

John J. McCloy Award

Thank you Judge Wilson. Your remarks are much appreciated, but far too kind.

I am very moved to be honored today for a number of reasons.

First, Judge Barbara Jones, who is also being honored, is one of the great New York judges of recent times and has distinguished herself as the embodiment of impartiality and fairness. I have both won and lost cases before Judge Jones, but I always knew that her rulings were going to be thoughtful, unbiased and fair. It is thus a privilege to be recognized alongside her.

Second, two other great figures of New York law, Dean John Feerick and Mary Jo White, are two of the presenters. Dean Feerick's reputation for independence and fairness is so pervasive that many of us refer to him with the nickname Honest John. And Mary Jo White has led a career of government service and private practice that should inspire all of us.

Most fundamentally, however, I am gratified to be honored by this particular group — the Fund for Modern Courts — whose mission of judicial independence and equal access could

not be more important at a time when our greatest challenges involve preserving the rule of law and protecting civil rights.

I don't have to tell anyone in this room how challenging a world we live in. The rule of law has come under attack, and the independence of our judiciary has been repeatedly challenged. Partisan divide has become so severe that our common set of values are threatened. Equal access to Justice remains a work in progress. And hate and prejudice continues to raise its ugly head both globally and in this country.

In these challenging times, we each have an obligation to use the tools and resources we have, as members of the bar, to stand up for the rule of law, to support a strong judicial system, to fight for equal access to our courts, and to unite against those demagogues who seek to turn one group against another and promote hate and division.

The courts, and an independent, impartial, non-partisan judiciary are one of the most important guardrails we have against the discrimination, hate and divisions that we wake up to see on our news each day. And the Fund for Modern Courts is devoted to keeping our judiciary fair, independent and strong.

We do not all have to agree about policy or politics. I am receiving the John J. McCloy award but, frankly, there were some decisions made by McCloy during his storied career with which I would not have agreed. But the reason I am proud to

receive the McCloy award is because even though I would not always agree with him on a policy choice, his career was devoted to impartial, unbiased, non-partisan public service, and an unwavering commitment to the courts, the rule of law and equal access to justice. Those are values which can unite all of us, and they are the values which are supported by the Fund for Modern Courts.

In short, my challenge to each of you is to not be passive during these troubled times. We have the privileges and resources to work to protect the rule of law, to protect our courts, and to protect those who do not have the resources that we do. As a born optimist, I believe we can and will overcome the current troubles we face, but this will only happen if we work together with organizations like the Fund, to take a united stand.

Thanks again for this honor.