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## Shaping State Courts for the New Century: What Chief Judges Can Do

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# SHAPING STATE COURTS FOR THE NEW CENTURY: WHAT CHIEF JUDGES CAN DO

*The Honorable Judith S. Kaye*

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## SHAPING STATE COURTS FOR THE NEW CENTURY: WHAT CHIEF JUDGES CAN DO

*The Honorable Judith S. Kaye\**

### I. INTRODUCTION

I am delighted to have been invited to deliver this prestigious lecture that honors a hero of mine, Judge Frank M. Coffin. The invitation described Judge Coffin as “a legend in New England and especially in his native Maine. To all who have worked with him, Judge Coffin is *the* exemplar of a life devoted to law and dedicated public service.” Let me enlarge on that a bit: Judge Coffin is a legend not only in his native Maine and New England, but also throughout the nation.

Judge Coffin, as you well know, retired from active judicial service in 2006, having served magnificently on the Court of Appeals for the First Circuit for forty-one years, eleven of those years as Chief Judge. While some of us would say he retired prematurely, he opted for what he called “yet another change in role identity.”<sup>1</sup> He concluded his article, entitled “Transitioning,” for an “After the Bench” series in the *Journal of Appellate Practice and Process*, with these words:

So, you ask, how is your new life working out? Oh, there’s a lot to tell . . . but right now I don’t have time. I have to get back to those journals. And there’s a carving in my shop that needs work. And, oh yes, I have to finish my piece for “After the Bench.”<sup>2</sup>

Judge Coffin is an inspiration on so many levels for all of us. But just at this very moment in my own life, I feel that he is speaking personally and directly to me. I am in my own transitioning period, as—in just fifty-five days—my judicial service comes to an end after over twenty-five years, because our state constitution provides for mandatory age retirement. I particularly liked a quotation Judge Coffin included in his article: “Our lives are two/ If we can relish our past life anew.”<sup>3</sup> So, under the banner of Law and Public Service, I thought I would take this occasion to relish, with all of you, my own soon-to-be-past life as Chief Judge. What I will tell you about my life in the New York courts is, by the way, largely replicated in state courts across the nation.

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\* Judith S. Kaye was Chief Judge of the State of New York, and Chief Judge of the Court of Appeals of the State of New York, the state’s high court, when the Lecture was given on November 6, 2008. Due to the State’s mandatory retirement provisions, she left the bench on December 31, 2008. She was the first woman appointed to the Court of Appeals as an Associate Judge in 1983, and the first woman appointed Chief Judge in 1993. She extends special thanks to her former counsel, Mary Mone, for her assistance in the preparation of this article.

1. Frank M. Coffin, *Transitioning*, 8 J. APP. PRAC. & PROCESS 247, 248 (2006).

2. *Id.* at 251.

3. *Id.* at 248 (citation omitted).

## II. TWO ROLES

I will begin by explaining a little about what I do—what I have been doing—since my appointment to the Court of Appeals of the State of New York, our highest court, as an Associate Judge in 1983, and especially since 1993, when I became Chief Judge. Each time I was appointed by Governor Mario Cuomo, and I was the first woman in the role, not as significant in retrospect as it was back in 1983, when I feared that any misstep would reflect poorly on my sisters. You know, can you believe what *she* said, or *she* did, or *she* wrote? I worried about that.

As Chief Judge, I actually have two roles. One—as Chief Judge of the state’s high court—is an adjudicative role. I serve as a member of a great common law court, one of seven equals. The other—as Chief Judge of the State of New York—is an executive/administrative role, head of our huge, sprawling Judicial Branch, with approximately 15,000 employees, 365 courthouses, and roughly four million filings annually. I spend about 80 percent of my time as Chief Judge of the Court of Appeals, and the other 80 percent as Chief Judge of the State of New York.

### A. Adjudicative Role

I turn first to my adjudicative role—which at the outset was the more comfortable part of my Chief Judgeship, since I came to it after serving as a member of the Court for a full decade, and had six supportive colleagues. The appeals we hear cover a range of issues that defies human imagination. Alexis de Tocqueville was right: “Scarcely any political question arises in the United States that is not resolved, sooner or later, into a judicial question.”<sup>4</sup> State court dockets are proof beyond a shadow of a doubt of that proposition.

