute for Dispute Resolution Panel of Distinguished Neutrals; CPR Institute for Dispute Resolution of U.S.-China Business Mediation Panel. He provides expert testimony on New York law

in arbitrations and lawsuits in several foreign jurisdictions, including the United Kingdom, Netherlands, France and Australia.

A sampling of Judge Hancock's affiliations include: member and life fellow of the American Bar Association; member and fellow of the New York State Bar Association; member, Governor's Judicial Screening Committee, Fourth Judicial Department; member of N.Y.S.B.A. Committee on Selection for Court of Appeals Judges; and Board member, Frank H. Hiscock Legal Aide Society. He has lectured at Syracuse, Cornell, Touro and Albany Law Schools and in 2003-04, he participated in the Center for International Legal Studies programs on international mediation and arbitration in Germany and Austria. ■



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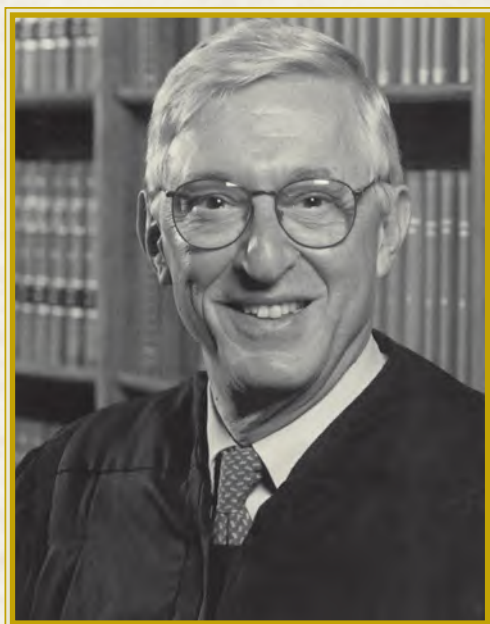
# HOWARD A. LEVINE

ASSOCIATE JUDGE 1993-2002

*HL*

HOWARD A. LEVINE graduated from Yale College in 1953 and Yale Law School in 1956. He was admitted to the New York State Bar in 1956.

He was an Assistant in instruction and research in criminal law at Yale Law School from 1956 to 1957. In 1957, he joined the law firm of Hughes, Hubbard, Blair and Reed in New York City as an associate. He then went into private practice in 1959 in Schenectady, New York through 1970. From 1961 to 1966, he served as Assistant District Attorney for Schenectady County, and District Attorney from 1967 to 1970. In 1971, he became Family Court Judge for Schenectady County until 1980. During that period, he also served at civil and criminal terms by assignment as an Acting County Judge for Schenectady, Suffolk and Westchester Counties. In 1981, Judge Levine became a Justice of the New York State Supreme Court, Fourth Judicial District. From 1982 through 1993, he was an Associate Justice



of the Supreme Court, Appellate Division, Third Department. In September of 1993, he became an Associate Judge on the New York State Court of Appeals where he served until December 31, 2002 when he became subject to mandatory age retirement.

From 2000 to 2002, Judge Levine served as Chair for the New York Federal-State Judicial Council. He is Senior Counsel to the Albany, New York law firm of Whiteman Osterman & Hanna, LLP. From 2003 to 2005, he was the Robert H. Jackson Distinguished Professor of Law at Albany Law School. In 2000, he received the Distinguished Public Service Award from the Federal and Commercial Litigation Section of the New York State Bar Association; and in 2003, the New York State Bar Association's Annual Gold Medal Award for "Distinguished Service In the Law"—the highest honor the Bar Association bestows on members of the legal profession. ■

the State of New York

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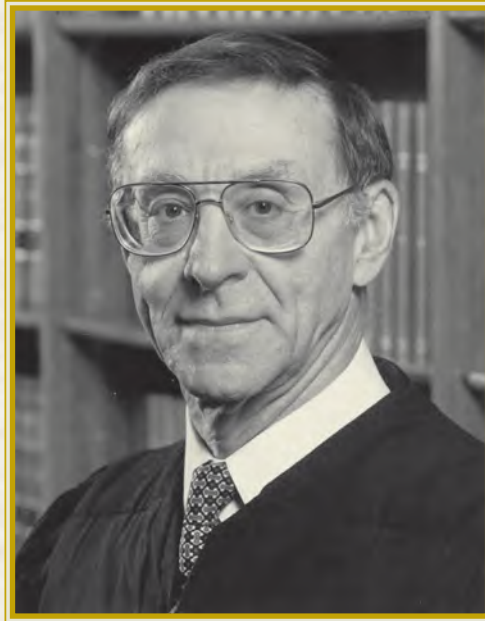
# ALBERT M. ROSENBLATT

