Court Veteran Jonathan Lippman Named New York’s Chief Judge

A court veteran who has served our state judiciary in various capacities since 1968, Judge Jonathan Lippman was named New York’s top jurist by Governor David Paterson, succeeding Judith Kaye. Judge Kaye, the first woman and longest-serving chief judge in state history, retired in December, after reaching the court’s mandatory retirement age of 70.

In his new role as chief judge, Judge Lippman, 63, will preside over the Court of Appeals, the state’s highest court (which hears both civil and criminal cases on appeal), and oversee the administration of New York’s Unified Court System (UCS). Spanning 62 counties and comprising some 300 courthouse locations, the UCS handled over 4.3 million new case filings last year.

No stranger to the challenges of running a court system as vast and complex as New York’s, Judge Lippman spent over 11 years—from January 1996 to May 2007—as the state’s chief administrative judge, providing former Chief Judge Kaye critical support in managing court operations and implementing jury service reforms and other key improvements. Previously, he served as the court system’s deputy chief administrator for management support, supervising day-to-day operations.

Proven Leader and Dedicated Public Servant

Among the initiatives Judge Lippman helped shepherd during his tenure as chief administrative judge were the establishment of specialized commercial courts—which handle complex business litigation and have significantly streamlined the adjudication of these cases—and the launching and expansion of problem-solving courts that seek to improve case outcomes, addressing drug abuse and other issues that bring litigants into the justice system.

Since May 2007, Judge Lippman served as presiding judge of the Appellate Division, First Department, a mid-level appellate court with jurisdiction in the Bronx and Manhattan, where he dramatically reduced the time it takes to decide cases.

“I think he has a proven quality both on the judicial end and on the administrative

called page 2
end,” former Chief Judge Kaye said of her successor, following his appointment.

Judge Lippman vowed to continue Ms. Kaye’s efforts to make the courts more responsive to the public as well as her fight to obtain a raise for the state’s judges, whose pay has been frozen since 1999. “Judge Kaye has written the script. Her contributions are unmatched in the history of New York State,” said Judge Lippman at a press conference announcing his appointment.

A product of the New York City public school system and New York University School of Law alumnus, Judge Lippman began his public service career as an entry-level court attorney in New York County Supreme Court, working his way up the ranks. He was appointed to the New York State Court of Claims in 1995, reappointed to a full nine-year term on that court in 1998 and elected to a Supreme Court judgeship in 2005, also serving as an associate judge of the Appellate Term, Ninth and Tenth Judicial Districts.

“I look forward to fostering the vitality and strength of the judiciary as an independent, co-equal and accountable branch of government that is also a good partner with our legislative and executive branches, particularly during these difficult fiscal times,” said Judge Lippman, who is highly regarded for his budgetary prowess and consensus-building skills.

continued from page 1  “Stars Pay Tribute to Jury System”

Recounting her excitement upon being called to serve on a jury, Tovah Feldshuh, of stage and film, described jury service as “one of the great privileges.” “We are all here to serve the law,” she said, then citing writer George Bernard Shaw, added, “Our lives belong to the community and as long as we shall live it is our privilege to do for it whatever we can.”

Actress Kathleen Turner also said she considers the right to serve on a jury a privilege. “To have your voice mean something ... everyone really, truly can make a difference, so be glad to be here as I am,” she added.

Designer Vera Wang urged all citizens summoned for jury service to carry out their civic duty. “Just the fact that I’m here today and I have a daughter who just turned 18 and voted for the very first time made me reaffirm to myself how important the legal process really is and how every single person does count, no matter where we come from or what we do,” she said.

Among the other celebrities participating in the juror tribute were legendary talk-show host Dick Cavett, news anchor Katie Couric, singer-songwriter Neil Sedaka, actress Uma Thurman, veteran soap star Robin Strasser of “One Life to Live,” and Broadway icons Nathan Lane and Joel Grey.

The Manhattan ceremony was one of numerous events held in courthouses around the state to highlight the vital role of jurors in our democracy and acknowledge the contributions of the approximately 650,000 New Yorkers who each year serve as jurors in courts statewide.
Dozens of Children Adopted in Single Day in New York

Thirty-nine youngsters ranging in age from six months to 20 years were adopted into 31 families during Onondaga County’s National Adoption Day festivities, among numerous such events held across New York and the U.S. in November. National Adoption Day was launched in 2000 to highlight the joys of adoption and call attention to the many thousands of foster children nationwide in need of loving, permanent homes.

