

## Former NY State Chief Justice Judith Kaye Dies At 77

By **Shayna Posses**

Law360, New York (January 7, 2016, 5:34 PM EST) -- Former New York State Chief Judge Judith S. Kaye, the first woman to be appointed to — and lead — the state’s highest court, died Thursday at age 77, leaving behind a legacy of court reform and relentless advocacy that colleagues say made a deep and lasting impact on the state.



Judge Judith Kaye instituted reforms to the New York court system, including establishing courts to combat drug addiction and domestic violence. (Credit: AP)

Although Kaye took mandatory retirement in 2009 after a 15-year stint as chief justice, the longest in the position’s history, she continued her work in the New York legal sphere until her death, practicing with Skadden Arps Slate Meagher & Flom LLP and chairing the state commission tasked with finding new Court of Appeals candidates.

Former Chief Judge Jonathan Lippman, who **recently joined** Latham & Watkins LLP after serving as Kaye’s replacement on the bench, spoke fondly of his longtime colleague Thursday, telling Law360 that they became known as a team that finished each other’s sentences during their time at the court.

The two worked “hand in glove” for 12 years, her as chief judge and him as chief administrative judge, Lippman said. Kaye was instrumental not only to his career, but to the state of New York, he said.

“We moved the mountains of court reform together,” he said. “She was really a prototype for what a modern chief justice should be.”

Kaye received her bachelor’s degree from Barnard College in 1958 and her law degree from the New York University School of Law in 1962, according to Skadden. Before she was joined the bench, she practiced at Sullivan & Cromwell LLP, IBM Corp. and Olwine Connelly Chase O’Donnell & Weyher, where she was the firm’s first female partner.

Gov. Mario Cuomo appointed Kaye to the state Court of Appeals in 1983, kicking off a 25-year career on the bench that the former governor’s son, current Gov. Andrew Cuomo, called a “trailblazing

legacy” in a Thursday statement.

She was named chief justice a decade later and wrote hundreds of decisions on key issues. Among the highlights was her 2006 dissent from the Court of Appeals’ decision upholding the state’s gay marriage ban, New York City Mayor Bill de Blasio said in a Thursday statement.

“When the court upheld the state’s ban on gay marriage in 2006, Chief Judge Kaye’s firm dissent clearly voiced to New Yorkers that decisions rooted in ignorance and prejudice should not be tolerated — and even though conventional wisdom accepted by some had failed to provide justice for all, the fight for equality was not over,” he said. “We offer our condolences to Judith’s family, and to all New Yorkers, who have lost a truly steadfast champion for justice.”

On top of advocating for women, children and the LGBT community, Kaye instituted important reforms to the New York court system, including establishing courts to combat drug addiction and domestic violence. She also overhauled the state’s jury system and the management of its courts in the aftermath of Sept. 11, Lippman said.

The judge continued her work after leaving the bench, “coming in and doing her thing” despite battling an illness for a number of years, Lippman said.

Skadden was honored to have her as a colleague and friend for the last six years, executive partner Eric Friedman said in a Thursday statement.

“Judge Kaye’s life was one of service to the state of New York, the legal system, the legal profession and the children of New York,” he said. “Her contributions cannot be overstated.”

--Editing by Brian Baresch.