ASSOCIATE JUDGE 1998-2007

**ALBERT M. ROSENBLATT** was born in New York City in 1936. He received his B.A. from the University of Pennsylvania in 1957 and his J.D. from Harvard Law School in 1960. He was admitted to the New York State Bar in 1961.

Judge Rosenblatt served as District Attorney of Dutchess County from 1969 until 1975. He became Dutchess County Judge from 1976 to 1981 and Supreme Court Justice in 1982, where he served until 1987. He served as New York State's Chief Administrative Judge from 1987 until 1989 and was appointed to and served as Associate Justice of the Supreme Court, Appellate Division, Second Department from 1989 until 1998, when he was nominated to the New York Court of Appeals by Governor George Pataki.

He served as a Moot Court Judge at Harvard Law School in 1992 and 1996; and as a Teaching Team Member in the Trial Advocacy Workshop at Harvard



Law School in 1998 and 1999. He was a Visiting Lecturer with his wife, Julia, in the Victorian Studies Department at Vassar College between 1992 and 1994.

Judge Rosenblatt is a certified professional (associate) ski instructor, and a member of the Baker Street Irregulars, as well as a former assistant editor of the Baker Street Journal. He is a nationally ranked squash player and member of the United States (Master's) Maccabiah Team (1997 and 2001). He is married to Dr. Julia (Carlson) Rosenblatt, a writer and former Vassar College professor.

He and his wife, Julia, have one daughter and they reside in LaGrange, New York. Judge Rosenblatt is currently practicing law and doing arbitration and mediations at McCabe & Mack in Poughkeepsie, New York. In September, he will begin teaching law at New York University School of Law. ■

of the State of New York

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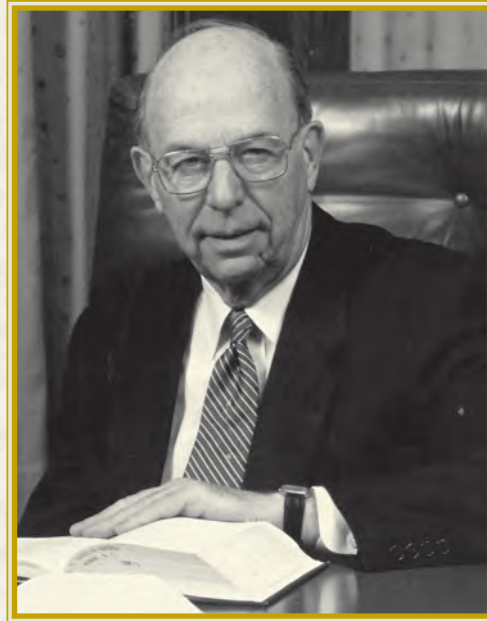
# RICHARD D. SIMONS

ASSOCIATE JUDGE 1983-1997 • ACTING CHIEF JUDGE 11/92-3/93

*R*

**RICHARD D. SIMONS** was born in Niagara Falls, New York in 1927. He received his A.B. from Colgate University in 1949; his LL.B. from the University of Michigan Law School in 1952; and an honorary Doctor of Laws degree from Albany Law School in 1983. He was admitted to the New York State Bar in 1952.

Judge Simons practiced law in Rome, New York from 1952 until he was elected to the Supreme Court. Before his election, he served as Assistant Corporation Counsel (1955-1958) and Corporation Counsel (1960-1963) of the City of Rome. He was elected Justice of the Supreme Court, Fifth Judicial District (1963) and re-elected (1977). He was Associate Justice, App. Div., Third Department (1971-1972); Associate Justice, App. Div., Fourth Department (1973-1983); appointed Associate Judge of the Court of Appeals by Governor Mario Cuomo (1983-1997), and served as acting Chief Judge (11/92 to 3/93). Judge Simons retired in 1997 and is presently associated with McMahon and Grow, Rome, New York. Since his retirement, his practice has been devoted to testifying as an expert on New York law in the U.S., Europe and Australia and serving as an arbitrator or mediator.



