

Law, Politics, and the Media

LAW 839/PSC 700/NEW 500

Wednesday, 2:30p.m.-5:15p.m.

Room 204

Syracuse University College of Law

Spring 2012

Faculty

Keith J. Bybee
321 Eggers Hall
Law and Maxwell

Office Hours:

Wednesday 10:00-12:00

(and by appointment)

443-9743 (w)

kjbybee@maxwell.syr.edu

Lisa A. Dolak
244F White Hall
Law

Office Hours:

Monday 12:00-2:00

(and by appointment)

443-9581 (w)

ladolak@law.syr.edu

Roy S. Gutterman
Newhouse III, Rm 426
Newhouse Tully Center

Office Hours:

Monday 10:00-12:00

Thursday 10:00-12:00

(and by appointment)

443-3523 (w)

908-337-4534 (cell)

rsutter@syr.edu

Graduate Assistant

Nicholas Everett

Law

ngeveret@syr.edu

Course Description

The American judicial system today operates in a complex environment of legal principle, political pressure, and media coverage. The separate elements of this complex environment are typically studied by different groups of individuals working from different perspectives. Law faculty tend to focus on legal principle; political scientists examine the influence of politics; and scholars of public communication assess the media.

The goal of this course is to introduce students to the court system and its environment as a single, integrated subject of study. To this end, the course is taught by a team of faculty instructors drawn from law, journalism, and political science. Academic discussions are complemented by lectures from prominent practitioners from the bench, the bar, the media, and the world of policymaking.

Topics to be covered in the course include: public perceptions of the courts; the politics of judicial selection; the relationship between democracy and media; judicial legitimacy; the dynamics of political reporting; the constitutional limits of media coverage; judicial recusals; law and popular culture; courts and the politics of healthcare reform; Wiki-Leaks and confidential information; whistleblowers and good government; taxes and the limits of the policymaking process.

Course Requirements and Grading:

Class participation (20%). Attendance will be taken at each class. If a student records more than two unexcused absences, then that student will be dropped the course. Please note that attendance is the minimum requirement for the participation grade. To receive a good participation grade, students must attend and actively participate in class discussions.

Two six-page papers critically assessing the presentations of two guest speakers (20% for each paper). Papers are due in class on the Wednesday following the lecture about which students choose to write. Students may choose the guest speaker they would like to assess in each of their response papers subject to the following requirement: students must write their first response paper on one of the first four guest speakers and write their second response papers on one of the last four speakers. The term “guest speaker” does not include course faculty. Response paper guidelines: A response paper is a critical appraisal of a speaker’s presentation. A paper should not simply summarize a presentation nor should it be a mere record of a student’s impressions. Instead, a response paper makes an argument (with a clear thesis, logically related assertions, and appropriate evidence) that shows how and why the student agrees or disagrees with a speaker’s claims. It is not necessary for a student to address every detail of the speaker’s lecture. The best response papers zero-in on several points that are essential to the speaker’s presentation and builds an analysis around those points. Please note that independent research is not required for the response papers. Depending on the argument that is being made in a given response paper, a student may sometimes find that he or she has to perform independent research in order to gather appropriate evidence. If so, the amount of independent research should be modest (students will have an opportunity to perform significant independent research in their research papers – see below). Since appropriate evidence can often be found in the required reading for the course, in the discussions led by course faculty, or in the arguments made by other guest speakers, independent research is not a mandatory element of the response papers. Finally, please note that the evidence used in response papers (whether or not the evidence results from independent research) must be properly cited.

Twenty-page (fifteen-page for NEW undergraduate students) research paper (40%). Requirements for the paper will be discussed in detail as the course progresses. Papers are due by 5:00pm on Monday, April 30. Students will be required to attend individual meetings with course faculty to discuss their research papers (all individual meetings will be arranged during regularly scheduled class time on March 7 and March 21).

LAW students: please note that this course is exempt from the upper-class grading curve.

