

Remarks for April 6, 2022 NYCLA Reception

I am very happy to be here tonight, representing the Second Circuit Court of Appeals. I want to express my appreciation to the New York County Lawyers Association, and also to recognize the extraordinary efforts of my fellow chief judges and *their* respective courts, who have performed heroically, both in Albany, keeping the state courts open for business, and here in the City, getting federal jury trials back up and running, so that court dockets have not stalled in this pandemic.

In accepting this award on behalf of my Court, I want to acknowledge my colleagues and our excellent court staff. When Covid's first wave hit in March 2020, our Court went virtual, virtually overnight – transitioning to remote operations in a manner so seamless that we didn't miss a single sitting day. This was not my doing. We had emergency systems in place to address potential disruptions to Court operations – systems shaped by the past challenges of 9/11 and Hurricane Sandy, but kept up-to-date and ready for use by our Clerk of Court, Catherine Wolfe, and our Circuit Executive, Michael Jordan. With the hard work and creativity of these two, plus the court family as a whole – our outstanding IT folks, the Staff Attorney's Office, led by David Bober, the Library, under Lou Lopez's leadership – we transitioned back to the courthouse and to live courtroom argument with the flexibility to have individual judges and lawyers appear remotely, as needed. We are proud of the fact that despite the unpredictability of Covid's

waves, we've not yet had to postpone a single argument and we will emerge from the pandemic without a backlog, with our docket in good shape.

I also want to take this opportunity to thank the members of the bar who have advocated before us over the last two years and will do so in the months to come. Learned Hand, one of the patron saints of my Court, said in a speech many years ago that "Life is made up of constant calls to action, and we seldom have time for more than hastily contrived answers." The pandemic proved the point. The courts kept up and running only with the hastily contrived but no less effective response of many able and public-spirited attorneys. As someone who has taught law students for many years, I have taken satisfaction seeing lawyers, both experienced and novice, figure out new ways of effectively presenting argument over Zoom. I've listened as they conversed about the best way to address a socially distanced jury. I've even overheard conversation on the elevator about what kind of N95 best lets an advocate draw a breath.

Finally, let me thank the New York County Lawyers Association, which has also ably answered the pandemic's call to action. Thank you for your COVID-19 Resource Center for Lawyers. Thanks, as well, for the CLE training that you provided on pandemic-specific legal practice issues. Thank you for continuing your civics education efforts throughout the pandemic, for expanding the Tax Court Project to address pandemic-related issues, and generally for adapting your many pro bono projects to ensure that

throughout the pandemic, you would continue to provide legal services for New Yorkers who need them.

I am honored to be here this evening, and grateful not only for the recognition of my Court, but for all of this Association's efforts to serve the public throughout the pandemic and moving forward. Thank you.