

INDUCTION

of

HON. DANIEL R. PALMIERI

Supreme Court Justice

COUNTY of NASSAU
STATE of NEW YORK

Nassau County Supreme Court
Mineola, New York 11501
10th day of January, 2011

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JUDGE MARANO: And now, as to the induction of the Honorable Daniel R. Palmieri, we're going to be hearing from Mary Ellen O'Brien, parentheses, Palmieri. It's the lovely and beautiful wife of Judge Palmieri. Please welcome Mary Ellen O'Brien.

(Applause)

MS. O'BRIEN: My husband, Daniel -- and I am sorry, dear, I have to do this -- Rocco Palmieri asked me to address you today to attempt to convey to you what it means for him to become a Justice of the Supreme Court.

It is for Dan and for our immediate family, many of whom are gathered here today, a sombre and reflective occasion for this past Friday we gathered in the cold and whirling snow at Calverton National Cemetery to celebrate the life of the youngest of the ten first-generation Italian Americans born to the Palmieri family, Francis W. Palmieri, Uncle Frank, who many of you will remember was a practicing attorney for close to 50 years in the Richmond Hills area of Queens.

21 Uncle Frank joined his brother, his older brother,
22 Savino Palmieri, Uncle Sam, in the profession of the law.
23 Uncle Sam and Uncle Frank dedicated their practice to the
24 representation of the newly arrived emigre who didn't even
25 know they had rights that could be asserted, much less

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1 protected under the law. Under Uncle Frank and Uncle Sam's
2 tutelage, Dan apprenticed in the profession of the law.

3 Uncle Sam also started another relationship with a
4 community that would prove to be a turning point in Dan's
5 life and be the rock upon which he would pursue his career
6 in the law. Uncle Sam was privileged to be amongst one of
7 the first graduating classes of the Vincentian community's
8 newly established School of Law at St. John's University.

9 During his high school years Dan preferred to
10 model himself more after "The Fonz" rather than Richie
11 Cunningham. He rebelled against institutionalized learning.
12 His record in high school did not seem to identify him as a
13 person who should pursue college, much less higher
14 education.

15 Dan tells me that it was about this time a
16 trainer, a horse trainer at the Belmont track, approached
17 him and offered, because of his stature, to train him to be
18 a professional jockey. He tells me he toyed with the idea.
19 Personally, I have a lot of trouble picturing that
20 relationship between Dan and a horse and I know that the

21 horse is thankful every day that Dan disavowed himself of
22 that idea.

23 So under the urging of his parents, Rocco and
24 Rosaria, Bob and Sadie Palmieri, and the support of his
25 uncles, Dan sat for the college entrance examination. He

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1 excelled. He applied to several local universities, but
2 only one would be curious enough to explore that disconnect
3 between his high school record and the score on that
4 entrance examination. As Dan tells the story, an admissions
5 officer at St. John's University called him for an
6 interview. Impressed, he asked Dan to sit for St. John's
7 entrance examination on which he scored comparably.

8 The rest is history. He was offered a slot as a
9 freshman in the incoming undergraduate class of the
10 university. Dan, for his part, recognized that he had been
11 given an incredible gift that he did not deserve. He
12 applied himself to his studies and distinguished himself as
13 an undergraduate, so much so that St. John's offered him the
14 opportunity to spend his final year of undergraduate work as
15 a first year law student in their School of Law. Dan
16 continued to distinguish himself in the pursuit of the
17 profession of the law and under St. John's tutelage he
18 learned that it was a profession that carried with it great
19 responsibilities.

20 Although graduating as one of the top in his

21 class, Dan still found it hard to find employment as an
22 attorney upon graduation. No prestigious New York City
23 firms were breaking his door down. We all know "The Fonz"
24 would never have worn suspenders anyway. Dan joined a
25 banking institution as a young attorney in their real estate

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1 division.