The Onondaga adoption celebration was the county’s largest to date, with 400 people—the adoptive families and their relatives and friends, local judges, attorneys, court personnel and child advocates, among others—participating. All five of the county’s Family Court judges as well as Family Court and Surrogate’s Court judges from neighboring Oneida and Lewis counties presided over the adoptions.

Two Families Help Keep Siblings Together

Teachers Kate Caveny and Michelle Merlino added to their family during the Onondaga County event, adopting three siblings, ages 3, 4 and 7, they took in as foster children several years ago. The pair have already begun the process toward adopting two other foster children they brought into their home.

Juli and Brian Besser’s family also increased by three, with identical triplets Grace Anne, Rachel Lynn and Hannah Marie taking on the Besser name over the course of the Onondaga County ceremonies. The girls, who turned two in September, were born prematurely, spending their first six months attached to heart monitors and oxygen tanks.

“We were told they had the propensity to be severely handicapped, but decided we were going to take them regardless,” said Brian Besser, following the November 15 adoption celebration. The Besser triplets have since undergone speech and other therapies and these days are talking and walking, added Brian, describing the experience as “nothing short of a miracle.”

There are currently 381 children in foster care in Onondaga County—28 of whom are among the 1,300 foster children presently available for adoption in New York State—according to the county’s commissioner of social services, David Sutkowy, who addressed attendees. While these numbers are down from a few years ago as the court system and its child welfare partners continue to work together to move youngsters freed for adoption more quickly into safe, stable homes, Mr. Sutkowy told the crowd, “Our job isn’t done. That number could be lower.”

New York City Hosts National Adoption Day 2008 Kickoff

Nearly 300 miles south of the Onondaga County celebration, Queens County Family Court was the site of a national press conference addressing the state of foster care and national trends in foster care adoption. Outgoing New York City Family Court Administrative Judge Joseph Lauria joined other National Adoption Day sponsors to raise awareness about the overwhelming number of children across the country whose dream of a loving family to call their own has yet to be realized.

“We were told they [the triplets] had the propensity to be severely handicapped, but decided to take them regardless.”

- ADOPTIVE DAD BRIAN BESSER

To learn more about how to become a foster or adoptive parent in New York State, visit the state Office for Children and Family Services at WWW.OCFS.STATE.NY.US/MAIN, call 1-800-345-KIDS or contact your local department of social services; in New York City, call 212-676-WISH.
JURY SERVICE TURNED OUT TO BE BOTH AN ENLIGHTENING AND REWARDING EXPERIENCE for educator Susan Masciale-Lynch, a recent Dutchess County juror who describes her first jury stint some 17 years ago as “a vague memory at this point.”

“This time around, I found the process really fascinating and was impressed by the diversity of the jurors. They appeared to be from all walks of life,” says Ms. Masciale-Lynch, the dean of admissions at Oakwood Friends School, a college-preparatory school in Poughkeepsie, New York. “I was a bit dismayed, though, by the number of people who asked to be dismissed or through their responses to questions posed in jury selection ensured that they were dismissed.”

Consequently, what at first seemed like an abundant pool of prospective jurors was soon reduced to a small group of juror candidates, recalls Ms. Masciale-Lynch, who ended up serving on a civil case and was quite taken with the way the court treated the jurors throughout the trial process.

“The judge and court staff were respectful of the jurors’ time ... cognizant of the fact that we all had obligations to attend to in the outside world. They were, without fail, attentive to even the smallest of needs,” notes this mother of two, four-year-old Eamon and two-year-old Finn.

When the jury reached the point of deliberations, Ms. Masciale-Lynch wondered what the other jurors were thinking and whether the panel would be able to come to a consensus. “I had no idea what to expect. While it seemed obvious to me what the decision should be, scenarios like those in “Twelve Angry Men” played out in my head,” she says somewhat jokingly, referring to the classic courtroom drama revolving around the highly contentious deliberations of an all-male criminal jury.

And though there was some debate among the jurors comprising Ms. Masciale-Lynch’s panel, the process was amicable, with the jury reaching its verdict in several hours. “Interestingly, our diverse backgrounds and experiences led us at times to draw different conclusions from the same pieces of evidence,” she adds.

**From Unwelcome Interruption to Refreshing Change**

Based on her recent service, Ms. Masciale-Lynch urges those summoned as jurors, particularly first-timers, to look at jury duty not simply as an interruption to their professional and family lives but as a valuable learning experience and also an opportunity to break from one’s routine and interact with an interesting mix of people.

