

2017 GALA DINNER

APRIL 6 • THE NEW YORK PUBLIC LIBRARY

GET TO KNOW

THE FOUR PRESIDING JUSTICES OF THE NYS APPELLATE DIVISIONS

HONORABLE PETER TOM 1ST DEPARTMENT*

HONORABLE RANDALL T. ENG 2ND DEPARTMENT

HONORABLE KAREN K. PETERS 3RD DEPARTMENT

HONORABLE GERALD J. WHALEN 4TH DEPARTMENT

*ACTING PRESIDING JUSTICE

PRESENTATION OF FIRST JUDITH S. KAYE



ACHIEVEMENT AWARD TO HELAINE M. BARNETT



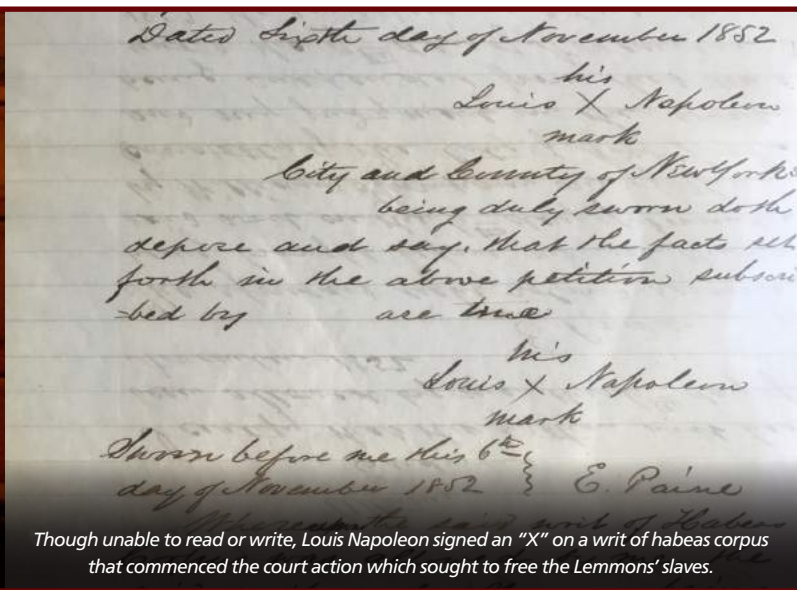
Dr. Julia Rose Kraut surrounded by students in the Civil Rights, Civil Liberties, and the Empire State class.



Educators participate in a professional development workshop sponsored by the Society at Bard College Institute of Writing and Thinking.



Inaugural Garfinkel Essay Scholarship winner Elijah Fagan-Solis pictured with Hon. Judith S. Kaye.



Though unable to read or write, Louis Napoleon signed an "X" on a writ of habeas corpus that commenced the court action which sought to free the Lemmons' slaves.

STUDENT INITIATIVES

STUDENT INITIATIVES

COURTHOUSE EXHIBITS

JUDITH S. KAYE FELLOWSHIP

Through our partnership with **Bard High School Early College**, our search for the next Judith S. Kaye Teaching Fellow is underway. Inaugural fellow **Dr. Julia Rose Kraut** will leave big shoes to fill. She developed *Civil Rights, Civil Liberties, and the Empire State*, which explored the way the law and our courts shape history and establish our freedoms. Dr. Kraut taught the course on two BHSEC campuses and is also teaching an adapted version of the course at **George Jackson Academy**, a middle school for underserved boys.

TEACHERS WORKSHOPS

Legal history can be difficult to integrate into curriculum, so we have partnered with **Bard College Institute for Writing and Thinking** to sponsor a series of professional development workshops that provide teachers with tools necessary to incorporate legal concepts in their classes. Our recent workshops explored how educators can apply writing strategies to the teaching of primary historical legal sources. These workshops revolved around questions of the nature of an independent judiciary and its role in promoting justice, democracy and the Rule of Law.

DAVID A. GARFINKEL
ESSAY SCHOLARSHIP

2017 marks the 10th anniversary of the David A. Garfinkel Essay Scholarship, and the topic is a fitting one: *You, the Voter: How Far Have We Come? Is the Journey Over?* This year's topic allows students to explore current issues affecting the right to vote, including voting registration restrictions, or to look back on historic voting issues in New York such as the struggle by women to earn the right to vote and the role of men to adopt the 1917 constitutional amendment that changed the voter qualification laws to include women.

The Society thanks **Gloria and Barry Garfinkel** for their generous support of the David A. Garfinkel Essay Scholarship.