On any given day at Court of Appeals Hall in Albany we could be hearing arguments on legislative versus gubernatorial budget-making authority under the New York Constitution alongside a slip-and-fall on a patch of ice, a multiple murder raising federal constitutional issues, a global merger gone sour, a case of child abuse or termination of parental rights, and a teacher’s claim that his right to tenure under New York’s Education Law had been violated. Truly, the range of issues before our nation’s state courts—common law, statutory, constitutional issues—is limitless, made up of cases of great importance both to the litigants and to the law.

Additionally, even when the civil and criminal cases that come before us involve legal issues that are familiar, often they arise in dramatically different factual settings from the relevant precedents that guide our determination. That is not surprising, given that we have a dramatically changing society, shaped by breathtaking advances in medicine, science, technology, and culture, in a shrinking, warming, flattening world.

Just think: a suit for equitable distribution of property in divorce, when the property is the couple’s frozen embryos.<sup>5</sup> Or a case under our state’s adoption statute—first written in the 1870s—when the issue is adoption by the same-sex partner

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4. ALEXIS DE TOCQUEVILLE, *DEMOCRACY IN AMERICA*, Ch. 16 (Henry Reeves, trans., 1899), available at [http://xroads.virginia.edu/~HYPER/DETOC/1\\_ch16.htm](http://xroads.virginia.edu/~HYPER/DETOC/1_ch16.htm).

5. *Kass v. Kass*, 696 N.E.2d 174 (N.Y. 1998).

of the biological mother.<sup>6</sup> Or the venerable statute on child neglect when the issue is whether mothers who are victims of domestic violence can be charged with neglect because their children witnessed the beatings.<sup>7</sup> Or consider applying the words of our centuries-old state and federal constitutions to contemporary issues like same-sex marriage, DNA evidence, mental health research on human subjects, and taxing telecommuters.

We sit in medieval garb, in hallowed halls seemingly removed from life, to resolve cutting-edge legal issues in a world of dizzying change, to provide stability in the law so that people can guide their future conduct accordingly, and to preserve our timeless values and principles. I like the observation of Linda Greenhouse, reflecting on her *New York Times* career reporting on the United States Supreme Court: “[C]ontinuity and change, the entwined spirals of a double helix, are the court’s DNA.”<sup>8</sup> All courts, I would say.

Whatever the subject, as neutral arbiters judges apply familiar tools of construction and interpretation, trusting that the efforts of the outstanding counsel who come before us, combined with our own diligence and good sense, will yield a result that works well for the “stare decisis” future. Often I think of one of my predecessor Chief Judges, Benjamin Nathan Cardozo, who, for example, in *MacPherson v. Buick Motor Co.*<sup>9</sup> perceived the larger implications of the village stonecutter’s vehicular misfortune and forged a new rule to better serve the emerging social realities. Cardozo and his three colleagues in the majority, by contrast to the dissenters, saw that the case raised an issue emblematic of a society that was becoming increasingly motorized, mobile, and mass-produced: Should a manufacturer be liable for injuries sustained by a remote purchaser of a defective product? Every law student knows the answer.

And therein lies the challenge we face: in each case, to apply precedents of the past to reach a result that is both just for the present and anticipates the unforeseeable future. Or, in the eloquent words of Judge Coffin: “Sound decision . . . is more than result; it is an edifice made up of rationale, tone, and direction. It is faithful to the past, settles the present, and foreshadows the future.”<sup>10</sup>

All in all, quite a challenge for the courts. Quite a challenge for the lawyers.

### B. CEO Role

An additional challenge for me as Chief Judge, as chief executive officer of the state court system, is remembering always that “sound decision is more than result.”<sup>11</sup> We need to be faithful to the past, to take the best of what has been built before us, to deal fairly, justly, and effectively with the present, and to anticipate and foreshadow the future, which is all too soon upon us.

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6. *In re Jacob*, 660 N.E.2d 397 (N.Y. 1995).

7. *Nicholson v. Scopetta*, 820 N.E.2d 840 (N.Y. 2004).

8. Linda Greenhouse, *2,691 Decisions*, N.Y. TIMES, Jul. 13, 2008, at WK1, available at <http://www.nytimes.com/2008/07/13/weekinreview/13linda.html?pagewanted=all>.

9. 111 N.E. 1050 (N.Y. 1916).

