

**Interview with former Chief Judge Jonathan Lippman by John Caher and Joyce Hartsfield,  
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John Caher: In our last program we heard from Judge Sam Green, who explained how OCA was frustrating the effort of the Commission on Minorities to obtain the data it needed to complete a full review of the court system and its treatment of minorities. In this program, we'll hear from Jonathan Lippman, who was a deputy court administrator at the time. He went on to become Chief Judge. I'm John Caher, Senior Advisor for Strategic and Tactical Communications.

Judge Lippman: Wachtler found that there were many, many minorities in and outside the court system, groups, individuals, who felt that this was an upfront issue. And by this, I mean the treatment of minorities in the courts, minority employment. Did everyone get equal justice in the courts? And the Chief Judge at the time— and I was the deputy chief administrator in those days, Matt Crosson was the chief administrator—heard the message. And I think it's fair to say that around the country there was no examination, in this period of time, of minorities and the justice system, and minorities and the court system. While there had been, again, some efforts to ensure that we were gender-blind—and I believe Kay McDonald was already in charge of that effort for the courts—at the time, there really had never been, either in New York or around the country, an effort to take on an issue which today we think is so obvious, that everyone gets their day in court.

Doesn't matter the color of your skin, your standing in life, your sexual preference. Everybody gets their day in court. That was not clear, in those days. Those issues were in the shadows. And Wachtler, to his credit, heard the call. And it was only one person that, I think, rose to the top. And obviously there are a number of people who were considered. But Franklin Williams was the obvious choice because he had the credibility, the strength to do it. And yet, he was not a rock thrower. That was not Franklin Williams. He was not someone who was yelling and screaming. That was not him in the slightest. The man had a distinguished demeanor, called it the way he saw it, but not what you might call a rabble-rouser. That just wasn't his nature.

Ambassador Williams never, never demanded anything. He was thoughtful. He talked to... whether it be the chief at the time, Wachtler, or the Commission that was with him, or, and this was really the, to me, the interesting part, or with the different players in the court system who

had to be interfaced with for the Commission to do its work. And he was always thoughtful, questioning, discerning, and not in the slightest yelling, screaming. That didn't mean that other people who were a part of this process, as it was going along, didn't get very heated. And I would say, it's fair to say from personal experience that it was very heated at various times, but not Ambassador Williams. Even temperament, thoughtful, considerate, never talked before he thought about what he was saying. And that was the nature of this.

But around him, and I think it was very typical of his style of leadership, he set the tone. But then the nature of the issues that he was dealing with created, which I think he wanted, some controversy and some very heated and intense discussions.

I think the mark of the Commission, to me, the hallmark, was independence. That Ambassador Williams decided early on— in fact, the condition of his accepting this assignment from Wachtler was that the court system would not give him one single dime and that the Commission would be self-funded. And he had the gravitas to be able to go out and get that funding, from different foundations and various good government types, to get the money to make this work. And he raised a lot of money. But it was the one condition, above all others, that he would not take this position unless Wachtler agreed, self-funded. Because he didn't want to owe anything to the people he was basically giving the report to, and wanted to call it straight-down-the-middle and not because he had received funding that influenced the ultimate report.

John Caher: Now, these meetings... Were you in these meetings where they-

Judge Lippman: Oh, yeah.

John Caher: Tell us about the nature of those, and what was contentious?

Judge Lippman: The meetings with the Commission, with the court administrators, with the higher levels and the basic workers in the vineyards in the court system, could be very sharp and difficult. Crosson was a straitlaced DA type, and he couldn't contain himself how angry he was. And yet, Wachtler basically told him, "You fix it." So I think over time, Frank Williams and Sol Wachtler got very much to respect each other and actually bonded during the course of this investigation. And people were coming back to the Chief and saying, "Gee, they were asking all these very probing, intrusive questions." And Sol and Frank Williams would talk regularly and, I think, grew to really, not only respect each other, but like each other.

And I think the Ambassador understood that Sol was serious and not doing this just to get any pressure released. And Sol got to understand that the Ambassador was a person of his word and had dignity and character. And that just permeated his very being.

I think that it's interesting that the Ambassador was very sick and died before the report was actually released. And what the chemistry between the Chief Judge and the Ambassador might have been when that report first hit, and there was all the controversy, we'll never know. But it's fair to say that they did bond and that Wachtler knew that he had made the right choice, as someone who was going to do this the way it should be done, no holds barred. And yet, at the same time, no agenda other than to get the facts, the truth and to do good deeds.

And so I think the chemistry between the two of them was great, in a very difficult situation, as it should be. Two people that want to do the right thing, coming at it from very different perspectives, as the head of the judicial system that it's so important that the public have trust in. And as someone doing an inquiry into that same judicial system and understanding the very same thing, that the public has to have trust. But the public includes everybody and not just one part of our population. So, it was a great marriage.