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Investiture of the Honorable Paul Czajka

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Roger J. Miner
U.S. Circuit Judge

INVESTITURE OF THE HONORABLE PAUL CZAJKA
as Columbia County Judge
Columbia County Courthouse
Hudson, New York
Sunday, January 1, 1995
1:00 P.M.

Good afternoon. I am Roger Miner, a Judge of the United States Court of Appeals. It is my happy duty today to convene this extraordinary session of the Columbia County Court for the investiture of Paul Czajka as a Columbia County Judge. With me on the bench today are my colleagues, Justice John Connor of the State Supreme Court, Judge John Leaman of the Columbia County Court and Judge Warren Zittell, whose term as Columbia County Judge expired at midnight after twenty-one years of distinguished service. Judge Zittell will speak, briefly, a little later. We are all pleased to be welcoming a new Judge into our midst. Before proceeding with the oath of office, and before recognizing the other speakers, I would like to convey a few words of advice to our new Judge.

Paul, your whole life is about to change. First of all, you will have to work in a bathrobe. This could be a benefit in the summertime. At first, you will have a tendency to trip over this garment. Also, you probably will have some difficulty putting it on, but just do it slowly, one arm at a time. Be careful of doorknobs. The sleeves have a tendency to catch on doorknobs. (I hate it when that happens). And never, ever wear the robe when you rush into the men's room during recess. The results could be disastrous. If you enter the courtroom without your

robe, you will look like everybody else, and you will not be able to control the situation. Do not enter the courtroom suddenly. You must arrive with great fanfare so the people will know you are coming and can stop saying what they really think about you. Do not be surprised when everybody stands up as you enter and leave the courtroom. You are merely providing the opportunity for a seventh-inning stretch. You will be assuming some strange new names like "Your Honor" and "The Court." I always preferred the English version, "Your Worship." (I think that is how you pronounce it). At least you will not have to start each session of court with the lack of respect that is the lot of federal judges. As we take our seats, the bailiff cries: "This Court is now in session. God save the United States."

Seriously, Paul, it will be a new way of life -- sometimes difficult, frequently frustrating, but always interesting. Judges are made, not born, and the best judges are those who work the hardest at their craft. It often has been said that a judge must fulfill four requirements: to hear courteously; to answer wisely; to consider soberly; and to decide impartially. These are the goals toward which we all must strive as judges. In my experience, the greatest public criticism of judges arises when lawyers and litigants perceive that the judge is not impartial -- that his or her mind is made up before hearing all the evidence and arguments. It is most important to all sides of a lawsuit for the parties to know that their case was heard by an impartial judge. Nobody likes to lose, but it is much easier to lose if

you are secure in the knowledge that you have had a fair shake.

You follow in a great tradition. In the back of the courtroom is a portrait of your predecessor, Peter Van Ness, the first judge of the Columbia County Court of Common Pleas. He is shown arriving in full regalia by horse and carriage to convene a term of court in the old Claverack courthouse. Peter Van Ness was a regimental commander at the surrender of Burgoyne during the American Revolution. He built the original mansion house known as Lindenwald in Kinderhook, and his son William, my predecessor, was appointed to the federal bench by President Madison in 1812. Van Ness the Elder held court in Columbia County from 1788 to 1795. During that time, he imposed six death sentences, three for horse stealing, two for robbery and one for forgery. We hope that the sentences you impose for those crimes will be more lenient. Also, do not expect to be taken to the courthouse by horse and carriage. You will have to arrange for your own transportation.

As County Judge of Columbia County, you will also wear the hat of Surrogate Judge. One of your predecessors in that position was Martin Van Buren, sometimes known as "The Little Magician." If you follow his path, you will end up as President of the United States. Of course, Van Buren was twenty-one when he became Surrogate, so you have some catching up to do. Van Buren and Van Ness the Younger were very close and were associated in several enterprises, including the Bank of Hudson. Lindenwald, of course, eventually was acquired by Van Buren. One

final note on William Van Ness -- he acted as second for Aaron Burr in the duel with Alexander Hamilton and was indicted for his role in that debacle. Van Buren assisted him in the restoration of his civil rights despite his unsavory activities. William became a federal judge anyway, which says something about the federal bench in those days.

History teaches us many lessons, Paul. The history of the judiciary in this county is one worth studying. It is the history of illustrious men who always were mindful of the important responsibilities that they assumed. It is the history of their awareness of the overriding concerns of litigants for impartiality and objectivity in the decisional process. It is the history of their fierce desire to do justice in accordance with their oaths of office. It is the history of their use of all the diligence, skills and efforts they could bring to bear in carrying out their judicial duties. In my own lifetime, the names of Tracy, Inman, Connor, Christiana and your immediate predecessor, Zittell, were part of that history. I know that with your colleague, John Leaman, you will burnish that history and add luster to it. I know that the same excellence that has characterized all your previous endeavors will characterize this endeavor as well.

Be worthy of the Court, Paul. Be patient. Be understanding. Strive to achieve equal justice for all who enter here, for equal justice under the law is the brightest promise of this great nation. And Paul, if you can't be President, try at

least to make it to the Supreme Court. Van Ness and I were the only two native sons of Columbia County to make it to the federal bench in New York, but neither of us became Supremes. Now it is your turn to try. Go for it! Good luck on what I know will be a brilliant judicial career!

I now recognize, for some very brief remarks, Honorable Warren E. Zittell.

The Court recognizes the Dean of the Columbia County Bar, Mr. Bertram Siegeltuch.

OATH

I, PAUL CZAJKA, DO SOLEMNLY SWEAR (OR AFFIRM) THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES, AND THE CONSTITUTION OF THE STATE OF NEW YORK, AND THAT I WILL FAITHFULLY DISCHARGE THE DUTIES OF THE OFFICE OF COLUMBIA COUNTY JUDGE, ACCORDING TO THE BEST OF MY ABILITY. [SO HELP ME GOD]