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Lippman to Be Named State's Chief Judge

By JOHN ELIGON AND SEWELL CHAN

Jonathan Lippman is expected to become chief judge of the State Court of Appeals. (Photo: Frances Roberts for The New York Times)

Updated, 6:33 p.m. | Gov. David A. Paterson is expected to appoint Justice Jonathan Lippman — who has spent his entire legal career in the state's court system — as the next chief judge of the New York Court of Appeals, the state's highest court, two people briefed on the governor's intentions said on Tuesday.

Justice Lippman is currently the presiding justice of the appellate division of the First Department of State Supreme Court.

Justice Lippman was widely considered to be the favored pick of the woman he will replace, Judith S. Kaye. Ms. Kaye was the first woman on the Court of Appeals and the first female chief judge, but stepped down at the end of last year after reaching the mandatory retirement age of 70.

Later on Tuesday afternoon, Mr. Paterson made the announcement official, saying in a statement that Justice Lippman had been “widely praised for his leadership of one of the most important of the nation's commercial courts.”

Mr. Paterson added:

As chief administrative judge from January 1996 to May 2007, Judge Lippman led the implementation of nationally significant reforms, including jury reform, contributed to the creation of problem-solving courts, such as special drug courts and domestic violence courts, and played an integral role in keeping the courts open after the attacks on September 11.

Mr. Paterson, who had criticized the absence of women from a list of nominees submitted by a state screening panel, added, “I firmly believe that we must revise the process for future judicial nominations to ensure that those under consideration represent all New Yorkers. That is why I will propose revising the judicial nomination statute.”

Justice Lippman served under Ms. Kaye as the state's chief administrative judge from 1996 through 2007. As a close confidant of Ms. Kaye, Justice Lippman will be expected to continue some of the aggressive, innovative approaches to justice that Ms. Kaye championed.

While Ms. Kaye has been widely regarded as someone who drastically reformed the courts, she left behind a lingering issue that Justice Lippman may have to pick up: judicial payraises. Judges in the state have not received a pay increase in 11 years and Ms. Kaye filed a lawsuit asking for raises.

Justice Lippman was chosen from a list of seven candidates for the position. Shortly after

the Commission on Judicial Nomination released the list, Mr. Paterson and the state attorney general, Andrew M. Cuomo, criticized it because no women were on it. But under state law the governor did not appear to have any choice but to pick from the list.

Justice Lippman grew up in Manhattan and attended New York University, from which he received his undergraduate degree in 1965 and a law degree in 1968. He was admitted to the New York Bar in 1968.

Starting in an entry-level position in the court system, he worked his way up the ranks. In 1989, he became deputy chief administrator for management support, responsible for the day-to-day management of the state court system. In 1995, Gov. George E. Pataki appointed him a Judge of the State Court of Claims. In 2005, he was elected to the State Supreme Court for a 14-year term, from 2006 to 2019.

Also on Tuesday, State Senator John L. Sampson, a Brooklyn Democrat who is chairman of the Senate Judiciary Committee, said he would hold hearings concerning the criteria used by the Commission on Judicial Nomination during its selection process.

Mr. Sampson said in a statement:

I find it incomprehensible and deeply disturbing that not a single woman appeared on the list of qualified judicial candidates to succeed Judith Kaye, our first female Chief Judge of the Court of Appeals. As the birthplace of women's suffrage and civil and political rights, the Commission failed to meet the high standards and great tradition of our state when it failed to include a woman on its list of candidates for our highest court.