Judge Simons has served as chair, Independent Judicial Election Qualification Commission, Fifth Judicial District; chair, New York State Bar Association Task Force on Court Reorganization; chair, App. Div. Coordinating Committee to establish disciplinary rules for lawyer advertising; Committee to Regularize Bar Admission Procedures (The Karger Committee); LSAC Bar Passage Study Committee; Editorial Committee of New York Pattern Jury Instructions - Civil. He has written and lectured on Appellate Advocacy and related legal matters and lectured as Jurist in Residence, Syracuse Law School. He was a Fellow of the National Endowment for the Humanities, University of Virginia Law School; Director of the Capital Defender's Office; and Chief Trial/Appellate Judge of the Oneida Indian Nation.

Judge Simons is a Fellow of the American and New York State Bar Foundation and a member of the American Law Institute; and American, New York, Oneida County and Rome Bar Associations. In 2000, the New York State Bar Association awarded him its gold medal, its highest award for distinguished service. ■



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# GEORGE BUNDY SMITH

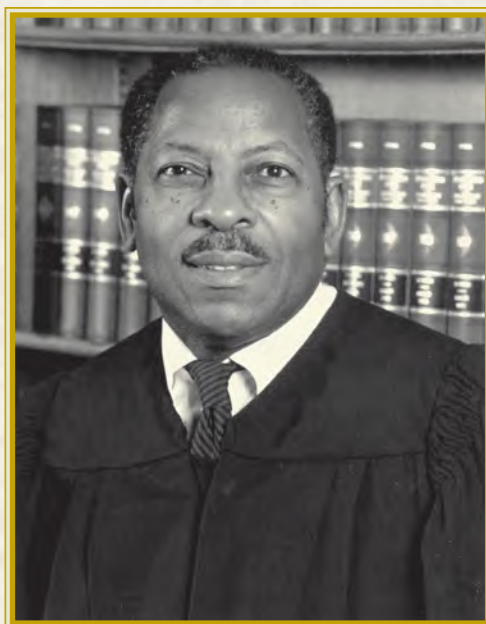
ASSOCIATE JUDGE 1992-2006



**GEORGE BUNDY SMITH** was born in New Orleans, Louisiana, in 1937. He graduated from Phillips Academy in Andover, Massachusetts in 1955, received his B.A. from Yale University in 1959 and his LL.B. from Yale Law School in 1962. In 1967, Judge Smith was awarded an M.A. in Political Science and in 1974 he received a Ph.D. in Government from New York University. In 2001, he received a Masters Degree in the Judicial Process from the University of Virginia Law School. He was admitted to the New York State Bar in 1963.

After graduating from Yale Law School, Judge Smith served as an attorney for the NAACP Legal Defense and Educational Fund. He later became a judicial law secretary in the New York State Courts, and from 1974 to 1975 was the administrator of New York City's Model Cities Program.

Judge Smith began his judicial service in 1975 when he was named to an interim term on the Civil Court of New York City. He was elected to a 10-year term on that bench the following November. He was elected to a 14-year term on the State Supreme Court in 1979, and