10. FRANK M. COFFIN, THE WAYS OF A JUDGE 62-63 (1980).

11. *Id.*

Although my adjudicative responsibilities surely present anguishing dilemmas, it is the demands of that second box of stationery, the chief executive officer role, which are consistently the most bedeviling. It presents the most headaches, simultaneously providing tremendous opportunities to improve the delivery of justice and better serve emerging social realities within our stable, tradition-bound system. And I know you will forgive me if I sidestep the most bedeviling issue of my entire tenure: critically inadequate judicial compensation.<sup>12</sup>

Of course, in the chief executive role I have help that is not available in my other role, such as a Chief Administrative Judge, administrative teams and technological advances to improve the effectiveness of what we do, and innumerable opportunities for collaboration with the bar, with our partners in government, and with the broader community.

To give you a better sense of that second title, Chief Judge of the State of New York, I'd like to focus on two consuming initiatives: (1) jury reform, and (2) what we call "problem-solving courts." Each is directed at using our resources most effectively, to improve the delivery of justice in today's world, and thereby promote public trust and confidence in the justice system.

### III. JURY SYSTEM REFORM

My first example of building on the past begins centuries ago with our prized American jury system, a core element of our great democracy. It is astounding to think that the United States in the twenty-first century has more than 95 percent of all jury trials in the entire world,<sup>13</sup> that more than one-third of all Americans are likely to be empaneled as jurors during their lifetime, and that tens of millions of jury summonses are sent annually.<sup>14</sup> We have close to 150,000 jury trials each year in state courts across the nation,<sup>15</sup> more than 10,000 annually in New York State alone.<sup>16</sup>

Given the enormous importance of jury trials to the parties and to the law, we naturally want the jury system to function as effectively as humanly possible. But there is an additional lure for Chief Judges. We call a huge number of citizens into the courts, many having their own first personal encounter with us. Never mind the terrible things they see on television and read in popular fiction. Jury service offers us a unique opportunity to show a cynical, distrustful public a government institution that really does work well and values them. It is truly a rare opportunity in today's world

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12. See, e.g., Affirmation of Chief Judge Judith S. Kaye, *Kaye v. Silver*, No. 400763/08 (N.Y. App. Div. Jul. 9, 2008), available at <http://www.nycourts.gov/judges/070908papers.pdf> (arguing for an increase in judicial compensation); N.Y. ST. UNIFIED CT. SYS., "THEY DESERVE BETTER...": UNANIMOUS SUPPORT FOR JUDICIAL COMPENSATION REFORM (Apr. 2, 2008), <http://www.nycourts.gov/whatsnew/pdf/TheyDeserveBetter-JudgeSalaries.1.pdf> (report on public support for increases in judicial compensation).

13. Robert V. Wolf, *G. Thomas Munsterman: Guilty of a Career Dedicated to Improving the Jury System*, 1 J. CT. INNOVATION 371, 374 (2008), available at <http://www.courtinnovation.org/journal.html>.

14. Gregory E. Mize & Paula Hannaford-Agor, *Jury Trial Innovations Across America: How We Are Teaching and Learning from Each Other*, 1 J. CT. INNOVATION 189, 194-95 (2008), available at <http://www.courtinnovation.org/journal.html>.

15. *Id.* at 193-94.

16. *NYC Gathering Focuses on Jury Improvement Efforts Nationwide*, JURY POOL NEWS (N.Y. St. Unified Ct. Sys.), Fall 2008, at 1, available at <http://www.courts.state.ny.us/reports/jpn/JuryPoolNews1108.pdf>.

to promote public trust and confidence in our courts—an opportunity we simply cannot squander.

Yet I well remember my days in trial practice, when receiving a jury summons was about as welcome as a tax audit or a root canal. The reality of jury service usually didn't match the rhetoric. By the early 1990s in New York, we were calling the same limited group every two years like clockwork, and they served on average two full weeks. One reason for that was our statutes allowing dozens of automatic exemptions and disqualifications from jury service, ranging from judges, doctors, lawyers, clergy, police officers, firefighters and elected officials to embalmers, podiatrists, people who wore prosthetic devices and people who made them, to individuals with principal child-care responsibilities. Seemingly every group that could lobby our legislature for an automatic exemption got one, sorely depleting our jury pools. So we summoned the same poor souls like clockwork every two years, for a minimum of two weeks' service, and if they were on a criminal jury they were automatically sequestered during deliberations. When jurors arrived at the courthouse, they often spent days at a time waiting around in shabby jury assembly rooms.<sup>17</sup>

In 1993, we convened a commission of lawyers and non-lawyers, judges, and academics to review the subject of jury service in New York, top-to-bottom and inside-out. Everyone we invited to serve on that commission accepted enthusiastically, and within six months they handed us a blueprint for comprehensive reform.<sup>18</sup> Using both administrative and operational powers, and with the help of our partners in government on essential statutory change, we implemented all of the group's recommendations. And yes, the New York Legislature finally did wipe out the automatic exemptions and automatic sequestration. Combined with all the internal improvements we had authority to make on our own, we achieved a fairer distribution of the benefits and burdens of jury service among more citizens, and greater assurance that juries could be drawn from a fair cross-section of the community.<sup>19</sup> Today, I think the opportunity beats out a root canal or tax audit.

