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## New York Judge Reviews and Court Directory

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## BOOK REVIEW

### NEW YORK JUDGE REVIEWS AND COURT DIRECTORY

By Benedene Cannata, Esq.  
James Publishing, Inc., 1997. Pp. 538. \$125.00

*Reviewed by E. DONALD SHAPIRO\* & JENNIFER LONG\*\**

The civil court system in New York State has evolved into an almost unintelligible maze.<sup>1</sup> Moreover, an attorney is often uncertain of the attitude and preconceptions of the judge awaiting him or her in the courtroom. To remedy this uncertainty, Ms. Benedene Cannata, a 1987 graduate of New York Law School, has written a comprehensive guide to each of the courts in New York, including detailed factual information about the location of the courthouses and a sampling of attorneys' perceptions of the judges.<sup>2</sup>

*New York Judge Reviews and Court Directory*<sup>3</sup> provides a complete directory of each of the sixty-two county courts in New York; including numerous addresses, names and phone numbers of court officers, and directions to the supreme court in every county.<sup>4</sup> Given the enormity of the New York court system<sup>5</sup> and the size of New York State,<sup>6</sup> this

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1. In October 1997, Chief Judge Judith S. Kaye testified before a joint state legislative hearing on the problems which result from the structure of the civil court system. Chief Judge Kaye referred to the system as a "confused and sprawling mass of 11 trial courts" and a "juridical maze that requires a roadmap and compass to navigate." *Chief Judge Testifies to Press Statewide Court Restructuring*, N.Y.L.J., Oct. 10, 1997, at 1; Martin Fox, *City Bar Supports Merger of State's Courts*, N.Y.L.J. Jan. 9, 1998, at 1 (reporting that "[t]he complexities of New York's fragmented court system pose many unnecessary obstacles"); Charles A. Kuffner Jr., *A 'Camel' Clothed as Reform*, N.Y.L.J., Jun. 5, 1997, at 2 (discussing the confusion which results from splitting jurisdiction over domestic relations between Family and Supreme Courts).

2. See generally BENEDENE CANNATA, *NEW YORK JUDGE REVIEWS AND COURT DIRECTORY* (1997-1998 ed. 1997) (This book is divided into two parts; Part One is a directory of courthouses and Part Two consists of judicial profiles.).

3. See *id.*

4. See *id.* at 1-139.

5. See Gary Spencer, *State of the Judiciary Goes Tabloid: Wider Audience, Readability Aims of 1996 Annual Report*, N.Y.L.J., Apr. 3, 1997, at 1 (stating that "3.2 million cases [were] filed in 1996"); Gary Spencer, *Kaye Warns of Attacks on Courts: Press Coverage Seen Harming 'Confidence'*, N.Y.L.J., Apr. 18, 1996, at 1 (quoting

information is valuable to new attorneys, to attorneys practicing in geographical areas that are new to them, and to attorneys who have yet to appear before a particular court. Such material alone justifies having this volume on a litigator's bookshelf.

The most unique aspect of this book, and where the greatest bar interest will undoubtedly lie, is the inclusion of judicial profiles.<sup>7</sup> By anonymously interviewing at least ten practicing attorneys for each judge reviewed, Ms. Cannata provides their candid insights and opinions about the judges before whom they practice.<sup>8</sup> More than 250 judges are reviewed on their effectiveness, temperament, proclivities, and behavior on the bench, in trial, and in settlements.<sup>9</sup> Almost all of the civil supreme court justices who have been on the bench for over two years are included, as are several of the most active acting supreme court justices.<sup>10</sup> If a judge has specific rules or idiosyncrasies, such as certain procedures for motions or short recesses, they are included in the profile.<sup>11</sup> Information of this kind could prove valuable to an attorney preparing for trial or settlement discussions.

Obviously, during the course of his or her career, each judge has presided over the cases of many more attorneys than the limited number interviewed, and attorneys' opinions of a judge and his or her attitudes may vary widely.<sup>12</sup> To achieve a sample that accurately reflects the represented population, the surveyed attorneys must be chosen randomly

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Chief Judge Judith S. Kaye as stating that in 1995 "the state court system . . . resolved millions of civil, criminal and family law cases, in some way touching the lives of all of our citizenry"); *see also* Matthew T. Crosson, *A New Era for Commercial Litigation*, N.Y.L.J., Jan. 13, 1993, at 2 (stating that justices in the civil part of the Supreme Court of New York County "handle almost 1600 cases" per justice).