Readings:

- Keith J. Bybee, All Judges Are Political—Except When They Are Not (Stanford University Press, 2010).
- Course reader with selected cases and articles.
- Handouts (to be distributed in class as the semester progresses).
- Online material (urls are provided on the course schedule below and links are on the course website <http://jpm.syr.edu/course.cfm>). **THESE ARE SUBJECT TO CHANGE.** Please visit the syllabus posted on the course website regularly to ensure you are current with the class material.

All Judges Are Political and the course reader may be purchased through the University Bookstore.

Guest Lectures:

Over the course of the semester there will be eight guest lectures. The lecture dates are indicated on the course schedule. Lectures will be held in our usual classroom, will run from 4:00pm-5:15pm, and will be open to the public. There will be a small reception with refreshments after every lecture. Our class will meet before each lecture in our usual classroom for discussion, 2:30pm-3:45pm. The pre-lecture discussions will not be open to the public.

Course Lunches:

Each guest lecture will be preceded by an informal lunch for students in the course and the guest speaker. The lunches will be held 11:45am-12:45pm in the College of Law and food will be provided. Attendance at the lunches is optional, but students who do attend will have an invaluable opportunity to interact with the guest lecturers.

Additional Notes:

Law students: If you have a disability that may affect your performance in this class, please see College of Law Assistant Dean Tomas Gonzales, Suite 444, as soon as possible, to discuss necessary accommodations.

Newhouse and Maxwell students: If you have a disability that may affect your performance in this class, please contact the university Office of Disability Services (ODS), 304 University Avenue, Room 309, 315-443-4498.

We do not object to the use of tape recorders to record class discussion, but we do expect all cell phones, pagers, and similar devices to be turned off during class time. We also ask that students refrain from emailing, surfing the web, instant messaging, gaming, and other computer diversions during class.

Course Schedule:

Week 1 (1/18)

Welcome to Law, Politics, and the Media (Keith Bybee)

- Overview of course and requirements
- Discussion of 2010 Maxwell Poll (handout provided in class)

Week 2 (1/25)

Public perceptions of the courts and judicial legitimacy (Keith Bybee)

Readings:

All Judges Are Political—Except When They Are Not, entire

Week 3 (2/1)

The Patient Protection and Affordable Care Act: Is Anything Clear? (Lisa Dolak)

Law and Popular Culture (Roy Gutterman)

Readings:

Kimberlianne Podlas, Guilty on All Accounts: Law & Order's Impact on Public Perception of Law and Order, *Seton Hall Journal of Sports and Entertainment Law* (2008)

<http://jpm.syr.edu/documents/course/Gutterman%20Reading.pdf>

Stephen Wermiel, SCOTUS for law students: An introduction to jurisdiction and remedies, through the lens of the health care cases, SCOTUSblog (Nov. 25, 2011, 8:23

PM), <http://www.scotusblog.com/2011/11/scotus-for-law-students-an-introduction-to-jurisdiction-and-remedies-through-the-lens-of-the-health-care-cases/>

Amy Howe, *The health care grants: In Plain English*, SCOTUSblog (Nov. 17, 2011, 1:00 PM), <http://www.scotusblog.com/2011/11/the-health-care-grants-in-plain-english/>

Andrew Cohen, *Key Conservative Judge Endorses Affordable Care Act* (Nov. 8, 2011, 4:53 PM)

<http://www.theatlantic.com/politics/archive/2011/11/key-conservative-judge-endorses-affordable-care-act/248117/>

Steve Benen, *How Health Care Rulings are Covered* (Aug. 13, 2011, 8:00 AM)

http://www.washingtonmonthly.com/political-animal/2011_08/how_health_care_rulings_are_co_1031509.php

Robert Samuelson, *Sebelius' Masterful Muddle* (Dec. 23, 2011)

http://www.realclearpolitics.com/articles/2011/12/23/sebelius_masterful_muddle_112506.html

Lyle Denniston, *Analysis: Health care and recusal politics* (Nov. 28, 2011, 12:25 AM)
<http://www.scotusblog.com/2011/11/analysis-health-care-and-recusal-politics/>

Week 4 (2/8)

“An End Run Around the First Amendment: What Journalists Don't Know They Can't Publish”
David Rubin, Professor and Dean Emeritus, Newhouse School of Public Communications at
Syracuse University

Luncheon will be held at 11:45 in the College of Law

Readings:

*Course Reader: Chapter 12, The Law of Public Communication, Kent Middleton and William
Lee (Allyn and Bacon, 8th Edition, 2012).