One important lesson Chief Judges have learned is to look at jury service not just from the perspective of the court system insiders—judges, lawyers, and court administrators—but through the eyes of the public, most especially through the eyes of the jurors. Jury administrators nationwide, at the completion of jury service, are collecting questionnaires soliciting jurors' views, providing hotlines for questions and complaints, inviting correspondence and emails about jury service, and assuring that jury room staff are well trained and attentive to jurors' needs.<sup>20</sup>

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17. See Judith S. Kaye, *My Life as Chief Judge: The Chapter on Juries*, 78 N.Y. ST. B.J. 10, 11-12 (2006).

18. N.Y. ST. UNIFIED COURT SYS., THE JURY PROJECT: REPORT TO THE CHIEF JUDGE OF THE STATE OF NEW YORK (Mar. 31, 1994), <http://www.nycourts.gov/thejuryproject.pdf>.

19. See, e.g., Judith S. Kaye, *Why Juries? Looking Back, Looking Ahead*, 1 J. CT. INNOVATION 185 (2008), available at [http://www.courtinnovation.org/\\_uploads/documents/Kaye.pdf](http://www.courtinnovation.org/_uploads/documents/Kaye.pdf); *NY State Courts Win Government Prize for Jury Reform*, JULY POOL NEWS (N.Y. St. Unified Ct. Sys.), Summer 2008, available at [http://www.nycourts.gov/reports/jpn/JuryPoolNews6\\_08.1.pdf](http://www.nycourts.gov/reports/jpn/JuryPoolNews6_08.1.pdf).

20. See, e.g., Robert Boatright & Elissa Krauss, *Jury Summit 2001*, 85 JUDICATURE 145 (Nov.-Dec. 2002).

What about the future? Unquestionably, technological change has helped drive us forward, and it will continue to do so. Today the public can use the internet to complete qualification questionnaires. Summoned jurors can use the web to request a postponement and to check whether their service is needed the following day. Computer software can help us better predict how many jurors we'll need and, in our busiest courthouses, where to assign them. We are making service much more convenient. But as important as technology has been in improving the system, it has also brought us new problems. I think of the ways in which it can jeopardize the functioning of a trial or violate a juror's privacy. Technology is also part of the reason that so many of us learn differently in this new age, and here again there are new challenges.<sup>21</sup>

Chief Judges are duty-bound not only to keep their minds open to new insights and discoveries throughout the nation, but also to keep the topic of jury reform alive and in the forefront, to continue building on the past, to assure the vitality of the institution for the present, and to anticipate the future. Only in that way does our prized American jury system truly continue, in a constantly changing society, to serve its noble public purposes and remain an anchor that holds us to the principles of our Constitution.

#### IV. PROBLEM-SOLVING COURTS

A second, entirely different, challenge for Chief Judges centers on today's dockets, especially the repeat low-level offenders in our state courts, often drug-addicted, corroding their own lives and the vitality of our neighborhoods. *And* the domestic violence cases, too often beginning with an assault and a court-issued order of protection and ending with a murder/suicide. *And* the child neglect and abuse cases, foster care cases, juvenile delinquents, children with children of their own involving generation after generation of poverty, homelessness, mental illness, unemployment, and crime. Graduating from Family Court to Criminal Court—what a waste of lives. What a waste of resources.

So, as we study our court dockets, we can simply watch the numbers rise. Or we can we ask: Are we using our resources as effectively as possible? Can repeated court interventions perhaps help to stop the downward spiral of these lives? Are we simply counting cases or can we make each case count?

