A View from the Top: Court of Appeals Justice Addresses New York City Alumni Luncheon

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Recommended Citation
Available at: https://digitalcommons.law.buffalo.edu/ub_law_forum/vol21/iss1/23
Preparing to mark the second anniversary of his appointment to New York State's highest court, the Hon. Theodore J. Jones addressed the New York City chapter of the UB Law Alumni Association on Jan. 30.

Jones, an associate justice on the state's Court of Appeals, brought the lessons of his nearly two years on the high court to an appreciative audience at the historic Union League Club. After a welcome by Alumni Association President E. Jeannette Ogden '83, a Buffalo City Court judge, and an update by Dean Makau W. Mutua, Jones was introduced by Hon. Erin M. Peradotto '84, a State Supreme Court justice.

"I know the significance of this institution and the history of this institution," said Jones, whose J.D. is from St. John's University Law School in Queens. "I was so impressed by the plans, Dean Mutua, that you have to take the Law School to another level altogether. I serve on the board of directors of St. John's Law School, and I also serve on the trust board. So west in these meetings and we discuss the financial and academic ramifications of both the law school and the university, and I guarantee you that I am in touch with the economic realities with which schools are faced today. That makes your work here all the more impressive. You are to be congratulated."

Jones recalled the day he was sworn into office on the Court of Appeals—"that very same day," he said—"we heard our first oral arguments. After the oral arguments, everyone went back to what is known in the Court of Appeals as the red room. The chief clerk came in, and he had a stack of white 3-by-5 cards. He put them on the table and said, 'Go ahead and pick.' I thought they were kidding. I thought this was some kind of initiation for me as a new judge. I said to myself, 'This can't be the way they assign cases. But I'm going to play along with this and see where it goes.' I took a card, and everyone else took a card, and I kept waiting for the punch line. But I found out that was actually the way they assigned cases. And the first case I picked was really hard."

Jones told about the clerk system in the court, in which each judge has three clerks, but in addition a group of "central staff" clerks evaluate applications for legal proceedings, writing detailed reports and making arguments for which cases the court should accept. "We only accept about 5 percent of the cases," Jones said. "A case has to have a certain level of significance before the Court of Appeals takes it. It has to be the type of case that has ramifications throughout the entire state. If not, it goes in the discard bin."

The judges, he said, are seated in Albany "approximately 64 or 65 days a year. The rest of the time we are in our chambers, working on our decisions. It's an interesting experience. The appellate process is an ongoing thing. I learn from it every single day."

Jones acknowledged that the national and state economic crisis will affect the courts along with the rest of society. "I'm only hopeful that the effect of those changes can be minimized," he said. "We in the courts depend on legal community to help minimize the effects of those changes on the least among us. We hope that, with pro bono work and free legal work, we can keep the courts open to all."

He also committed to advocating for UB Law students and alumni to serve clerkships in the state court system, saying, "I would like to see Buffalo Law School more completely represented than it has been, and I will do everything in my power to make that happen."