“While I was initially a bit resentful at having jury duty detract from my work and family time, I actually found it quite refreshing to immerse myself in something so different, with people whose lives are so different from mine,” she admits.

“Most importantly, though, as a juror you carry out a vital role, deciding the outcome of a case that not only affects the parties involved but can also have a greater impact on society.”

As someone who has devoted her career to educating our youth, Ms. Masciale-Lynch believes the best way to prepare young people for active engagement in civic life, including jury service, is through participation in community service projects, a core philosophy of her school.

“While classroom instruction teaches youngsters about government structure, community service projects afford students an opportunity to see government at work, interact with community leaders and actively engage as citizens of the world,” says this dedicated member of our educational community, advocating an approach that if widely adopted will surely reduce the number of jury notices that go unanswered across our nation.*

Susan Masciale-Lynch
Dutchess County educator and recent juror

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* Nationally, approximately 20 percent of people who actually receive a juror summons simply ignore the summons. In New York, those who repeatedly fail to appear for service may be called into court, where they must explain their absenteeism to the judge and often leave the courthouse with a new date for service; no-show jurors in New York may also be subject to monetary and other penalties.
From its playfully designed lounge chairs and cozy work stations to its thoughtful collection of magazines, Queens County Family Court’s newly opened Teen Space—created by youngsters as a place where teens can do homework, confer with a counselor or just relax prior to and after their permanency hearings—is a bright and welcoming place.

The first of its kind in the state, this specially designated, supervised area aims to engage youngsters in the court process, also providing age-appropriate books, DVDs, games, information about court and other services as well as materials on educational and career opportunities.

While the idea of giving children a voice in their permanency hearings was once discouraged and even considered potentially damaging, it is now widely recognized as a vital part of the process, providing youngsters a sense of control over their lives and assuring better fact-finding, among other benefits. Today, the law requires judges to consult with children in an age-appropriate manner at all permanency hearings.

“This is a happy and wonderful day, and I needn’t tell you that not every day is a happy day in Family Court, by a longshot,” outgoing Chief Judge Judith Kaye told those gathered at the unveiling of the new space in December. Judge Kaye, who retired at the end of December (see page 1), also expressed her gratitude to the many people responsible for bringing the Teen Space concept to fruition.

**From Blueprint to Beautiful Space**

The idea for Teen Space was generated by a working group convened in 2005 by the New York City Family Court to address issues unique to adolescents in foster care. The group recommended the creation of user-friendly resource rooms that could serve as waiting areas for these teens, enhancing their understanding of the court process and also encouraging more youngsters to participate in their permanency hearings.

A subsequent gathering of current and former foster children, child welfare professionals, judges, lawyers and other experts also suggested setting up such teen centers in each courthouse, with the Center for Court Innovation Youth Justice Board, a group of New York City teens who study and devise policy recommendations on youth-related issues, echoing the recommendation.

The Permanent Judicial Commission on Justice for Children—created 20 years ago to improve the lives of youngsters involved with the court system—collaborated with the Youth Justice Board, New York City Family Court Administrative Judge Joseph Lauria and Queens County Family Court Supervising Judge Edwina Richardson-Mendelson to develop the Queens Teen Space model. The Heckscher Foundation for Children provided funding for the project.

“It took a lot of hands, a lot of heart, a lot of brains,” Judge Lauria said of the endeavor, speaking at the December grand opening. Judge Richardson-Mendelson, who also addressed the gathering, said she was particularly pleased that the idea came from the teens themselves.

“They asked for a resource room where they can de-stress and get ready for their court appearance. They can read, they can talk to a professional social worker about the issues in their lives, the resources available. They can study, they can do homework, they can use the computer and if they choose, they don’t have to do a single thing,” she said. “We have Teen Space now and now we have another job to do—we have to fill that room for the purpose of having youth meaningfully participate in their court appearances.”

Queens County Family Court Teen Space will operate three afternoons per week, with supervision provided by the Children’s Aid Society. Waiting areas modeled after Queens County’s Teen Space will be launched in Family Court in Duchess, Erie and Monroe counties in 2009.
**Problem-Solving Court Judges Share Ideas at Statewide Symposium**

**Chronic Drug Abuse Fundamentally Alters Brain Activity and Functioning, Emphasized Steve Hanson**, a director at the state Office of Alcoholism and Substance Abuse Services, addressing a statewide symposium attended by problem-solving court judges and staff that covered topics ranging from calendaring practices to the challenges posed by cases involving mental illness. New York’s problem-solving courts, which include drug treatment, domestic violence, mental health and sex offense courts, examine the underlying issues—such as drug addiction—that bring litigants into the justice system in an effort to improve case outcomes.