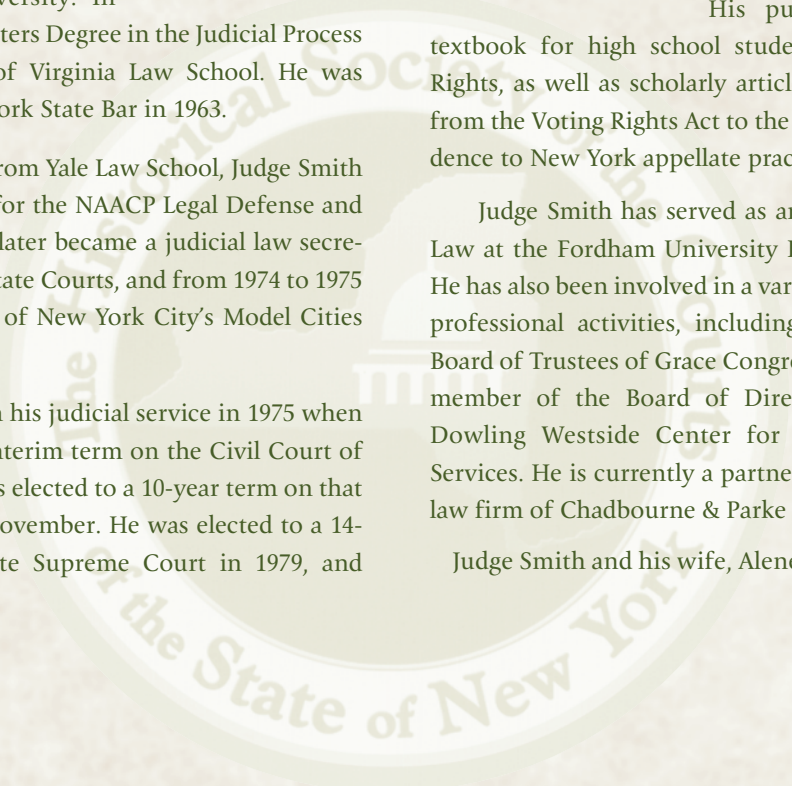


served in New York County until his promotion to the Appellate Division, First Department, as an Associate Justice of the State Supreme Court from 1987 to 1992, when Governor Mario M. Cuomo appointed him to the Court of Appeals. He was confirmed by the State Senate in 1992 and served until 2006 when he retired into private practice.

His publications include a textbook for high school students about the Bill of Rights, as well as scholarly articles on subjects ranging from the Voting Rights Act to the admission of DNA evidence to New York appellate practice.

Judge Smith has served as an Adjunct Professor of Law at the Fordham University Law School since 1981. He has also been involved in a variety of community and professional activities, including as Chairman of the Board of Trustees of Grace Congregational Church and a member of the Board of Directors of the Harlem-Dowling Westside Center for Children and Family Services. He is currently a partner in the New York City law firm of Chadbourne & Parke LLP.

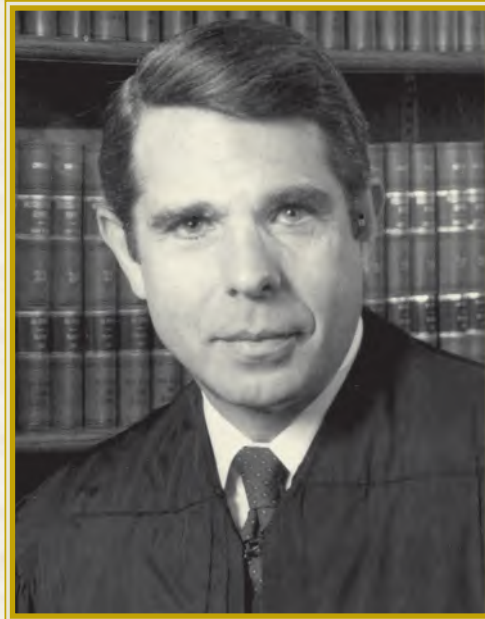
Judge Smith and his wife, Alene, have two children. ■



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# SOL WACHTLER

ASSOCIATE JUDGE 1973-1985 / CHIEF JUDGE 1985-1992



**S**OL WACHTLER was born in Brooklyn, New York in 1930, the son of Philip and Fay Wachtler. He received his B.A. from State University of New York (*cum laude*) and from Washington and Lee University; and his LL.B. (*cum laude*) from Washington and Lee School of Law, Order of the Coif. His other academic pursuits included Columbia School of Architecture; Fellowship graduate, National Judicial College, University of Nevada. He was awarded Honorary Doctor of Laws degrees (LL.D.) from Washington and Lee University School of Law, Albany Law School of Union University, Brooklyn Law School, Hofstra Law School, Syracuse Law School, Long Island University and Benjamin N. Cardozo School of Law. He is also the recipient of a Doctor of Humane Letters from C.W. Post College.

Judge Wachtler was elected Supreme Court Justice in 1968 and thereafter appointed Justice of the New York State Supreme Court by Governor Nelson A. Rockefeller in 1968. He was appointed Associate Judge of the New

York Court of Appeals in 1972, and was thereafter appointed Chief Judge by Governor Mario M. Cuomo in 1985.

