

## **“Call me!” A Discussion with Deputy Chief Administrative Judge James P. Murphy**

John Caher: Welcome to Amici, News and Insights from the New York Courts. I'm John Caher.

Today, we're honored to have as our guest the Honorable James P. Murphy, the Deputy Chief Administrative Judge for the Courts Outside New York City.

Judge Murphy is responsible for the day-to-day operations of trial courts in 57 counties outside New York City, 6,000 non-judicial employees, and about 640 judges. In June, he succeeded the Honorable Norman St. George, who was appointed First Deputy Chief Administrative Judge in May.

A native of Syracuse and graduate of Syracuse University College of Law, Judge Murphy was in private practice for 20 years, concentrating mainly on civil litigation and municipal law. He also served as an assistant district attorney in Onondaga County and as a member of the Onondaga County Legislature before he was elected to the Supreme Court in 2005.

In addition to experience trying a wide variety of cases, Judge Murphy has administrative experience. He was Supervising Judge for the town and village courts in the 5th Judicial District, overseeing 200 town and village justices, and also served as Administrative Judge for the six counties in Central New York. Judge Murphy was also an adjunct professor of business law at LeMoyne College in Syracuse and has been active in state and local bar associations. According to former State Bar President Hank Greenberg, Judge Murphy is “enormously popular with a bench and bar.”

Judge, thanks for taking a few moments to speak with me. Let's go back to your roots if we could. You were the third of eight children born to Supreme Court Justice Thomas J. Murphy and Mary Jane Murphy. What lessons do you learn growing up in such a large family?

Judge Murphy: I think it's probably collaboration at its heart. Whatever the task was that we had for the day—it could be trying to help my mother get everybody's beds made, whatever — we all worked together. We were a pretty close family and close in age, and a lot of us, pretty much all of us, are two to three years apart. There was just a family mission that you had to meet, whether it was to get one of my siblings to work, get the driveway

shoveled, the leaves raked. Whatever it was, there was a certain collaboration there that became very natural, to be honest.

I'll also say you definitely developed a sense of humility, as I did anyway, I think, and my siblings. You were one of eight, so no matter how important you thought whatever it was that you were working on, maybe that wasn't the most important thing of the day to the family. I think it was a certain amount of that.

Of course, the last thing, certainly not least, is compromise. I had five brothers and two sisters, and I would be lying if I told you that my five brothers and I always saw eye to eye on everything. Although we are pretty close, there are certainly times when we had to compromise whatever our position was in order to accommodate whatever the family needs were.

John Caher: It sounds like good training for a future administrative judge.

Judge Murphy: Looking back, it kind of is, I think. I think it has served me well, and I have actually talked to a couple other people who came from large families. I used to joke with the lawyers that my dad was an old school law judge as far as he wanted things just so, and some of the lawyers have pointed that out to me over the years. I said, "Well, you guys had it easy. I had to try and convince my dad that I needed a car on a Friday or Saturday night," and let me tell you, that was a lot harder than trying to win a case or a motion in court.

John Caher: Another difference is you couldn't go to appellate court. He was the court of last resort. Correct?

Judge Murphy: Well, maybe my mom.

John Caher: What lessons did you learn specifically from your father?

Judge Murphy: Clearly, hard work. My dad was first generation to go to college. He worked two jobs in law school. I've worked since I was 14. That was a certain, we had it just ingrained in us. I mean, we watched my father do it. We watched my mother work harder. Also, my dad got me very into commitment and dedication, I think, to your community and certainly the law. My father got involved in local politics. He was a supervisor and then became a county legislator and he went on to be an assemblyman. There was always a sense that you have to look out for and do whatever you can for your community, and that impressed me greatly.

Actually, I have followed that somewhat unintentionally, but I think it was ingrained in there, in my brothers and my sisters, that you have to be involved in your community, whatever level you choose to do it, whether it's volunteering to be on the zoning board of appeals, the libraries, whatever, this community is yours and it's up to you to take care of it.

John Caher: Now, what lessons did you learn specifically from your mother?

Judge Murphy: Hardest worker ever, taking care of six boys, two girls. She was a nurse when she started out and then later worked at home. But just watching her selflessness and taking care of all of us and her complete devotion and dedication to the family. I mean, only when you become a parent do you realize how difficult it is just changing all the beds and the sheets!

My wife always comments on, "Your mother's washing machine must never have stopped" because we were all teenage guys growing up together. I was always watching to see what I could do to help her because I appreciated that that was a monumental task to try and raise eight. Back in that day, my dad's working a lot of hours to try and keep eight people fed, 10 people fed, and my mom was the one left at home and to try and make sure that we were somehow all taken care of.