Mr. Hanson, the keynote speaker at the November gathering, focused his talk on the physiological and behavioral effects of alcohol, cocaine and other substances. Citing a study in which monkeys were given the drug Ecstasy, he reported that their pathways for the neurotransmitter serotonin—which plays a vital role in the regulation of mood, appetite, pain, learning and memory—disappeared after eight uses. “Seven years later, there was some regrowth but it still wasn’t normal,” he said.

**New Epidemic Threatens Upstate NY Region**

Warning symposium attendees of a new drug epidemic—the proliferation of crystal methamphetamine labs in the southwestern tier of the state as well as other parts of the country and beyond—Mr. Hanson presented a series of disturbing images of crystal methamphetamine addicts demonstrating the irreversible damage caused by prolonged use of this highly addictive concoction of chemicals. Since all of these chemical components are legally available, many users “cook” batches of crystal methamphetamine right in their kitchen, basement or garage, a toxic and potentially explosive process. The drug’s euphoria can last up to eight hours, with the addiction leading to psychosis and severe damage to the teeth, gums, skin, cardiovascular system, kidneys and other organs.

Additionally, the keynote speaker reported a recent uptick in heroin use among teens in suburban and rural New York, particularly in the upstate region, and discussed the growing use of Vicodin and other prescription drugs across all age groups. Alcohol remains the most widely abused substance, he noted, describing how excessive, chronic drinking shrinks the cerebellum. “It’s like a pickling process,” he said, adding that the loss of function includes impaired cognition and memory.

**Research Supports Drug Court Strategy**

Recent studies suggest an effective way to treat substance abusers is by rewarding good habits, according to Mr. Hanson. “You reward the behavior you’re trying to encourage—the philosophy of drug court,” he said, alluding to drug court judges’ common practice of praising participants for their sobriety.

Indeed, methods employed by the drug courts appear to be having a positive impact as indicated by the research statistics. In New York State, a six-site evaluation completed by the Center for Court Innovation in 2003, demonstrated a 32% average recidivism reduction over a one-year period beginning after program exit or final disposition.

**Looking to More Consistent Management of Sex Offenders**

A workshop, tailored for judges of New York’s sex offense courts and led by state Office of Sex Offender Management Director Luke Martland, examined the success of various intervention strategies on sex offenders.

Launched four years ago, New York’s sex offense courts emphasize early intervention, enhanced judicial monitoring and accountability to prevent further victim-
These courts currently operate in Erie, Nassau, Orange, Oswego, Suffolk and Westchester counties, with several more in the planning. “We hope to work with you to develop a more comprehensive, consistent approach to sex offender management,” said Mr. Martland, whose office oversees the state’s sex offender registry and conducts training on how to manage these offenders more effectively and where to concentrate resources to maximize their impact.

Mr. Martland discussed a comprehensive review of adult corrections programs that found a significant drop in recidivism—31.9 percent—among a group of low-risk sex offenders who underwent cognitive-behavioral therapy while on probation. Cognitive-behavioral treatment centers on changing a person’s thinking patterns, teaching the individual to “unlearn” negative behavior while providing an opportunity to model and practice problem-solving and pro-social skills.

The symposium attracted some 130 judges and other court professionals, with attendees breaking into working groups in the final hours of the meeting to develop and refine best practices for each of the various types of problem-solving courts.

Bell bottoms were still the rage when Norman Goodman first stepped into his role as New York County commissioner of jurors, also taking on the responsibilities of county clerk and clerk of the Supreme Court. Fast forward to noon on December 4, 2008—nearly 40 years later—and the New York County Supreme Court rotunda is filled to capacity for a very special celebration: the dedication of the Norman Goodman Jury Assembly Room at the lower Manhattan courthouse.

At the ceremony, colleagues praised the iconic Mr. Goodman for his gracious demeanor, wonderful smile and ability to make every task look easy. A Connecticut native, Mr. Goodman practiced law for 17 years before starting his public service career.

Over his tenure as jury commissioner, he’s heard it all when it comes to excuses to get out of jury duty. One juror even hired someone to serve in his place but the judge became suspicious and the no-show juror, who was eventually sentenced to community service, ended up helping out at the courthouse.

