Judicial Retirements

Follow this and additional works at: https://digitalcommons.law.buffalo.edu/ub_law_forum

Recommended Citation

Available at: https://digitalcommons.law.buffalo.edu/ub_law_forum/vol13/iss1/31

This Article is brought to you for free and open access by the Alumni Publications at Digital Commons @ University at Buffalo School of Law. It has been accepted for inclusion in UB Law Forum by an authorized editor of Digital Commons @ University at Buffalo School of Law. For more information, please contact lawscholar@buffalo.edu.
Stepping down

Retirement time for four Western New York jurists who are UB Law alumni

Western New York's courts are a good deal poorer this spring, as several important judges who are UB Law School graduates step down from the bench to enter retirement. The timing is a coincidence, but it affords the chance to look back on the judicial careers of some of the Law School's most distinguished alumni.

Ann T. Mikoll '54 ends a 42-year career on the bench as senior associate justice of the New York State Supreme Court Appellate Division's 3rd Department, making her one of the highest-ranking women in a state leadership role. Indeed, her career has been one of "firsts." She was the youngest person ever to serve as a Buffalo City Court judge, at age 28; she spent 14 years as a City Court judge. And she was the first woman in the state outside of New York City to be elected to the State Supreme Court, in 1971. She was named to the Appellate Division by then-Gov. Hugh L. Carey in 1977.

Many of her written opinions were dissents — and effective ones. Six times the Court of Appeals reversed Appellate Division rulings based on Mikoll's dissenting opinions.

The Defender Magazine said of her: "As an outspoken advocate of women's rights, she is an energetic and articulate carrier of the torch. Her dissents on behalf of the state's poorer citizens speak for themselves and make her, in the minds of many public defense attorneys, truly one of New York's treasures."

Known as an outspoken advocate for women's rights and poor people, Mikoll's extra-legal activities included serving as honorary state chairwoman of the successful drive to promote passage of the Equal Rights Amendment in New York. She also served on the state Commission on Judicial Conduct, which oversees the behavior of all New York State judges and invokes discipline when necessary.

She and her late husband, Theodore, also were active in Buffalo's famed Chopin Singing Society and spearheaded the local revival of the Polish celebration known as Dyngus Day.

Speaking at an Oct. 22, 1999, luncheon as part of the Law School's "100 Years of Women in UB Law" conference, Mikoll looked back with satisfaction. "If it were not for people like Judge Wiener and Miss Rodgers, I could not have had the wonderful career that I have enjoyed for 42 years. I am grateful to the Law School for the underpinning it gave me to be able to meet the challenges of a very taxing profession. It is a joy to be happy and to be fulfilled in one's work. To find a perfect niche in life — this was my good fortune in my
career."

John Callahan '54 retires as the longest-serving judge in the State Supreme Court’s Appellate Division, 4th Department. He spent 21 years on the bench.

Known as a "lawyer’s judge" for his sensitivity to the situation of those who argued before him, Callahan had a favorite expression: "I know what it’s like to labor in the vineyards." He spent 20 years as a trial attorney in Buffalo before assuming his judgeship. He also served as a motor machinist mate on a submarine during World War II, and carried that service into his work as a founding member of the Buffalo and Erie County Naval and Military Park.

Callahan estimates he sat on 20,000 cases during his years in the Appellate Division, to which he was appointed in 1979 by Gov. Carey after four years as a State Supreme Court justice. "We have every type of conceivable case that can come through the pipe, so it's never boring or routine," he told one questioner.

Callahan is also known for a fierce pride in his family. He and his wife, Lillian, have eight children; two have become lawyers. And he expresses tough resolve in having defeated both colon and kidney cancer.

Last year, he received the St. Thomas More Award from the St. Thomas More Guild, an organization of Catholic lawyers.

After five years as an assistant attorney general for the State of New York, Rose LaMendola '55 was appointed an Erie County Court judge in 1974, the first woman in the state to be elected as a county court judge. She spent more than two decades in that position. Now she is retiring as a New York State Supreme Court justice, a position to which she was appointed by Gov. George E. Pataki in 1995.

It was the culmination of a 44-year legal career for the lifelong Western New York resident. Those years included private practice from 1955 to 1969, including time in the first all-female law practice in Western New York.

After earning a science degree from UB, LaMendola taught elementary school for a year. But she knew her heart lay elsewhere. She was one of only four women in her Law School class, and recalls of her first days there, "I knew I'd found my place. I just felt, 'This is where I belong.'"

But she has always kept her focus on the quality of the work, not the gender of the practitioner. "I found that if you showed you knew what you were doing, you were accepted" in the court system, she said.

Recognized as a hard-working and even-handed jurist, she always commanded respect in her courtroom, legal observers said.

At the Oct. 22, 1999, luncheon, LaMendola gave a fitting epigraph. "The millennium and I," she quipped, "are going out together."

A Buffalo City Court judge for 16 years, Margaret Anderson '72 at first set out to be a public defender. But a word of advice from then-City Court Judge M. Dolores Denman steered her to become an assistant district attorney in 1973. She became assistant corporation counsel to the city in 1977, served briefly as deputy chief clerk of Surrogate’s Court, and was elected to the City Court in 1982.

"One of the things I have tried to do in my judicial career especially," she told a questioner, "is to see the humanity of every person, and to never forget that each and every person — whether it's the defendant in a criminal case or a witness — is a creature of God. Everyone deserves respect, and everyone has dignity."

Anderson is a pioneer in addressing issues of domestic violence, establishing a Domestic Violence Part in Buffalo City Court that is only the third such part in the state. Since its inception on March 29, 1999, the court has handled more than 1,400 cases involving domestic abuse, and achieved a recidivism rate of less than 7 percent.