Judge Wachtler has also served as Councilman, Town of North Hempstead (1963); Supervisor, Town of North Hempstead (1964); Chairman, Committee on Public Safety, Nassau County Board of Supervisors (1966). He has also been Chairman, Federal/State Judicial Council of New York State (1984); and a member of the Board of Overseers of the Nelson A. Rockefeller Institute of Government. He was in charge of Courts and Boards Section, Provost Marshal Center; Instructor in Military Law, Provost Marshal School. He has been a guest lecturer in law at: United States Information Agency in Munich and Stuttgart, Germany; Columbia University Law Seminar, University of Leyden, Holland; Yale University School of Law; Albany Law School; St. John's Law School; Brooklyn Law School; and Hofstra Law School. ■

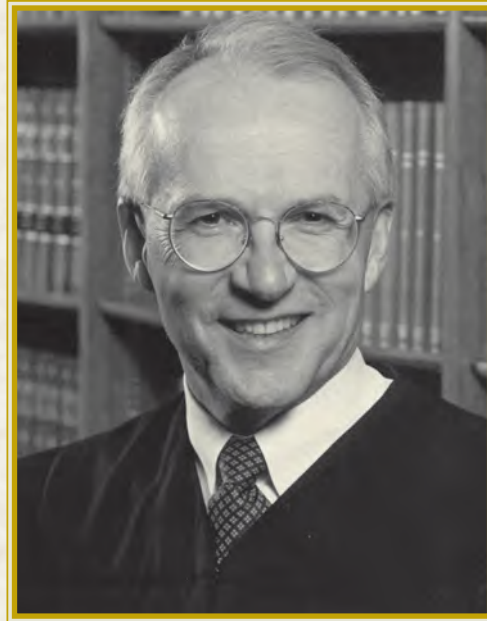
of the State of New York

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# RICHARD C. WESLEY

ASSOCIATE JUDGE 1997-2003



**R**ICHARD C. WESLEY was nominated by President George W. Bush to the Second Circuit Court of Appeals on March 5, 2003. On June 11, 2003, he was unanimously confirmed by the U.S. Senate and on June 12, 2003, President Bush signed his commission. Judge Wesley took the Federal bench on June 17, 2003 and currently sits on that bench.

Judge Wesley received his B.A. degree *summa cum laude* from the State University of New York at Albany in 1971 and his J.D. degree from Cornell University Law School in 1974.

He engaged in the private practice of law from the time of his admission to the New York State Bar in 1975 until 1986. During three years of that period, 1979 until 1982, he also served as assistant counsel and chief legislative aide to New York Assembly Minority Leader James L. Emery. In 1982, Judge Wesley was himself elected to the Assembly—and was re-elected in 1984—representing Livingston, Allegany and Ontario Counties.

In 1986, Judge Wesley was elected to a 14-year term as a Justice of the New York Supreme Court from the Seventh Judicial District. He served as Supervising Judge of that district's criminal courts from 1991 to 1994. In

1994 he was appointed by Governor Mario Cuomo to the Supreme Court, Appellate Division, Fourth Department. In 1997, he was appointed a Judge of the New York Court of Appeals by Governor George Pataki, a position he held until joining the Federal judiciary.

Judge Wesley has been a member of the Board of Trustees of United Church of Livonia; Chances

and Changes (a community based organization in Livingston County that provides safe housing to battered women); the Charles Settlement House; the Center for Dispute Resolution; and the Pre-Trial Services Corporation. He currently serves on the board of the Myers' Foundation. He also serves on the Cornell University Law School Advisory Council and the Cornell University Council. He is a Fellow of the New York State Bar Foundation. In 1997, he was awarded the Distinguished SUNY Alumni Award by the SUNY Alumni Association; and in 1999, was named a Distinguished Alumni of SUNY at Albany. Judge Wesley is also active in a number of local youth sports programs and serves as a driver for the Livonia Volunteer Ambulance. ■

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the State of New York



The Historical Society *of the Courts*  
*of the State of New York*

*First Gala Evening: A Living Legacy*

HONORING THE RETIRED JUDGES *of the* NEW YORK COURT OF APPEALS

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