

Fund for Modern Courts
Susan Kohlmann Remarks
October 21, 2024

Thank you so much Chief Judge Wilson for your kind remarks. I so appreciate your taking time out of your busy schedule to be here tonight. And most importantly, thank you for adding your name to the long list of illustrious New York Chief Justices who have an ambitious vision of our justice system. At this moment in our history, we desperately need our institutions to be strong and durable, dare I say modern. As you have said, and as is the mission of the Fund for Modern Courts, we must come up with solutions to modernize the provision of justice by “preserving the best of the past while we reach for the future.” To be sure, our institutions are not perfect, overturning them and the rule of law is not the answer.

First, what a delight to be honored alongside Janet Sabel. I can think of no more deserving recipient of the Fern Schair Public Service Award than Janet who has devoted so much of her professional life to the very issues embraced not only by Fern but by the Fund For Modern Courts and that brought all of you here to celebrate tonight. I think we can all agree that we are going to take you up on your challenge Janet, and we are going to be pathfinders and path-changers and we are going to help you found that necessary group of advocates who can complement and work with all the lawyers in the room. And we look forward to doing that.

And it is a very special honor for me to be the first recipient of the Robert M. Kaufman Memorial Award for many reasons. As you heard, Bob, a giant of the bar, was a child of the Holocaust, who made his way out of Vienna on the Kinder Transport to England and then to the United States in 1939. My parents, like Bob, were holocaust survivors, my father arriving here from West Germany in 1938, my mother, who turned 100 last month, arriving here via Paris, Spain, and Portugal in 1941. Bob Kaufman’s life experience led him to first and foremost focus on giving back, standing up for those who needed it most through many organizations including this one which he led and supported steadfastly.

I am struck by how many things on which Bob took a stand are issues that are front and center today, for all of us. Bob, back in 1972 urged the adoption of the Equal Rights Amendment calling it “the best means of establishing equality.” What would he say more than 50 years later when in two short weeks it will be on the ballot in New York? VOTE! And in 1987, when Robert Bork was nominated to the Supreme Court, Bob who served then as President of the City Bar and co-chaired the City Bar’s then ad-hoc committee on the nomination, testified before the Senate Judiciary Committee because so many were concerned that Bork lacked respect for the court’s many precedents and Bork’s views could lead to the overturning of *Roe v. Wade*. Fast forward nearly 40 years and well, here we are. Bob Kaufman was undeterred in speaking out and I am honored to be the first recipient of this award renamed in his honor.

I think if Bob were here he would be exhorting us all to stand up, speak out and as lawyers fight for the rule of law.

Today, as we are almost two weeks away from the election, we need the Fund for Modern Courts and all of you committed to its mission now more than ever. Until now, like most people, I thought the things we are experiencing today couldn’t happen here. But of course we see today that it happens through repetition of lies about our justice system until a critical mass of people believe the lies. And the rest of us become numb or burned out or normalized to rhetoric as terrible things are spoken into existence. Our justice system and our judges were the most important defense we had in the aftermath of the November 2020 election and we need to stand with them in the coming weeks and months. It can and is happening when leaders politicize the judicial process and intimidate those who carry it out, or those who speak out. It can happen when we all think someone else will save us. Standing up for the rule of law is not about politics. It’s not about left v. right. It is about right vs. wrong.

Your presence here tonight is so important because it is the very mission of the Fund for Modern Courts that we must support. As Chief Judge Wilson, Janet Sabel, and of course, Robert Kaufman and Fern Schair, exemplify for us, let us not waiver in our focus to strengthen our justice system, through the change we can work on together protecting the independence of our judges and improving access to justice for all. I would say raise a glass but

in this room I say Lift the Cap, Raise the Cap, do the Math. Let's get that constitutional amendment passed in a year.

Thanks so much to all of you for being here tonight, especially my colleagues from Jenner & Block who are here in force, so many friends from the City Bar, different organizations I have been involved with and across the City, and so many personal friends and family who came out not just to support me but of course the Fund for Modern Courts.

Thanks so much for this honor.