

NEW YORK STATE UNIFIED COURT SYSTEM



2012 LAW DAY AWARDS
PRESENTATION

Jonathan Lippman
Chief Judge

A. Gail Prudenti
Chief Administrative Judge

NEW YORK STATE COURT OF APPEALS
ALBANY, NEW YORK

MAY 1, 2012

MEDAL OF VALOR

Sergeant Robert Kowal

Court Officer Michele Lynch

Court Officer Michael Mathisen

Court Officer Scott Truex



JUDICIAL EXCELLENCE AWARDS

Distinguished Jurist Award

Hon. Janice M. Rosa

Lifetime Achievement Award

Hon. Bernard J. Fried

Presentation of Awards

Honorable A. Gail Prudenti

Chief Administrative Judge of the Courts

As we assemble at our stately Court of Appeals Hall this Law Day, pausing to consider the vital role our judicial system plays in safeguarding our basic liberties, we join Americans across New York and the country taking part in events commemorating our nation's rule of law. While Law Day is a time of celebration, our Law Day theme this year—"No Courts, No Justice, No Freedom"—serves to remind us of the myriad challenges facing state judiciaries nationwide as they grapple with growing caseloads and diminished resources. In keeping with a long-standing Unified Court System tradition, we set aside this portion of our Law Day ceremony to acknowledge our dedicated judges and nonjudicial employees, whose hard work, innovative spirit and perseverance continue to carry us through these austere times, helping ensure that our courts remain open and accessible to the public.

Today, we pay special tribute to six extraordinary individuals for their outstanding contributions to New York's Judiciary and their unwavering commitment to the fulfillment of our core mission to administer fair, meaningful justice. I am delighted this Law Day to present four members of our court officer corps with the prestigious Medal of Valor for their exceptional courage and presence of mind in averting what could have been a large-scale tragedy when a gunman opened fire at the entrance of Orange County's Middletown City Court on the morning of February 8, 2012.

It is also my privilege today to honor two exemplary members of the New York State bench for their unparalleled dedication and leadership in advancing the quality of justice. Each of these esteemed jurists will receive the Unified Court System's newly established Judicial Excellence Award, one earning the courts' Distinguished Jurist Award, and the other, our Lifetime Achievement Award.

On behalf of today's honored guests, their families, colleagues and the entire Unified Court System, I wish to thank Chief Judge Jonathan Lippman, the Associate Judges of the Court of Appeals, the Presiding Justices of the Appellate Divisions and the New York State Attorney General for their support of this awards presentation.

2012 Law Day Awards

2012 Medal of Valor

Robert Kowal

Sergeant, Middletown City Court



Michele Lynch

Court Officer, Middletown City Court



Michael Mathisen

Court Officer, Middletown City Court



Scott Truex

Court Officer, Middletown City Court



2012 Medal of Valor

Four members of the Unified Court System's highly trained corps of officers displayed extraordinary heroism, vigilance and presence of mind—potentially saving numerous lives—on February 8, 2012, when a man brandishing a shotgun entered the vestibule outside Middletown City Court just a few minutes past 9:00 a.m.

Middletown City Court Officer Michael Mathisen, who at the time was stationed in the court's lobby, quickly spotted the gun-toting man through the court's glass entrance. He immediately shouted "gun" to alert nearby Officer Scott Truex and Sergeant Robert Kowal. Within seconds, the gunman fired into the court's lobby, his shot wounding Officer Truex in the left forearm and penetrating the wall of one of the lobby's public restrooms. As Officer Mathisen and Sergeant Kowal took up defensive posts near the court's magnetometers, an injured Officer Truex guided members of the public, including a woman with a baby, out of harm's way and into an adjacent courtroom. The gunman then fired a second shot—which hit the court lobby's front desk, ricocheting past the sergeant and into another of the court's public restrooms—with Officer Mathisen and Sergeant Kowal returning fire and striking the shooter, who succumbed to his wounds. Another of our heroes that fateful morning, Officer Michele Lynch, was inside the courtroom as the incident unfolded. She is credited with safely leading people from the courtroom to an outside location at the rear of the courthouse.

