

**Seventh Annual Sandra Day O'Connor
Medal of Honor[†]**

**Presented by the *Seton Hall Law Review*,
the Seton Hall Legislative Bureau, and
the Seton Hall Women's Law Forum**

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Introductory Remarks by Jennifer G. Schecter^{*}

Good evening. I can't think of a better, more exciting reason to be back at Seton Hall than to tell you about tonight's honoree, Chief Judge Judith Smith Kaye. In 1983, Governor Mario Cuomo appointed Judge Kaye to the New York Court of Appeals, New York's seven-member court of last resort. She became the first woman in the 151-year history of the court to become Judge. Ten years later, Governor Cuomo named her Chief Judge. As Chief Judge of the Court of Appeals and Chief Judge of the State of New York, Judge Kaye wears two separate hats. She presides over New York State's highest court and acts as chief executive officer of New York's Unified Court System, which employs over 15,000 judicial and nonjudicial employees, has a billion-dollar budget, and handles over four-million

[†] In recognition of the historic achievement of women in the legal profession, the *Seton Hall Law Review*, the Seton Hall Legislative Bureau, and the Seton Hall Women's Law Forum choose to honor women with the *Sandra Day O'Connor Medal of Honor*. Named after Sandra Day O'Connor, Associate Justice of the United States Supreme Court, this award honors women who have distinguished themselves in the fields of law and public service. Prior recipients include Hillary Rodham Clinton, the Honorable Patricia McGowan Wald, the late Congresswoman Barbara Jordan, Marian Wright Edelman, and Justice Sandra Day O'Connor. The award symbolizes the common commitment of these women to promote rigorous, substantive dialogue on contemporary legal and public policy issues. The *Seton Hall Law Review*, Legislative Bureau, and Women's Law Forum are proud to celebrate the success of all women in the law and to acknowledge the importance of "equality under the law" for this generation and for those to come.

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filings a year, which is more than ten times the number of federal court filings nationwide. Governor Cuomo has stated that in twelve years as governor, he “never made a better decision than the one that made available to the State and the nation the intelligence, wisdom and inexhaustible competence of Chief Judge Judith Kaye.”

As evidenced by numerous articles written about Judge Kaye that have graced the pages of diverse publications, ranging from the *New York Times* and *Albany Times Union* to *Vanity Fair* and *Runner's World*, there is a lot more to Judge Kaye than writing opinions and administering courts. By 5:30 in the morning, for example, she can typically be found at her health club or at the court's exercise room working out, and in the evenings she and her husband of thirty-six years, Stephen Kaye, might be at the Met attending an opera or taking their adorable grandchildren, Sonja, Andrea, and Ben to a New York Liberty game, the circus, or the movies. Judge Kaye has unmatched intelligence and style. She's not only a super judge—she's a super all-around woman.

Now that you know a little bit about Judge Kaye, I'd like to tell you what the woman who has been called the “mother of justice” is about: achieving the right result, reform, accessibility, and understanding. Judge Kaye spends two of every five weeks in Albany, presiding over the New York State Court of Appeals, one of the most well-regarded courts in this country. The Court hears approximately 200 cases a year that deal with a wide variety of issues, including almost every subject you've learned about in law school—and then some. From government law and powers, and constitutional law (both state and federal), to criminal law and procedure, contracts, and torts—Judge Kaye has written about them all and is known for her clear, well-reasoned analysis and for delivering justice in a way that can be understood by lawyers and nonlawyers alike.

Judge Kaye is probably most famous for reforming New York's jury system by, among other things, eliminating all automatic exemptions. Now attorneys, governors, mayors, judges (even chief judges!) are required to report for jury duty. Under Judge Kaye's leadership, juror pay has increased, service terms and frequency have decreased, and conditions in courthouses have dramatically improved. It is, therefore, no surprise that New York's governor, George Pataki, proclaimed Chief Judge Kaye to be “the best friend the jury system in this State has ever had.”

Judge Kaye is also well known for instituting and advocating the use of alternative courts. She is responsible for the creation of drug treatment courts that direct nonviolent defendants to treatment

instead of prison, and community courts that seek to restore distressed neighborhoods by making low-level, nonviolent felony offenders pay for their misdeeds by removing graffiti or cleaning streets. Domestic violence courts have also been established. They emphasize victim safety and defendant accountability. These courts are what Judge Kaye refers to as "problem-solving courts." Their goal is to put an end to the vicious cycles of drugs, crime, and jail, or drugs, child neglect, and foster care, and to find permanent cures for societal ills, rather than resorting to temporary ones. Judge Kaye has recognized the critical role of courts in behavior modification and her goal has been for courts to help stop crime, not just punish it. These are but a few of the court reforms enacted since 1993. They have not only impacted New York, but other states across the country have modeled similar programs on those implemented by Judge Kaye.

I tell you of these accomplishments not only because Judge Kaye is tonight's honoree, which is reason enough, but to show you what a difference a person can make in effecting change. If you ever doubt whether you can truly make a difference, look to Judge Kaye's example and answer the question with a resounding "yes." I have had the incredible fortune of working for Judge Kaye this past year. I have learned an inordinate amount about the law; but even more importantly, I have learned about the impact that law has on the day-to-day life of citizens. Everywhere Judge Kaye goes, she reaches out to people, listens to their problems, and addresses their concerns, always with an eye to how the system can be improved. Despite her many accomplishments, she always has one question in mind: How can the system be made even better? I cannot imagine a better role model for women or men. Indeed, there is no one worthier of the Sandra Day O'Connor Medal of Honor than Chief Judge Kaye. But don't just take the Executive Board's view or my words for it—when Justice O'Connor, the namesake and past recipient of this award, heard that Chief Judge Kaye would be its recipient, the Justice stated that she couldn't be more pleased. Justice O'Connor praised Chief Judge Kaye for her "independence and courage" as well as for her "balance and restraint" on the bench, and called her "a first-rate administrator." In Justice O'Connor's own words, "No one could be more deserving." Congratulations to the *Seton Hall Law Review*, Legislative Bureau, and Women's Law Forum on their excellent selection, and warmest congratulations to Chief Judge Kaye on receiving this well-deserved honor.