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Remarks, Judicial Conference of the Second Circuit

Roger J. Miner ’56

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Ms. Andrea F. Gatti  
Judicial Conference of the  
Second Circuit  
Planning and Program Committee  
919 Third Avenue  
New York, New York 10022

Dear Ms. Gatti:

I enclose a corrected transcript of my remarks at the Second Circuit Judicial Conference. Please see that the appropriate corrections appear in the final record.

Yours very truly,

RJM/sjh
Enc.

Roger J. Miner
As has been our practice in the past, we are having the transcript of the proceedings of this year's Second Circuit Judicial Conference printed by West Publishing Company in the Federal Rules Decisions. Accordingly, we are enclosing the pages on which you are quoted, and we ask that you please return them with your comments at your earliest convenience.

Thank you very much.
ascended, or descended, depending on your perspective, to the Second Circuit Court of Appeals. I am sure he will lend enormous weight to that court.

Jackie, his wife, I think is known to all of you. Jackie, would you stand up and take a bow (applause).

It is customary on this occasion for one of the new judges to make a few remarks on behalf of all, and Judge Miner has been selected for this evening.

Roger.

JUDGE MINER: Mr. Toastmaster, Justice Marshall, Chief Judges Feinberg and Wachtler, guests at the dais, brothers and sisters of the bench and bar, ladies and gentlemen:

My new colleagues and I are grateful for the fine introductions. It is a special pleasure for me to be introduced by my old friend, Joe McLaughlin, and I welcome his designation as master of ceremonies at this Circuit Conference. When I first met him he was working local bar association meetings and American Legion conventions under the name of Dean (laughter).

As an educator it was said that he
could take any dry legal subject and make it dull
and boring. When a government agency asked him
for a listing of the Fordham Law faculty broken
down by age and sex, Joe wrote, "While some
members of our faculty may be broken down by
alcohol, not one is broken down by age or sex."
And now as a federal judge Joe has become a legend
in his own time (applause).

Recently, when arraigning a defendant,
he asked the customary question, "Are you
represented by an attorney?" The defendant
replied, "God is my lawyer." The Judge responded,
"I think you should have someone locally."

He received a letter from a pro se
litigant containing these words, "Ever since I
fell off the loading platform at the Ajax Trucking
Company, I have been unable to have marital
relations more than five times a week." Joe
wrote back, "Tell me, where is that loading
platform?" (laughter).

I am happy that the Chief Judge of the
New York Court of Appeals is our principal speaker.
I ran into him in Albany a few weeks ago and told
him that I soon would be sitting in New York City
as a judge of one of the greatest appellate courts
of the country. He said, "Have you been appointed
to the Appellate Division, First Department?"

I told Sol that the New York
legislature unfairly added to the burdens of the
federal judiciary at the last session by the
recent legislation authorizing federal judges to
perform marriages in New York. And that actually
happened, that authorization has come through.
The New York legislature which, in its infinite
wisdom -- we always use that term when everybody
knows it is as finite as it can be -- but there is
that legislation authorizing us to perform
marriages.

In fact, just last Friday a young
couple appeared at my chambers in Albany and asked
me to perform the marriage ceremony pursuant to
the new authorizing legislation. I was kind of
reluctant to do it. I told him that I preferred
not to do it, and the young man said, "Could you
say a few words to tide us over the weekend?"

My colleagues and I do look forward,
with great anticipation, to our service in the
federal judiciary. I could say that I approach my
new duties with deep humility, with profound
reverence, with great awe. I could say all those
things but they wouldn't be true (applause).

JUDGE McLAUGHLIN: We have come finally to the piece de resistance of the evening, the introduction of our guest speaker. It is hard to know where to begin with Sol Wachtler. He was born in Brooklyn, somehow found himself, however, at Washington and Lee University. I haven't any idea where that is (laughter). But he not only went to college there, but went to law school there as well.

I noticed having read his resume that while in law school he was president of the student bar association. As a former dean I have a particular affection for presidents of the student bar association. Laura Ward was a president of the student bar association at Fordham. A dean needs SBA presidents as much as a dog needs fleas (laughter). It does remind you of your mortality.

Sol's governmental career began in 1963 when he was elected a councilman of the Town of North Hempstead. In 1965 he became the chief executive of the town and a member of Nassau County's Board of Supervisors. At some point he decided to run for county executive and he ran