Week 5 (2/15)

“Whistleblowers: Essential voices for Accountability”

Tom Devine, Legal Director, Government Accountability Project

Luncheon will be held at 11:45 in the College of Law

Readings:

Selections from “The Corporate Whistleblower’s Survival Guide: A Handbook for Committing
the Truth.”

<http://jpm.syr.edu/documents/course/Devine.pdf>

Week 6 (2/22)

“The Politics of Judicial Selection”

Nan Aron, President and Executive Director, Alliance for Justice

Luncheon will be held at 11:45 in the College of Law

Readings:

“Obama’s Judiciary at Midterm” by Sheldon Goldman, Elliot Slotnick, and Sara Schiavoni

<http://jpm.syr.edu/documents/course/Aron.pdf>

Week 7 (2/29)

“Tax Expenditures, The Size and Efficiency of Government, And Implications for Budget
Reform”

Leonard Burman, Daniel Patrick Moynihan Professor of Public Affairs, Maxwell School of
Syracuse University

Luncheon will be held at 11:45 in the College of Law

Readings:

“Tax Expenditures, The Size and Efficiency of Government, And Implications for Budget
Reform” by Leonard Burman and Marvin Phaup

<http://jpm.syr.edu/documents/course/Burman.pdf>

Week 8 (3/7)

Students meet with faculty to discuss research papers.

3/14: Spring Break. No class.

Week 9 (3/21)

Students meet with faculty to discuss research papers.

Week 10 (3/28)

“Access with Attitude: The Free Flow of Information, the Press, the Law, and Covering Government”

David Marburger, Partner, Baker & Hostetler, LLP.

Luncheon will be held at 11:45 in the College of Law

Readings:

*Course Reader: Selections from “Access with Attitude”

<http://jpm.syr.edu/documents/course/Marburger.pdf>

Week 11 (4/4)

“Preserving Judicial Independence: The Chief Judge’s Recipe for New York”

Jonathan Lippman, Chief Judge, New York State Court of Appeals

Luncheon will be held at 11:45 in the College of Law

Readings:

Funding for Judiciary: ABA Boise-Olson Committee testimony by Hon. Jonathan Lippman

[http://jpm.syr.edu/documents/course/ABA Hearings Testimony May 24 version \(1\).pdf](http://jpm.syr.edu/documents/course/ABA Hearings Testimony May 24 version (1).pdf)

Hon. Jonathan Lippman, "New York's Efforts to Secure Sufficient Court

Resources in Lean Times," Judges' Journal (Summer 2004)

[http://jpm.syr.edu/documents/course/LippmanArticle \(1\).pdf](http://jpm.syr.edu/documents/course/LippmanArticle (1).pdf)

Thomas Susman, "Reciprocity, Denial, and the Appearance of Impropriety:

Why Self-Recusal Cannot Remedy the Influence of Campaign Contributions

on Judges' Decisions," Journal of Law and Politics (Spring 2011)

[http://jpm.syr.edu/documents/course/SusmanArticle \(1\).pdf](http://jpm.syr.edu/documents/course/SusmanArticle (1).pdf)

Judicial Salaries:

Salary Commission Final Report

<http://www.judicialcompensation.ny.gov/assets/FinalReportSpecialCommissionJD.pdf>

OCA Submission to the Salary Commission
(<http://www.judicialcompensation.ny.gov/assets/B%20-%20Office%20of%20Court%20Administration.pdf>)