NY'S HISTORY COMES TO LIFE

Though not a student initiative, our Courthouse Exhibits project does relate to the Society's work to bring students into the courthouse! The Courthouse Exhibits Committee chaired by **Dennis E. Glazer** includes Society President **Hon. Albert M. Rosenblatt**, New York State Archivist **Thomas J. Ruller**, and Chief Court Records Officer **Geof Huth**. Its aim is to bring interesting and important moments in NY legal history to life in an interactive exhibit which will be installed in a courthouse and then travel to courthouses throughout the State. The first exhibit will feature the *Lemmon Slave Case* where the Court of Appeals in a ground-breaking decision during the Dred Scott era ruled that slaves brought into NYS were not property and free.



Students in Dr. Kraut's course at George Jackson Academy during a visit to the District Attorney's office.

HISTORICAL SOCIETY of the NEW YORK COURTS

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Hon. Judith S. Kaye



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HISTORICAL SOCIETY of the NEW YORK COURTS

APRIL 6, 2017 GALA DINNER

THE NEW YORK PUBLIC LIBRARY

PROGRAM



WELCOME

Robert J. Giuffra, Jr.

Gala Chair

REMARKS & PRESENTATION OF JUDITH S. KAYE ACHIEVEMENT AWARD

Janet DiFiore

Chief Judge of the State of New York

JUDITH S. KAYE ACHIEVEMENT AWARD



HELAINE M. BARNETT

First Recipient of Judith S. Kaye Achievement Award

Chair of the NYS Permanent Commission on Access to Justice
& Former President, Legal Services Corporation

ABOUT THE SOCIETY

Marilyn Marcus

Executive Director, The Historical Society of the New York Courts

VIDEO PRESENTATION

Get to Know

The Four Presiding Justices of the NYS Appellate Divisions

1st Department Peter Tom (*Acting Presiding Justice*)

2nd Department Randall T. Eng

3rd Department Karen K. Peters

4th Department Gerald J. Whalen



Appellate Division, First Judicial Department
Supreme Court of the State of New York
27 Madison Avenue, New York, NY 10010



JUSTICE PETER TOM

ACTING PRESIDING JUSTICE OF THE APPELLATE DIVISION, FIRST DEPARTMENT
SUPREME COURT OF THE STATE OF NEW YORK

Acting Presiding Justice Peter Tom’s career—which spans over 30 years from his appointment as a Housing Court Judge to his current position as the senior justice and Acting Presiding Justice of the Appellate Division, First Department—holds a number of judicial “firsts” for an Asian-American. In 1985, he was the first Asian-American appointed to the Housing Court of the City of New York; and in 1987 became one of the first Asian-Americans elected to the Civil Court of the City of New York. In 1990, Justice Tom became the first Asian-American elected to the New York State Supreme Court in New York County, and in 1994, he became the first Asian-American appointed to the Supreme Court, Appellate Division (First Department), where he served as the only Asian-American for the next 14 years. Justice Tom also

served as Acting Presiding Justice of the Appellate Division, First Department in 2007 and 2009.

Justice Tom is active in the Asian-American community where he was raised and still resides. He has received numerous awards, notably the Trailblazer Award from the National Asian Pacific American Bar Association, the Louis D. Brandeis Award from the Jewish Lawyers Guild, the Ellis Island Medal of Honor, the Leadership Award from the Judges and Lawyers Breast Cancer Alert as Acting Presiding Justice of the First Department, and the Asian American For Equality Leadership Award. He has also been honored and received awards from legal institutions and associations, including the New York County Lawyers Association, the Association of Law Secretaries

to the Justices of the Supreme and Surrogates’ Courts, the Asian American Bar Association of New York, Chinese American Planning Council, New York University and Brooklyn Law School.

Justice Tom is also the first Asian-American to win the New York City Golden Gloves Boxing Championship.



Appellate Division, Second Judicial Department
Supreme Court of the State of New York
45 Monroe Place, New York, NY 11201



JUSTICE RANDALL T. ENG

PRESIDING JUSTICE OF THE APPELLATE DIVISION, SECOND DEPARTMENT
SUPREME COURT OF THE STATE OF NEW YORK

Presiding Justice Randall T. Eng received his JD from St. John's University School of Law in 1972 and was awarded an Honorary Doctor of Laws degree in 2016. Upon being admitted to the New York State Bar in 1973, Justice Eng was appointed an Assistant District Attorney in Queens County. At the time, he became the first Asian-American appointed as an assistant prosecutor in New York State history.