6. THE WORLD ALMANAC AND BOOK OF FACTS 1998, at 678 (World Almanac Books 1997) (stating that New York state is 54,471 square miles with a population of more than 18 million).

7. *See* Cannata, *supra* note 2, at 141-537 (profiling certain acting supreme court justices and judicial hearing officers, and most New York Supreme Court Justices).

8. *See id.*

9. *See id.*

10. *See id.*

11. *See, eg., id.* at 158 (stating that Justice Ariel E. Belen of the Second Judicial District Supreme Court, Kings County requires marked off motions to be re-noticed).

12. *See* MEREDITH GALL ET AL., EDUCATION RESEARCH, AN INTRODUCTION 220-21 (6th Ed. 1996) (noting that resource limitations often restrict researchers to random samples drawn from accessible population groups; however, these studies may still have implications for larger groups).

and in sufficient number.<sup>13</sup> Researchers term this concept "population validity."<sup>14</sup> According to current research methodology, the number Ms. Cannata sampled may be too small to be both reliable and valid,<sup>15</sup> and therefore her results are open to greater deviation than what is routinely accepted in such methodology.<sup>16</sup> Consequently, such a limited sampling base *must* be taken with a strong sense of caution.<sup>17</sup>

The validity of polling attorney opinions of judges has been a contentious issue in the legal profession for over twenty years.<sup>18</sup> Many attorneys have viewed anonymous polls as an opportunity to single out and criticize judges with whom they have had difficulties.<sup>19</sup> However, it is apparent that Ms. Cannata's purpose was neither to write a gossip column nor to provide a forum for attorneys to insult judges.<sup>20</sup> Rather, Ms. Cannata's intent is to help litigators prepare for judicial encounters by allowing attorneys to describe personal characteristics, practices, and skills which affect judicial performance.<sup>21</sup>

The organization of this book is straightforward and easy to follow. Each county is listed alphabetically in the first section and the judges are listed in the same fashion in the second section.<sup>22</sup> Because the listings are alphabetical, an attorney may find the profile of a specific judge, regardless of the bench he or she occupies as of the current printing.<sup>23</sup> The uncomplicated nature of this book is appropriate since the book is meant to be of immediate practical assistance to attorneys and not to lay

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13. The concern of "population validity" is the "extent to which the results . . . can be generalized from the sample . . . to a larger group of individuals." *See id.* at 216-17.

14. *See id.* at 217.

15. *See id.* at 229-30 (suggesting that the minimum number of samples for survey research is 20 to 50).

16. *See id.*

17. *See id.* at 217 (noting that the larger the sampling group the lower the sampling error).

18. *See* Marlene Adler Marks, *Verdicts on Judges*, 7 JURIS DR. 37, 37 (1977).

19. *See id.* at 38.

20. "Poll-taking is a way for attorneys to indicate publicly where they feel changes must be made, as well as to vent their frustrations at the unapproachable judiciary." *Id.* at 37.

21. Personal characteristics discussed include temperament, demeanor and proclivities; judicial practices include style of conducting trials and policies on continuances and adjournments; judicial skills include those utilized both on the bench and in negotiations.

22. *See* Cannata, *supra* note 2.

23. *See id.* at 141 (profiling judges in alphabetical order).

around and gather dust. Ms. Cannata has even included a survey soliciting reader reactions and suggestions for improvement.<sup>24</sup>

*New York Judge Reviews and Court Directory* is a useful tool in the everyday practice of law. The information it provides, while limited and debatable in part, is generally informative. The section on the New York court system provides a virtual roadmap for how an attorney may wish to proceed in court. The author provides a comprehensible organization of a complex system that can only benefit the practicing attorney. This book is written for everyone who tries civil cases, plans to try them, or ever conceives that his or her practice may require it.<sup>25</sup> Ms. Cannata should be applauded for her efforts in dealing with this most difficult, but important subject.

Note: For the record, one of the writers of this book review, Professor Shapiro, wishes to state that the author, Benedene Cannata, is a former student, research assistant and co-author of an article with him.<sup>26</sup>

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24. *See id.* at second page inside front cover.

25. *See* Daniel R. Williams, *The Lawyer's Bookshelf: New York Judge Reviews and Court Directory*, N.Y.L.J., Aug. 22, 1997, at 2 (describing Ms. Cannata's book as providing information that is "both practical and scintillating").

26. E. Donald Shapiro and Benedene Sonnenblick, *The Widow and the Sperm: The Law of Post-Mortem Insemination*, 1 J. L. & HEALTH 229 (1986).