National Center for State Courts Report
(<http://www.nycourts.gov/publications/pdfs/NCSCJudicialCompReport.pdf>)

Judicial Campaign Contributions and Case Assignment:
Rule Part 151 (<http://www.nycourts.gov/rules/chiefadmin/151.shtml>)

Notice to Attorneys re. Rule Part 151
(http://www.nycourts.gov/attorneys/contributions_case_assignments.shtml)

Week 12 (4/11)

“Covering Washington In a Time of Media Change and Challenge”
Stephen Koff, Washington Bureau Chief, The Plain Dealer
Luncheon will be held at 11:45 in the College of Law

Readings:

“5 hopeful takeaways from annual UBS media investment conference,” by Rick Edmonds, Poynter Institute, Dec. 12, 2011
<http://www.poynter.org/latest-news/business-news/the-biz-blog/155695/5-hopeful-takeaways-from-new-york-investment-conference/>

“Can Politico Win Again? Blogger Ben Smith helped the site dominate the 2008 election cycle—but Twitter’s encroaching on its turf,” by Dylan Byers, AdWeek, Sept. 6, 2011
<http://www.adweek.com/news/press/can-politico-win-again-134592>

“Ben Smith is not an old-school political reporter,” by Liz Cox Barrett, Columbia Journalism Review, November/December, 2011
http://www.cjr.org/feature/immediate_returns.php

“Capital Flight: Watchdog reporting is at an alarming low at many federal agencies and departments whose actions have a huge impact on the lives of American citizens,” by Jodi Enda, American Journalism Review, June/July 2000
<http://www.ajr.org/article.asp?id=4877>

“Redesigning a Washington bureau,” by Katrina Altersitz, American Journalism Review, December/January 2006
<http://www.ajr.org/article.asp?id=4012>

“College town ‘poverty’ exposed: Low-income students help win grant money,” by Stephen Koff and Bill Sloat, The Plain Dealer, Sept. 17, 2006
<http://www.cleveland.com/poverty/plaindealer/index.ssf?/poverty/more/college12.html>

“Investigative Shortfall,” by Mary Walton, American Journalism Review, September 2010
<http://www.ajr.org/article.asp?id=4904>

“LaTourette attributes flip-flop on lumber to tariff no one pays,” by Stephen Koff, The Plain Dealer, Aug. 10, 2005
http://www.citizen.org/documents/Cleveland_Plain_Dealer_LaTourette_outing.pdf

“Stern Watchdog: How Copley’s Marcus Stern exposed a corrupt congressman,” by Jessica Meyers, American Journalism Review, April/May 2006
<http://www.ajr.org/article.asp?id=4080>

“Members of U.S. House Financial Services Committee snapped up or dumped bank stocks as bottom fell out of market,”
by Stephen Koff and Sabrina Eaton, The Plain Dealer, June 25, 2009
http://blog.cleveland.com/metro/2009/06/members_of_us_house_financial.html

“Niche outlets replace newspapers in Washington,” by Zachary M. Seward, Nieman Journalism Lab, July 17, 2009
<http://www.niemanlab.org/2009/07/niche-outlets-replace-newspapers-in-washington/>

“Rob Portman has a record on trade, and Democrats are eager to seize on it,” by Stephen Koff, The Plain Dealer, May 23, 2010
http://www.cleveland.com/open/index.ssf/2010/05/rob_portman_has_a_record_on_tr.html

PolitiFact Ohio home page, www.politifactohio.com

“PolitiFact Ohio celebrates a year of the Truth-O-Meter,” by Stephen Koff, The Plain Dealer/Cleveland.com, July 25, 2011
<http://www.politifact.com/ohio/article/2011/jul/25/politifact-ohio-celebrates-birthday/>

“Invacare spends millions in Washington but gets mainly frustration back,” by Stephen Koff, The Plain Dealer, Nov. 6, 2011
http://www.cleveland.com/open/index.ssf/2011/11/invacare_spends_millions_in_wa.html