Justice Eng became the first Asian-American to become a judge in New York State, when he was appointed to the Criminal Court of the City of New York in September 1983 by Mayor Edward I. Koch. He sat in the Criminal Court until 1988 when he was designated an Acting Justice of the New York State Supreme Court. In 1990 and

2004, Justice Eng was elected and reelected to full 14-year terms on that bench.

He was appointed Administrative Judge of the Criminal Term of Queens County Supreme Court in March 2007, and served in that role until January 25, 2008, when he was designated an Associate Justice of the Appellate Division Second Department. He has served as President of the Association of Supreme Court Justices of the City of New York and served as a member of the Advisory Committee on Judicial Ethics. He is currently a member of the Permanent Sentencing Commission for New York State and the New York State Judicial Institute on Professionalism in the Law.

Justice Eng was a member of the New York Army National Guard from 1970 to 2004 and retired as the State Judge Advocate of that organization, holding the rank of colonel. He has also served as an Adjunct Professor at St. John's University School of Law.

Presiding Justice Eng is married to Dr. Pauline Leong Eng, an internist at North Shore University Hospital, and they have two college-age daughters.



Appellate Division, Third Judicial Department
Supreme Court of the State of New York
Empire State Plaza, Albany, NY 12223



JUSTICE KAREN K. PETERS

PRESIDING JUSTICE OF THE APPELLATE DIVISION, THIRD DEPARTMENT
SUPREME COURT OF THE STATE OF NEW YORK

Presiding Justice Karen K. Peters received her JD from New York University (cum laude, Order of the Coif). From 1972 to 1979, she was engaged in private practice, served as an Assistant District Attorney in Dutchess County and worked as an assistant professor at the State University at New Paltz. In 1979, Justice Peters was selected as the first counsel for the newly created NYS Division of Alcoholism and Alcohol Abuse. In 1983, she became the director of the State Assembly Government Operations Committee.

Justice Peters' judicial career began in 1983 when she was elected to serve as an Ulster County Family Court Judge. She remained on the Family Court bench until 1992, when she was elected as the first woman Supreme Court Justice in the Third Department. In 1994, Justice Peters was appointed

to the Appellate Division, Third Department, and in 2012 was appointed Presiding Justice of that Court. She was the first woman to have been appointed as the Presiding Justice of the Appellate Division, Third Department.

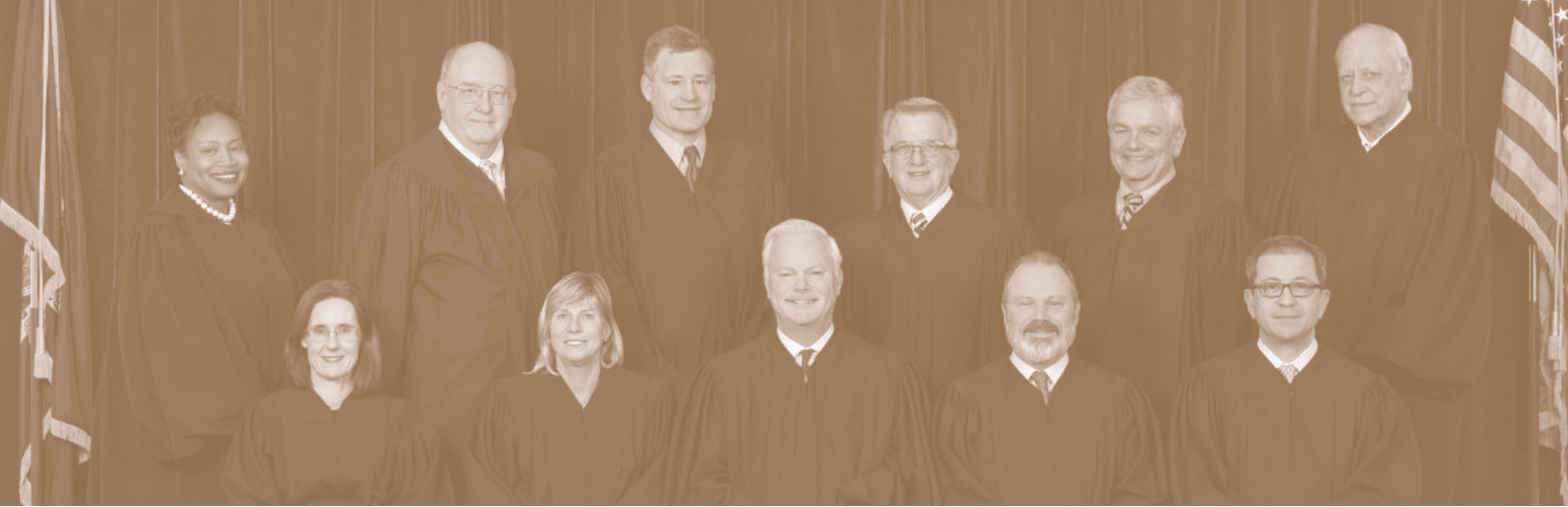
Justice Peters currently serves on the NYS Permanent Judicial Commission on Justice for Children, the NYS Task Force for Wrongful Convictions and the NYS Bar Association Committee on the NYS Constitution. She has also served on the Commission on Judicial Conduct from 2000 to 2012. For the NYS Bar Association, she is the Chair of the Committee on Judicial Wellness, and served on its Special Committee on Alcoholism and Drug Abuse, the Special Committee on Procedures for Judicial Discipline, and the President's Committee on Access to Justice. She is

