

New York State Bar Association

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TESTIMONY OF
VINCENT E. DOYLE III
PAST PRESIDENT, NEW YORK STATE BAR ASSOCIATION
CHAIR, COMMITTEE TO REVIEW JUDICIAL NOMINATIONS,
CONCERNING THE APPOINTMENT OF
ROWAN D. WILSON AS
ASSOCIATE JUDGE OF THE COURT OF APPEALS

NEW YORK STATE SENATE JUDICIARY COMMITTEE

FEBRUARY 6, 2017

ALBANY, NEW YORK

Senator Bonacic, members of the Senate Judiciary Committee, ladies and gentlemen:

My name is Vincent Doyle, and I am a Past President of the New York State Bar Association and the current chair of the Association's Committee to Review Judicial Nominations. It is my privilege to appear before you today in support of the appointment of Rowan D. Wilson as Associate Judge of the New York State Court of Appeals. On behalf of the Association, I thank you for the opportunity to testify concerning Mr. Wilson's qualifications for that position.

I would like to outline for you the process by which our Association evaluates Court of Appeals candidates. Our Committee to Review Judicial Nominations is appointed by the Association's President and made up of seventeen members (and four alternate members) from across New York State. Every judicial district is represented on the committee. Consistent with the overall policies of our Association, the committee appointments reflect the diversity of our membership and society as a whole - a diversity of race, gender, geography and thought. Members are also selected so that a wide variety of practice areas are represented, with a special emphasis on appellate practice. Upon the announcement by the Commission on Judicial Nomination of its list of candidates for appointment to the Court of Appeals, our committee chair appoints subcommittees to investigate the qualifications of each candidate. These subcommittees review biographical material provided by the candidates, read samples of the candidates' writings, and interview

persons familiar with the candidate's work, background and character. In the case of judges who have been nominated, the subcommittees include in their interviews lawyers who have appeared before the judge. Finally, the subcommittees meet with the candidates. Based on the information gathered during the investigation process, the subcommittees prepare reports and recommendations concerning the candidates to present to the full committee.

After the completion of the investigations, the committee meets as a whole to review the subcommittee reports concerning the qualifications of each candidate and to personally interview the candidates. In the case of candidates who were recently interviewed by the committee in connection with prior nominations, personal interviews are sometimes waived. The committee then votes to determine the candidates' rating. In making their evaluations, the committee members are asked to consider the candidates' professional ability and experience, character, temperament, and the possession of the special qualities necessary or desirable for the judicial office sought.

With respect to the present nomination, we have found Mr. Wilson to be Well Qualified to serve as an Associate Judge of the Court of Appeals. A "well qualified" candidate is one who, in addition to possessing the qualities necessary for service as Associate Judge, possesses pre-eminent qualifications for that judicial office. "Well Qualified" is our highest rating.

Mr. Wilson was previously nominated for the position of Associate Judge in 2013, 2014 and 2015, and for the position of Chief Judge in 2015. After being selected as a candidate by the Commission on Judicial Nomination, Mr. Wilson's qualifications were evaluated by our committee in accordance with our procedures. As a result of this investigation and interview, it was the opinion of our committee that Mr. Wilson is well qualified for the position of Associate Judge of the Court of Appeals.

Mr. Wilson possesses strong skills that we believe will serve him well as an Associate Judge. He has been a partner at Cravath, Swaine & Moore since 1992 and has handled a wide variety of cases, including complex commercial and civil rights matters. Currently he supervises the firm's pro bono work. He is the Board Chair of the Neighborhood Defender Service of Harlem, a public defense practice that seeks to provide both criminal defense and social service support for its clients. He is well-known among the lawyers and judges of this state for his intellect, diligence and professionalism.

On behalf of the New York State Bar Association, I am pleased to endorse Rowan Wilson's appointment to the Court of Appeals and urge the confirmation of his appointment.

Thank you for your attention and for inviting participation by the New York State Bar Association in this important process.