Mr. Goodman has also witnessed vast changes in the jury system over the years and was among the members of a task force convened in the early 1990s that helped spawn numerous reforms—from broadening the jury pool to enhancing jury facilities—to make jury service more convenient and rewarding for the 600,000-plus New Yorkers called each year.

Of Mr. Goodman’s longstanding service to Manhattan’s jurors and the county, the words inscribed in the plaque now hanging outside the entrance of the 60 Centre Street courthouse jury assembly room say it best: “His commitment to his work has been matched only by the kindness and consideration he has brought to his dealings with everyone he has encountered. He is the personification of the best in public service.”

To learn more about New York’s problem-solving courts visit www.nycourts.gov/courts/problem_solving.
ACROSS
1. Everything
2. German title of respect
3. Miscalculate
4. Impudent
5. Shortened vowel
6. Poetic work
7. Overturn
8. Bookcase part
9. Famed Brit star
10. Movie-set hires
11. Choose
12. Unkempt place
13. Medicinal plant
14. Montgomery’s state: abbreviation
15. Count one’s dollars
16. Courtroom figure: 2 words
17. Everything
18. Another courtroom figure: 2 words
19. “Inkheart” star
20. Distress signal
21. Word with “cover” or “current”
22. South African with Dutch roots
23. Taxicab
24. “Inkheart” star
25. Unkempt place
26. German title of respect
27. Seven make a week
28. House, in Madrid
29. Alphabetical sequence
30. French pronoun
31. Plant used for twine
32. Shortened vowel sequence
33. Abbreviation used by many companies
34. Close
35. Sedans
36. Plenly: 2 words
37. __ d’oeuvre
38. Bookcase part
39. Trombone
40. Caspian, e.g.
41. Baby’s apron
42. Make angry
43. Norse god
44. Word with “circle”
45. Lamb
46. Active type
47. Pitches
48. It guarantees the accused a right to: 2 words
49. It guarantees the accused a right to 16-Down: 2 words
50. Pepper’s mate, in Paris
51. Bakery item
52. Partner
53. Written accounts, for short
54. Type of test
55. Numerous
56. Rowing need
57. Name of a NY institute attended by aspiring artists and architects
58. One of the minor prophets
59. Picnic problem
60. Augury
61. Bakery item
62. Pale
63. Temporary drop in activity
64. Road;
65. Light brown
66. Aids a criminal
67. Award
68. Take to a higher court
69. Long-distance friend: 2 words
70. Innards
71. Spoiled one
72. With 74-Across, star of “Milk”
73. Web address: abbreviation
74. See 72-Across
75. Viper
76. Tribunal for suits against the state: 3 words
77. Winter forecast, perhaps
78. French pronoun
79. Unruly protest
80. Golfer’s shout
81. Seethe: 2 words
82. Unruly protest
83. Australian birds
84. Bottle top
85. Part of MPH
86. Bottle top
87. Make a choice
88. To and __
89. Solo
90. Provides with weapons
91. In favor of
92. Brute
93. Conclusion
94. Vigor
95. Toddler
96. Roads, for short

DOWN
1. Early Michael J. Fox role
2. Apartment type
3. Caramelized custard
4. Make angry
5. Spanish cheer
6. The late Mr. Mineo
7. Tier
8. Above
9. Like some shop signs
10. Certain fishes
11. Chances
12. S-shaped molding
13. Aygury
14. Rowing need
15. Took an oath
16. See 49-Across: 3 words
17. It begins the second Sunday in March: abbreviation
18. French pronoun
19. __ King Cole
20. Aids a criminal
21. Overturn
22. Economic decline
23. Pepper’s mate, in Paris
24. Aids a criminal
25. Overturn
26. Economic decline
27. Speech
28. Overturn
29. Speech
30. Cry uncontrollably
31. Knee, for one
32. Small land mass
33. Close
34. Close
35. Numerous
36. Rowing need
37. Deception
38. Martin or Charlie, of film
39. Trombone
40. Restored to unity
41. Library volumes
42. Library volumes
43. Has possession of
44. Exam for future attorneys
45. “The Bourne Ultimatum” star
46. Dwellings
47. “The Bourne Ultimatum” star
48. Exam for future attorneys
49. Has possession of
50. Dwellings
51. Bakery item
52. Partner
53. Written accounts, for short
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86. Bottle top
87. Make a choice
88. To and __

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