I was encouraged to speak about my own experience in answering those questions knowing that my friend Chief Justice Saufley and the Maine Judiciary are also committed to problem-solving initiatives, with drug treatment courts, mental health and behavioral courts, a co-occurring disorders court, and a Domestic Violence Case Coordination Project.<sup>22</sup>

New York's first venture, fifteen years ago, was the Midtown Community Court, smack in the middle of the Manhattan Theater District, focused on quality-of-life crimes—shoplifting, illegal vending, vandalism, prostitution—the sort of repeat

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21. See, e.g., Ellen Brickman, et al., *How Juror Internet Use Has Changed the American Jury Trial*, 1 J. CT. INNOVATION 287 (2008), available at [http://www.courtinnovation.org/\\_uploads/documents/Brickman.pdf](http://www.courtinnovation.org/_uploads/documents/Brickman.pdf).

22. See ME. JUD. BRANCH, 2007 ANNUAL REPORT 4, available at [http://www.courts.state.me.us/mainecourts/annual\\_reports/index.shtml](http://www.courts.state.me.us/mainecourts/annual_reports/index.shtml).

conduct that angers and erodes neighborhoods, overfills court dockets, and sends offenders on a steady descent into an abyss of worsening criminal conduct.<sup>23</sup>

Today we have eight community courts in New York State,<sup>24</sup> each necessarily its own local product but with the same core elements, beginning with a dedicated judge in the leadership role of judicial decisionmaker and convener of all the collaborators necessary to assure maximum information and maximum opportunity for a meaningful resolution. Second, offenders after pleading guilty typically receive sentences of community service, designed to help restore the neighborhood harmed by the offense—like removing graffiti—and those sentences are closely monitored and actually served. Third is a recognition that these offenders most often need additional help—which is made available through the court, including drug treatment, mental health referrals, job interview training, and employment services.

In our state, these courts, by the way, are the product of our administrative and rulemaking authority—they are not creatures of statute.<sup>25</sup>

Of course, we study these courts assiduously, but there are many things in addition to the statistics that tell us that they are in fact working effectively.<sup>26</sup> It's the neighborhood associations who express their satisfaction, even praise, for the visible impact of the courts on their community. It's the "graduates" of these courts, as we call those who successfully complete their programs, who speak with great emotion about the fact that, as a result of the court's intervention, they have been able to obtain jobs, credit cards, and their own apartments for the first time in their lives.<sup>27</sup> And with imitation still the sincerest form of flattery, it's the community courts that have opened throughout the United States and indeed the world, including South Africa, Australia, England, and Canada.<sup>28</sup>

But for the Chief Judge, the very best assurance that these courts are indeed working are the words of the wonderful judges who have for the past fifteen years presided over them and see the difference they can actually make in people's lives. When they tell me "this is what I became a judge to do," my spirits soar.<sup>29</sup>

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23. A brief history of the Midtown Community Court is included in Judith S. Kaye, *Delivering Justice Today: A Problem-Solving Approach*, 22 YALE L. & POL'Y REV. 125, 130-40 (2004). More detailed information and several publications are available through the Center for Court Innovation, <http://www.courtinnovation.org> (last visited Mar. 16, 2009).

24. Locations are listed at [http://www.nycourts.gov/courts/problem\\_solving/cc/courts.shtml](http://www.nycourts.gov/courts/problem_solving/cc/courts.shtml) (last visited Nov. 20, 2008).

25. See Judith S. Kaye, *Albany Law Review Symposium: Refinement or Reinvention, The State of Reform in New York: The Courts*, 69 ALB. L. REV. 831, 836-38 (2006).

26. See, e.g., Amanda Cissner, et al., *The N.Y. State Adult Drug Court Evaluation: Policies, Participants and Impacts* (2003), available at [http://www.courtinnovation.org/\\_uploads/documents/drug\\_court\\_eval.pdf](http://www.courtinnovation.org/_uploads/documents/drug_court_eval.pdf); Dana Kralstein, *Community Court Research: A Literature Review* (2005), available at [http://www.courtinnovation.org/\\_uploads/documents/ccresearch.pdf](http://www.courtinnovation.org/_uploads/documents/ccresearch.pdf); Robyn Mazur & Liberty Aldrich, *What Makes a Domestic Violence Court Work?: Lessons from New York*, *Judges' J.*, Spring 2003, at 5, available at [http://www.courtinnovation.org/\\_uploads/documents/whatmakesdvcourtwork.pdf](http://www.courtinnovation.org/_uploads/documents/whatmakesdvcourtwork.pdf).

27. See CTR. FOR CTS. AND THE CMTY & N.Y. ST. UNIFIED CT. SYS., *DRUG COURTS: PERSONAL STORIES—NARRATIVES FROM ACROSS NEW YORK STATE* (2007) (a collection of individual narratives from more than fifty New Yorkers who fought substance abuse through drug court participation).