It was later revealed that the gunman, who had an arrest record, a history of mental illness and had previously faced charges for menacing the mayor's daughter, was carrying a fully loaded 12-gauge shotgun and 38 rounds of ammunition. One can only imagine the degree of tragedy and chaos that might have ensued but for the swift, skillful and coordinated actions of our four heroes. And so, it is with tremendous gratitude and pride that we present these four outstanding individuals—Sergeant Robert Kowal, Officer Michele Lynch, Officer Michael Mathisen and Officer Scott Truex—with the courts' highest honor, the Medal of Valor, for their exceptional courage and selfless service to the court system and greater community. I am also delighted to welcome to the program New York State Senator John Bonacic, chairman of the Senate's Judiciary Committee, and City of Middletown Mayor Joseph DeStefano. Mayor DeStefano will present the four officers with keys to the city in appreciation of their heroic efforts.

Distinguished Jurist Award

Justice Janice M. Rosa

Family and Supreme Courts, Eighth Judicial District

Tireless in her pursuit to improve outcomes for families in crisis seeking resolution of their complex matters in our courts, the Honorable Janice Rosa is nationally renowned for her expertise in family and matrimonial law as well as in issues relating to domestic violence. She currently wears two hats in the courts' Eighth Judicial District—located in Western New York and comprising eight counties—holding the titles of Supervising Judge of the Family Courts and Supervising Judge for Matrimonial Matters. At the same time, Justice Rosa manages a busy court calendar, traveling to courts around the Eighth District to preside over divorce and other matters, also working on initiatives aimed at implementing and expanding best practices in our courts and fostering judicial leadership. Additionally, she is an active member of numerous associations and sits on a variety of boards and committees, including the Board of the National Council of Juvenile and Family Court Judges, with her list of endeavors going on and on.

Justice Rosa's tenure with the Unified Court System started in Erie County Family Court, where she worked as a law clerk to a Family Court judge prior to her 1994 election to the County's Family Court and subsequent election, in 2003, to the Supreme Court bench. Over the course of an illustrious court career, Justice Rosa has proven an innovative leader, establishing strong partnerships with the local bar, community leaders and others, and helping devise protocols for problem-solving court models that have enhanced the processing of cases involving domestic violence, child custody and other critical matters. Justice Rosa has also been a prolific contributor to legal education and judicial seminars hosted by the courts, bar associations and other groups, addressing topics ranging from permanency planning issues in child-protective cases to judicial leadership.

An inspirational force in the Eighth Judicial District and beyond, Justice Rosa embodies the highest ideals of judicial service. We are delighted this Law Day to honor her with our Judicial Excellence Distinguished Jurist Award for her unflagging efforts as judge, educator, mentor and leader, and her invaluable contributions to the Unified Court System and those it serves.

Lifetime Achievement Award

Justice Bernard J. Fried

New York County Supreme Court, Commercial Division

Justice Bernard Fried is a pillar of New York's legal community, widely regarded for his keen intellect, sterling character and unparalleled dedication to the legal profession and public service. A former federal prosecutor and law clerk (from January 1969 to June 1970) to then-Associate Judge Charles Breitel of the New York Court of Appeals, he began his legal career as a member of the U.S. Army's Judge Advocate General Corps and for nearly the past 32 years has admirably served our state bench, first in New York City Criminal Court, later in Bronx County Supreme Court, and most recently in New York County Supreme Court, where he now sits in the Commercial Division.

In addition to his distinguished judicial service, Justice Fried has contributed to a variety of legal education programs, including the New York State-Federal Judicial Council Seminar on expert witnesses, the Federal Bar Council Winter Meetings and the International Moot Courts in The Hague. He also served on the courts' Commission on the Jury—whose recommendations led to significant reforms to New York's jury system—and is a member of a new task force commissioned by the Chief Judge to ensure the continued high standing of New York's Commercial Division, which plays a crucial role in promoting the state's economic vitality. For 27 years, from 1981 to 2008, Justice Fried shared his vast expertise with—and imparted his uncommon wisdom to—countless aspiring attorneys in his role as an adjunct law professor at Brooklyn Law School, his alma mater.

Justice Fried's impressive résumé reflects his unbridled energy, passion for the law and leadership. As his peers will quickly tell you, he is always among the first to take on additional work or sign up for a new committee. Consistently demonstrating the highest level of judiciousness, integrity and compassion, Justice Fried has earned numerous accolades over the years. Sadly, Justice Fried will be retiring in July. His presence on the bench will be sorely missed, and we wish him well as he moves on to new pursuits. In gratitude of Justice Fried's long-standing service to the New York courts and legal community, we proudly present him with our 2012 Judicial Excellence Lifetime Achievement Award.



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