also a member of several Bar Associations.

Justice Peters has received numerous awards including, the NYS Association of Criminal Defense Lawyers' Hon. William J. Brennan Award for Outstanding Jurist, the Albany County Bar Association's President's Award, NYS Bar Association's Judicial Section Inaugural Award for Advancement of Judicial Diversity, the Center for Women in Government and Civil Society's Public Service Leadership Award, the Capital District Women's Bar Association Judge Kaye Distinguished Membership Attorney Award, and Albany Law School's Kate Stoneman Award. An avid supporter of the arts, Justice Peters serves on the Board of Directors of the Woodstock Byrdcliffe Guild. She is also a member of the Mohonk Preserve and the NAACP.



Appellate Division, Fourth Judicial Department
Supreme Court of the State of New York
50 East Ave. Rochester, NY 14604



JUSTICE GERALD J. WHALEN

PRESIDING JUSTICE OF THE APPELLATE DIVISION, FOURTH DEPARTMENT
SUPREME COURT OF THE STATE OF NEW YORK

Presiding Justice Gerald J. Whalen was appointed by Governor Andrew M. Cuomo to the Appellate Division, Fourth Department on October 1, 2012, and as Presiding Justice of the Court on January 7, 2016. He is a graduate of Canisius College where he earned his Bachelor of Arts degree in 1979. He earned his JD degree in 1983 from the State University of New York at Buffalo. Justice Whalen was elected New York State Supreme Court Justice in 2005 for a term of 14 years serving in the Eighth Judicial District. He was awarded the Trial Justice of the Year award by the NYS Trial Lawyers Association, Western New York Regional Affiliate in 2012.

Prior to taking the bench, Justice Whalen was a litigation partner with Hiscock & Barclay, LLP. He served on the firm's Diversity Committee,

and was the firm's Associate and Hiring partner for the Buffalo office. Justice Whalen was in private practice for 21 years, handling complex civil and criminal cases before taking the bench. He was also an adjunct professor at Canisius College and was a member of the Canisius Pre-Law Advisory Committee from October 2006 to July 2014.

For 25 years, Justice Whalen was a member of the Judge John J. Hillery Memorial Scholarship Foundation, which provides scholarships for students in need, and was the Hillery Foundation's Man of the Year in 1997.

Justice Whalen was elected and served as President of the Supreme Court Justices Association, Eighth Judicial District, in 2012. He

also served as Chair of the Bar Association of Erie County Judges' Committee in 2011 and 2012. From February 2002 to October 2012, Justice Whalen served on the Fourth Department, Eighth Judicial District Committee on Character and Fitness. Justice Whalen has also lectured at SUNY Buffalo on Constitutional Law and is a frequent lecturer at New York State and local bar association events.



HELAINE M. BARNETT

FIRST RECIPIENT OF THE JUDITH S. KAYE ACHIEVEMENT AWARD
CHAIR OF THE NYS PERMANENT COMMISSION ON ACCESS TO JUSTICE
AND FORMER PRESIDENT, LEGAL SERVICES CORPORATION

Helaine M. Barnett has devoted her entire professional career to the provision of legal aid to the poor and the pursuit of equal access to justice. She was appointed President of the Legal Services Corporation (LSC) in January 2004, the first legal aid attorney to be appointed to that position, where she served for six years. LSC is the largest single funder of civil legal aid programs in the United States. As President, she was responsible for providing federal grants and oversight to 137 legal aid programs with over 900 offices throughout the country. Under her leadership, LSC issued the groundbreaking Justice Gap Report documenting the unmet civil legal needs of low-income Americans.