“Dennis Kucinich and a few others don't pay taxes on campaign aides' wages,” by Stephen Koff, The Plain Dealer, Nov. 18, 2011
http://www.cleveland.com/open/index.ssf/2011/11/dennis_kucinich_and_a_few_othe.html

Week 13 (4/18)

“Press Freedom and Media Development”

Marguerite Sullivan, Senior Director, Center for International Media Assistance, national Endowment for Democracy (NED)

Luncheon will be held at 11:45 in the College of Law

Readings:

“Empowering Independent Media”

<http://jpm.syr.edu/documents/course/Sullivan.pdf>

Week 14 (4/25)

Federalism on the Flipside: Immigration Enforcement by the States (Lisa Dolak)

Wiki-Leaks and Confidential Information (Roy Gutterman)

Readings:

Stephen Wermiel, *SCOTUS for law students: Preemption and the Arizona immigration law* (Dec. 9, 2011, 1:37 PM) <http://www.scotusblog.com/2011/12/scotus-for-law-students-preemption-and-the-arizona-immigration-law/>

Philip E. Wilgin, Angela Maria Kelley, *The Public’s View of Immigration: Americans Are Talking but Why Aren’t Candidates Listening?* (Dec. 15, 2011)

http://www.americanprogress.org/issues/2011/12/immigration_polling.html

Stephanie A. Fryberg, Nicole M. Stephens, Rebecca Covarrubias, Hazel Rose Markus, Erin D. Carter, Giselle A. Laiduc, Anna J. Salido, *How the Media Frames the Immigration Debate: The Critical Role of Location and Politics*

<http://onlinelibrary.wiley.com/doi/10.1111/j.1530-2415.2011.01259.x/pdf>

Barry Friedman and Dahlia Lithwick, *Not your Gingrich’s Supreme Court –The Supreme Court rediscovers federalism just in time for 2012 election* (Dec. 14, 2011, 4:53 PM)

http://www.slate.com/articles/news_and_politics/jurisprudence/2011/12/the_supreme_court_rediscovers_federalism_just_in_time_for_2012_election_single.html

4/30: Research Papers due today by 5:00pm.

Guest Speaker Biographies

Marguerite Sullivan is senior director of the Center for International Media Assistance, a think tank at the National Endowment for Democracy. The Center, which she came to NED to launch nearly five years ago, studies the indispensable role independent media play in the creation and development of sustainable democracies.

Marguerite began her career as a journalist working for newspapers in Boston and California before moving to Washington, D.C., where she was a reporter and columnist for Copley News Service and newspapers. She covered Congress, federal agencies and departments and wrote a column. She also served as president of the Washington Press Club, now the National Press Club, and was executive editor of *The Washington Woman* magazine.

She has held several government positions including in the U.S. Department of State, the National Endowment for Humanities, and the White House and also served as a cabinet member for a U.S. state governor. She was executive director of the U.S. National Commission for UNESCO, and was vice president for communications and external affairs for an NGO that works on democracy issues.

Ms. Sullivan is a native of California, has a bachelor's degree in history and a masters in journalism from Stanford University. She is a former fellow at the Institute of politics at the Kennedy School of Government at Harvard and has lectured at the Smithsonian Institution, as well as colleges and universities.

David M. Rubin was Dean of the Newhouse School of Public Communications at Syracuse University from 1990-2008 and is currently a member of the full-time faculty of the school. Prior to working at Syracuse University, he spent 19 years as a member of the faculty and chair of the Department of Journalism at New York University.

As Dean at Newhouse, Rubin saw the construction of \$32 million expansion of the Newhouse school, adding a third building that houses a state-of-the-art experimental lab for new approaches to online news delivery, as well as housing offices for student services, new classrooms, a research center, and a career center. In his tenure, he established an office of external relations that has developed a highly successful career center, an alumni relations operation that now involved more than 3,500 graduates, and a development program that has significantly increased annual fund giving to the school. Rubin is responsible for sourcing over \$27 million in funding for buildings, scholarships, and departments within the Newhouse school. He was also instrumental in aiding Professor Robert Thompson create the Center for the Study of Popular Television with a gift from alumnus Ed Bleier.