We were not wealthy, but you would never know that. I mean, my parents made us feel like we lacked nothing and we really never did. I think that's a great tribute to my mom. I'm sure at times she must have been frustrated just dealing with everything she was dealing with, but it never dampened her willingness to help us and assist us.

John Caher: That's a great tribute to both of your parents. Now, I gleaned from your name that you're likely of Irish heritage?

Judge Murphy: Yeah, I am.

John Caher: How did that Irish heritage impact your formative years and the way you view the world?

Judge Murphy: Well, certainly there was a religious component to it. I mean, I was Irish Catholic, and we were taught from very young to believe in God and have a strong faith. The community of the church I think was probably the most important thing, and to help out in that community.

But I will also say we're pretty good at debate and argument in the Irish culture. There's a certain knack for it. I remember all my uncles and great uncles and people at big, big family gatherings where people debated

every issue on the face of the earth, certainly passionate, but never screaming, hollering, calling names. I mean, you had to win the debate. You didn't just win by being the loudest one in the room. I, as a young kid, enjoyed sitting around and watching that all play out between my aunts and uncles.

John Caher: It must have been fascinating. What were you like as a 12-year-old?

Judge Murphy: I was very social and outgoing at that point, and I don't really know why that is. Maybe because of a big family. Who knows? We had a very big extended family, and we were all pretty close, big Sunday gatherings with everyone there. We hung out a lot with adults. We hung out a lot with kids, so it was very comfortable for me in social settings. I'm usually all in. If I get involved in something, I'm all in. I mean, I was president of my freshman and sophomore class at my high school. I always was keen on operations and watching how things work. It wasn't really to be a leader. I guess I just paid more attention maybe than probably other people did.

John Caher: Well, you mentioned earlier civic engagement, getting involved. That started very early. Long before you got involved in government or politics or college, you were involved in the governance of your school.

Judge Murphy: Yes, that's true. I was very interested in our school and my fellow students.

John Caher: Do you have any hobbies or outside interests?

Judge Murphy: I love the outdoors. my wife will say that when the summer comes, I'm outside as much as I can. I golf, I fish. I like hiking. I like snowshoeing in the winter. If there's an opportunity to be outside, I pretty much take it.

John Caher: What's your favorite movie?

Judge Murphy: Ah, what genre? I mean, if I go historical, it's got to be *Mr. Smith Goes to Washington* with Jimmy Stewart.

John Caher: Of course!

Judge Murphy: Yeah, I love him fighting against corruption and standing up to the powers that be and doing the right thing. I've always admired that. More modern, I love the *Lord of the Rings* trilogy. I'm a big Tolkien fan, and so when those movies came out, I was probably one of the first to line up with my daughters to make sure we saw that. I guess for comedy, probably from watching it with my daughters and also my own

experience in high school, which I don't draw any specific analogies, *Ferris Bueller's Day Off*. I love *Ferris Bueller's Day Off*!

John Caher: Did you always want to be a lawyer?

Judge Murphy: Honestly, yes, weirdly. I knew from, I don't know, maybe seventh and eighth grade, probably from watching my dad. It really cemented for me in high school. There was a great program, and I didn't really appreciate at the time, but I was involved in a youth court that was run locally with the DA and a county attorney. We actually tried, I tried as a defense lawyer, criminal cases. I think what must have happened now as I look back, I mean they had students being the jurors. They had students being witnesses. These were real cases. I defended a kid on petty larceny. I think they must've already agreed to an adjournment in contemplation of dismissal or something. A local town judge was involved and we had to go through a whole training.

I was the defense lawyer, and I had a local attorney in the bar that mentored us as to how that worked. There were judges and they were mentoring the local students who were going to act as judges. Then at the end of the day, we did several trials, and that kind of cemented it for me. I really liked the idea of courts. Ultimately, at the end of the day, there has to be a resolution of disputes. It all seemed very natural to me. It seemed very worthwhile to me to be involved in that process.

John Caher: What did you major under St. Lawrence?

Judge Murphy: History.

John Caher: I usually think of that as an engineering school. Maybe not.

Judge Murphy: No, it was pretty much liberal arts. I took a lot of history. I took a lot of English and I took a lot of government and economics. I think if I had gone back for one more semester and took one more course in each of those, I think I would've had a triple major because I really focused on those things, again, knowing I'm going to law school. I focused very much on reading, writing and comprehension and trying to develop those skills as best I can. But the other side of me loved economics. I always liked economics and business.

John Caher: All of it sounds like very good training for where you are now. How did you meet your wife?