28. See *Community Court Overview*, <http://www.courtinnovation.org/index.cfm?fuseaction=Page.ViewPage&PageID=591&currentTopTier2=true> (last visited Nov. 20, 2008).

29. See, e.g., Kaye, *supra* note 23, at 139.

Which brings me to my second problem-solving example: drug courts basically offering drug treatment as an alternative to incarceration. Today we have about 170 drug treatment courts throughout New York State, including a few even in our family courts. They offer parents the chance for early reunification with their children if they step up to end their drug habit, and offer drug-addicted juvenile offenders a chance to get back on course.<sup>30</sup>

Our drug courts actually began in New York State with four other favorite words: “I have an idea.” I love people with ideas. And they don’t have to be new ideas. Let’s face it, by now there are very few truly new ideas in the world. Ideas, old or new, just have to be right for their time and place. And this one surely was. Our dockets were awash in cases involving nonviolent, lifetime drug addicts going nowhere good, ready to acknowledge that, as human beings, they had touched rock bottom, ready to take the hand offered them to climb out of the deadly downward spiral.<sup>31</sup>

Recently, in an insurance case being argued in our court, counsel answered a question with an insight that struck me as particularly apt. In a Plan A world, he said, the insured would, of course, have given timely notice of the occurrence to the insurer. But we don’t live in a Plan A world—we live in a Plan B world. These days, maybe it’s even Plan C.

The Plan B world really does challenge every fiber of our being, every skill, every ounce of ingenuity, whether the subject is insurance, drug-addicted offenders, people in need of mental health services, domestic violence victims, or my next and final example of things that keep the Chief Judge up at night: kids. Kids in court. Kids in the justice system. Thousands of cases involving abuse, neglect, and juvenile delinquency. Eighty percent of the children in confinement in New York State are rearrested within three years of their release.<sup>32</sup> What a waste! Half a million of our nation’s children are in foster care limbo—literally, our children, children in our custody. It’s their lives and their future, but it’s ours too. Our nation’s future too.

And here I think the issue is especially relevant for all of us. Collaboration is essential to every problem-solving initiative: collaboration among the justice system leaders, the lawyers, the social service providers, and community groups—even law school clinical programs. Vital as independence is in judicial decisionmaking, it is our strong collaborations with the bar and the community that enable us to build edifices that honor the past, settle the present, and anticipate the future.

## V. CONCLUSION

I end where I began, with thanks for this opportunity to address you, and thanks to Judge Coffin for inspiring this retrospective as I contemplate my next role: Judith S. Kaye, Esq., first woman *former* Chief Judge of the State of New York.

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30. *July 2008 PSC Stats, Statewide Summaries of Problem-Solving Courts*, PSC NEWS (N.Y. St. Problem-Solving Cts.), 2008, at 4, available at [http://www.nycourts.gov/courts/problem\\_solving/PSCNewsletter\\_07-08.pdf](http://www.nycourts.gov/courts/problem_solving/PSCNewsletter_07-08.pdf).

31. See Kaye, *supra* note 23, at 135-39.

32. *Task Force on the Future of Probation in New York State: Phase II: Report to the Chief Judge of the State of New York*, N.Y. ST. UNIFIED CT. SYS., Nov. 2008, at i-ii (Nov. 2008), available at <http://www.nycourts.gov/whatsnew/pdf/ProbationReport11.08web.pdf>.

What a privilege it has been these past twenty-five years in my adjudicative role as a judge of the New York State's highest court to apply my professional skills to the resolution of difficult cases that flood our courts, challenging us in a rapidly changing world to be "faithful to the past, to settle the present, and foreshadow the future."<sup>33</sup> Those, of course, are Judge Coffin's words from which I continue to draw inspiration.

And what a privilege it has been these past fifteen years in my executive role as Chief Judge of the State of New York, thinking positively, collaborating creatively, building on lessons of the past, and finding new ways to address the modern-day human problems of so many, whether the issues are poverty, mental health, drug addiction, domestic violence, child abuse, juvenile delinquency, jury reform, or assuring that people have meaningful access to our courts. The challenges are immense, but so are the opportunities each of us and all of us have to do better, to assure that, for today and into the uncertain future, the edifice we call "Justice" does indeed continue to deserve that name.

And that, in short, is my "Chief Judge-ly" take on the subject of Law and Public Service.

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33. COFFIN, *supra* note 10, at 62-63.