David is currently the host (and co-creator) of the highly respected "The Ivory Tower Half Hour," a regular round-table discussion of public affairs that airs on WCNY-TV every Friday at 8 p.m. He also serves on the boards of WCNY-TV and the Cultural Resources Council of Central New York and is a contributing columnist for the Syracuse Post-Standard as well as a regular reviewer of opera for Cafemomus.com. In both 1998 and 1999 he served as a Pulitzer Prize

judge. In 1998 he judged "Explanatory Journalism," and in 1999 he judged "Public Service Journalism."

Rubin holds a B.A. from Columbia in American history and M.A. and Ph.D. degrees in communication from Stanford. His teaching specialties are Media and Society, Communications Law, and Arts Journalism.

Tom Devine is the Legal Director of the Government Accountability Project, the nation's leading whistleblower protection and advocacy organization. Mr. Devine has assisted over 5,000 whistleblowers in defending themselves against retaliation and in making a difference, such as shuttering accident-prone nuclear power plants, checkmating repeated industry ploys to deregulate government meat inspection, and blocking the next generation of the bloated porous "StarWars" missile defense systems. He has been a leader in the campaigns to pass or defend 20 major national or international whistleblower laws, including every one enacted over the last two decades. These include the Whistleblower Protection Act of 1989 for federal employees; seven breakthrough laws since 2002 creating the right to jury trials for corporate whistleblowers; and new U.N., World Bank, and African Development Bank policies legalizing public freedom of expression for their own whistleblowers.

Mr. Devine has served as "Ambassador of Whistleblowing" in over a dozen nations on trips sponsored by the U.S. State Department. He has authored or co-authored numerous books, including *The Corporate Whistleblowers' Survival Guide: A Handbook for Committing the Truth*, law review articles, and newspaper op-eds, and is a frequent expert commentator on television and radio talk shows. He is the recipient of the "Hugh Hefner First Amendment Award" and the "Defender of the Constitution Award" bestowed by the Fund for Constitutional Government. In 2006, he was inducted into the Freedom of Information Act Hall of Fame.

Nan Aron has been a leading voice in public interest law for over 30 years. She founded the Alliance for Justice (AFJ) in 1979 and continues to guide the organization in its mission to advance the cause of justice for all Americans, strengthen the public interest community's influence on national policy, and foster the next generation of advocates. In 1985, she founded AFJ's Judicial Selection project, now the country's premier voice for a fair and independent judiciary and a major player in the often-controversial judicial nominations process.

In addition to increasing judicial advocacy, Nan has led AFJ to expand its programs to support the participation of nonprofit and foundation staff in public life. Throughout the nation, Nan is unequivocally recognized for her vast expertise in public interest law, the federal judiciary and citizen participation in public policy.

Leonard Burman is the Daniel Patrick Moynihan Professor of Public Affairs at the Maxwell School of Syracuse University, an affiliated scholar at the Urban Institute, research associate at the National Bureau of Economic Research, and senior research associate at Syracuse University's Center for Policy Research. Previously, he was the director and co-founder of the

Tax Policy Center, a joint project of the Urban Institute and the Brookings Institution. He has held high-level positions in both the executive and legislative branches, serving as Deputy Assistant Secretary for Tax Analysis at the Treasury from 1998 to 2000, and as Senior Analyst at the Congressional Budget Office. He is the president of the National Tax Association.

Burman is the author of *The Labyrinth of Capital Gains Tax Policy: A Guide for the Perplexed*, and co-editor of the *Taxing Capital Income* and *Using Taxes to Reform Health Insurance*, as well as author of numerous articles, studies, and reports. His recent research has examined US federal budget dynamics, the individual alternative minimum tax, the changing role of taxation in social policy, and tax incentives for savings, retirement, and health insurance. Burman holds a Ph.D. from the University of Minnesota and a B.A. from Wesleyan University.