Judge Murphy: Best friends in high school. We actually met probably either freshman or sophomore year. We were pretty much best friends for a year, year and a half or so. Then we started dating a little bit. We went away to college saying, "Okay, well this is a break, and that's the end of that." But then we came back after the first semester at Christmas and decided that we were thrilled with each other and that there was nothing that we wanted to pursue other than each other.

John Caher: Oh, what a great story. Back to the present. As Deputy Chief Administrative Judge, you preside over an incredibly diverse region that takes up really the bulk of New York State. We've got larger cities like Buffalo, Rochester, Syracuse, and Binghamton, the most rural portions in the state, a number of Native American reservations. You got Long Island. All of that is dissimilar from everything else—different cultures, different politics, different traditions, different practices. What are the major challenges and issues, or did I just list them?

Judge Murphy: I've just finished 12 weeks of meet-and-greet around the state. I've been everywhere from Mayville, which is on the Ohio border, to Malone at the Canadian border—if you're driving down Main Street in Malone, your phone thinks you're roaming in Canada—all across the north country, all the way out to Montauk and pretty much everywhere in between. I feel like I can comment pretty aptly on this question.

Really, the biggest challenge I think for everybody right now is access to justice. We have a tremendous need for legal services and how to get people into our courthouses who need to be in here, how to get the ones that do show up here help. Most people now have very little understanding of the courts or the court systems or how it works. When they get here, a lot of them don't know how to advocate for themselves. They don't know how this all works, and I think that's probably our biggest challenge.

I think on the heels of that, we're stuck with trying to adjust our current court operations, which are a little bit archaic in light of the post-COVID realities. I mean, there's always a hesitancy to change things, but COVID did that for us. Now our challenge is to catch up with that.

I guess lastly is a very inexperienced workforce. The great resignation hit the court family very hard. We lost a lot of senior court clerks, deputy court clerks, a lot of administrative people who had decades of experience. We've gone through a hiring process and filled them with what I think is a lot of very bright, promising people. But you can't replace those decades of experience overnight.

Yet here we are at a time when transitionally our court system technology and everything is making us change quick. Trying to mesh those two together, those old systems into our new systems, when we're still on the heels of COVID is a challenge.

I think the good news is I don't think the politics, traditions any of that play into it as much as you might think. I mean, certainly local traditions are there and most of them are based on some sort of reality and efficiency that things are different in some of the rural counties where you have six, seven lawyers in the entire county and how you make those things work. Some of that leads to local rules and things.

But I think for the most part, I think 95% of our judges and non-judicial staff are incredibly devoted public servants and would do anything to try and make this system better. That's our challenge, to make sure that we give them the support they need and to provide some sort of uniformity. I think there is a lot to be learned, and we can do that now with Teams and virtual calls so if somebody's doing something that makes a lot of sense in Cattaraugus County and the people in Franklin County can benefit from that, you can connect them, and I've been doing that. I can say, "Why don't you call Essex County? They have a really good childcare center there." I think we have a great opportunity to do those things with the new technology, because just like you and I are doing right now, they can talk to each other and get back to each other in a flash where that was not just that possible before.

John Caher: What is your mandate from Chief Judge Wilson, Chief Administrative Judge Zayas, and First Deputy St. George?

Judge Murphy: I guess I hesitate on the use of the word "mandate," John, because they don't really mandate anything. I know we talk about the collaborative spirit and everything, and boy, it really is present. I would say I think it's to be sure that we're providing a system of justice that's fair, efficient, and accessible to all, and importantly that the citizens of New York believe that to be so because I think that's really important to all of us. We recognize that maybe because of a lack of understanding of how we do things, and maybe the way we've reached out in the past, that a lot of people have lost a little bit of faith and trust in the court system. We do a lot — our judges do, and our non-judicial staff do — and people don't know it.

We've created the communication department to try and make people aware of all the benefits of the court system so that they feel a little more comfortable coming in here. But I think probably the most

important thing is to rebuild public confidence in the fairness and efficiency of our court system.

John Caher: That's probably a nationwide issue.

Judge Murphy: I'm sure. Well, it certainly is in DC.

John Caher: I mentioned earlier that you oversee some 640 judges and 6,000 non-judicial employees. What is the one thing you really want those people to know about James P. Murphy?

Judge Murphy: I'm very deeply committed to our court family and to the court system and justice system in New York. I've dedicated my whole life to it. I believe it. I live it, and I want them to know, and I have been telling them this: I'm here to provide whatever assistance I can to help them. I feel like I've got a couple of decades here of experience in this, and I want them to know that I'm available anytime to talk to them. I've said this to all the staff and judges that I've been around to: Please don't hesitate to call me. I'm very accessible and willing to help them in any way I can.