Before joining LSC, Helaine Barnett spent 37 years with The Legal Aid Society in New York City, where

she spent ten years leading its multi-office Civil Division. Among her accomplishments, she created and assumed direct responsibility for the Society's Homeless Family Rights Project and mobilized its 9/11 disaster assistance response.

Upon her return from Washington D.C. in 2010, she was appointed by the Chief Judge of the State of New York, Jonathan Lippman, to chair a newly created 31 member statewide Task Force to Expand Access to Civil Legal Services in New York, which has since become the New York State Permanent Commission on Access to Justice. As a result of the Commission's work, New York is allocating \$100 million of annual state funding for civil legal services, more than any other state in the country, and has expanded pro-bono efforts, law school involvement, use of non-

lawyers, and technology to help close the justice gap.

Helaine Barnett also has taught a seminar at NYU School of Law on Access to the Civil Justice System. She has held leadership positions in the American Bar Association, serving on its Board of Governors and its Executive Committee. She is a recipient of numerous honors, including the ABA Margaret Brent Women Lawyers of Achievement Award, the NYU School of Law Alumni Achievement Award, the New York Law Journal Lifetime Achievement Award, the New York State Bar's Gold Medal, and the American Bar Foundation's Fellows Outstanding Service Award. She has also published several law review articles on access to justice. She is a graduate of NYU School of Law and Barnard College.

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*Judith S. Kaye Program: Conversations on Women and the Law—
Chief Judge Judith S. Kaye: A Clerk’s Eye View*



*Bad Apples in the Big Apple:
Notorious Criminal Trials in New York*



*Descendants of Chancellor James Kent
surround the restored gravestone.*



*From the blog article “Matthew J. Jasen: American Judge in Europe”
by Trustee John J. Halloran, Jr., featuring Judge Jasen on the shoulders
of liberated prisoners of war.*

PUBLIC PROGRAMS

HISTORIC PRESERVATION

PUBLICATIONS

UPCOMING EVENTS

**Constitutional Conventions in New York:
Past, Present, and Future**

April 18, 2017 • New York City Bar Association

This program will look back at the history of our NYS Constitution from 1777 to the present, focusing on the successes and failures of amending the Constitution through Constitutional Conventions.

**Summer Associates Program:
Roy Reardon and Patricia Hynes**

July, 2017 • New York City Bar Association

Husband-and-wife team **Roy Reardon** and **Patricia Hynes** will discuss their careers as seasoned litigators and as fine examples of the benefits of giving back through pro bono activities. The audience will be law students, summer associates and young lawyers.

UNDER DEVELOPMENT

**Staten Island Documents
&
Great Documents of New York**

Under the leadership of Historical Society President **Hon. Albert M. Rosenblatt**, The Society is working on two programs that will highlight the rich treasure trove of court documents. One program was suggested by Richmond County Clerk **Stephen J. Fiala** who curated the documents in his courthouse. The second program will be a collaboration with NYS Archivist and Trustee **Thomas J. Ruller** to select truly memorable court documents that tell the history of our democracy in NYS.

KENT GRAVESTONE
RESTORATION CEREMONY

**October 30, 2016 • St. Luke’s Episcopal Church
Beacon, New York**

In fall of 2016, the Historical Society traveled to Beacon to celebrate the restoration of Chancellor James Kent’s gravestone. When Historical Society President **Hon. Albert M. Rosenblatt** had learned of the stone’s disrepair, he reached out to the descendants of Chancellor Kent, who, in an effort led by **Kent Turner**, were able to fund the restoration process. The Society along with the **Beacon Historical Society** sponsored a ceremony in which Kent’s descendants were able to honor their ancestor.

BLOG

The Society’s blog is a growing resource for legal history. Recent posts include Trustee **John J. Halloran, Jr.’s** feature on **Hon. Matthew J. Jasen’s** experiences during World War II and in post-war Germany as a judge. Another featured **Geof Huth’s** two-part piece on the excavation of court records from the Surrogate’s Courthouse.

JUDICIAL NOTICE

With new Editor-In-Chief **Hon. Helen E. Freedman**, Issue 12 of Judicial Notice is in production. This year’s edition features several articles celebrating 100 years of women’s suffrage in the state.

JUDITH S. KAYE’S MEMOIR

We have been working with the Kaye family on the submission of Judge Kaye’s manuscript to SUNY Press along with a companion book of her cases and articles. Judge Kaye was excited to publish her memoir, and we’re proud to accomplish this for her.



THE HISTORICAL SOCIETY of the NEW YORK COURTS

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