David Marburger is a partner in the Cleveland office of Baker Hostetler and has litigated more than 200 libel cause, challenged the constitutionality of more than 35 laws and court orders, defended against over two dozen prior restraints, sued for access more than 50 times to open the files and proceedings of state, local, and federal government agencies and courts, and defended and pursued dozens of copyright claims. Mr. Marburger has handled over 20 cases before the Ohio Supreme Court and he was the primary draftsman for his firm's newspaper client's brief on the merits before the United States Supreme Court, where Ohio's largest newspaper won a First Amendment challenge of a municipal ordinance in *Lakewood v. Plain Dealer Publishing*.

Mr. Marburger has drafted extensive amendments to Ohio's open records and open meetings statutes, which the General Assembly enacted in various years, largely as drafted. The Ohio Attorney General appointed him to a two-year task force to conduct a comprehensive study of Ohio's freedom of information laws, and he was the primary draftsman of the task force's recommendation for statutory revision. Mr. Marburger has represented online media, major national television and radio networks, newspapers, book publishers, magazines, outdoor advertising companies, and wire services.

Before becoming a lawyer, Mr. Marburger was a journalist in a top ten market. He is a Syracuse University alumnus, graduating with a communications degree in 1976. He earned his J.D. from University of Pittsburgh in 1983.

Jonathan Lippman was born and raised in New York City, attending public schools there and receiving his B.A. (*Phi Beta Kappa* and *cum laude*) in 1965 and J.D. in 1968, both from New York University.

Chief Judge Lippman's career in the court system spans four decades, beginning as an entry level court attorney in the Supreme Court and taking him all the way to the highest judicial seat in the state of New York. He spent seven years as the Principal Court Attorney for the Supreme Court of New York and was named the Chief Clerk and Executive Officer in 1983, a position that he held for six years. In 1989, Chief Judge Lippman was appointed Deputy Chief Administrator for Management and in 1995 he was appointed by then Governor George Pataki as Judge of the New York Court of Claims and reappointed by the Governor to a full nine year term in 1998.

In May 2007, Governor Eliot Spitzer appointed Judge Lippman to serve as the Presiding Justice of the Appellate Division of the Supreme Court, First Department, one of the largest and most influential appellate courts in the country. In February 2009, Governor Patterson appointed Judge Lippman to serve as the Chief Judge of the State and Chief Judge of the Court of Appeals.

Chief Judge Lippman has dedicated himself to fostering a justice system that is independent, open, accountable and responsive to the people it serves. As the longest tenure he played a central role in many reforms in New York's Judiciary, including problem-solving community courts, drug courts, and domestic violence courts; specializing in commercial and matrimonial parts; overhauling the state's jury system; and opening Family Court to the public. He has Championed equal access to justice issue and taken an active leadership role in identifying permanent funding stream for civil legal services, addressed the systemic causes of wrongful convictions, and reformed New York's juvenile system.

In 2008, Chief Judge Lippman received the William H. Rehnquist Award for Judicial Excellence, presented each year by the nation's Chief Justice to a state court judge who exemplifies the highest level of judicial excellence, integrity, fairness, and professional ethics.

Stephen Koff, in 30-plus years in journalism, has made sense of the complex, exposed corruption, and covered stories ranging from national tragedies to entertainment. (Which is why when he as assigned to cover the explosion of the space shuttle Challenger, another reporter was heard to grumble, "They are sending the freakin' film critic.")

A high school dropout, Koff took a circuitous rout to daily journalism getting a GED and a bachelor's degree while earning money playing bass in bar bands, and later earning a master's degree. He has been on the staffs of Cincinnati Magazine, the St. Petersburg Evening Independent, the St. Petersburg Times, and The (Cleveland) Plain Dealer. In 1998, he became The Plain Dealer's Washington bureau chief.