2 One of those firms, however, within a very short
3 year would realize they made a terrible mistake. Dan,
4 representing a client from the bank, would be opposite the
5 senior partners of Dewey Ballantine. Upon the completion of
6 the transaction, those partners offered Dan the opportunity
7 to have a partnership track position at the firm. This was
8 heady stuff for the son of a first-generation Italian
9 American.

10 Dewey Ballantine offered Dan many new
11 opportunities. He got to take his first airplane trip. He
12 traveled beyond the Metropolitan United States working on
13 many real estate deals. In fact, it is difficult even today
14 to travel with Dan anyplace in the United States, whether
15 you're going to a wedding in the West Virginia coal mines or
16 on vacation in California, where he hasn't been involved in
17 some real estate transaction.

18 Dan's career path seemed envious, but as we all
19 know, the partnership track at a firm such as Dewey
20 Ballantine comes at a high cost. Dan, as a member of a

21 large Italian American family, had not just been taught the
22 value of work, but also the importance of family. His work
23 was making him travel a great deal of the time, leaving home
24 his high school sweetheart, Mary Ann, and their two young
25 daughters, Carolyn and Christine, to fend for themselves.

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1 Longing to create a balance in his life that would
2 allow him to continue in the business of the law as well as
3 develop in the profession of the law, Dan came in contact
4 with another Celt, Jack English, then the founding member of
5 the firm known as English, Cianciulli, Reisman & Perez. I
6 never met Jack English, but from the stories I hear, he made
7 an incredible impression on a group of young Long Island
8 attorneys. Jack English followed the law as if it were a
9 religion. It was not to gain success and power and
10 financial reward, but rather to use that success and power
11 and finance to dedicate yourself to public life.

12 Dan joined Jack English's firm. He got involved
13 in political and public life. He built a national
14 commercial real estate practice and eventually became
15 in-house counsel for one of his clients. His career seemed
16 to be made.

17 But fate would dictate another change. Mary Ann
18 would not be given the gift of years and with her passing
19 Dan was given another opportunity to reevaluate the lessons
20 he had learned from his parents, Uncle Sam, Uncle Frank,

21 St. John's University and Mr. English. Dan was also,
22 because of the successes he had had, in the unique position
23 where he could forgo further financial reward that comes
24 with private practice and dedicate himself to the judiciary.
25 Dan became or had the privilege of serving as a

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1 District Court Judge, a County Court Judge, seeking
2 re-election and losing a County Court seat, returning to
3 private practice with the support of his two former
4 partners, David Perez and Seymour Reisman, rising again as a
5 County Court Judge and ultimately as a Supreme Court
6 Justice.

7 You would think for Dan the attainment of this
8 goal of Supreme Court Justice would be the culmination of a
9 career. It is not. It is but a new beginning. And Dan
10 wanted me to express his appreciation to all of you for the
11 help and support that got him to this place. Thank you.

12 (Applause)

13 JUDGE MARANO: Now to administer the oath of
14 office, the Honorable Joseph W. Bellacosa, Judge of the New
15 York State Court of Appeals. Judge Bellacosa.

16 JUDGE BELLACOSA: Before I administer the oath, I
17 want to say thank you to Judge Marano and particularly to
18 Dan for the privilege of participating in this induction
19 ceremony. I entered this courthouse in about 1965 as a law
20 clerk to Judge Marcus Christ of the Appellate Division and

21 eventually the Presiding Justice and I was privileged to be
22 his law secretary. So it's an extraordinary feeling to walk
23 back into this courthouse and to be asked to participate in
24 the program.

25 I think, though, that Dan Palmieri asked me to do

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1 this just so that you could all have the sense that there is
2 life after judging, that I'm alive and well, albeit in the
3 Yankee hinterlands of Ridgefield, Connecticut. And I think
4 the other reason, since St. John's has been mentioned, is
5 that with his intelligence and integrity and his commitment
6 to public service, as are so many people in this room,
7 especially the Judges all of whom I still consider
8 colleagues, with all of those qualities, I could think of
9 nothing less for someone from St. John's alumnus.

10 So with that, Dan, I'm going to ask you to raise
11 your right hand and have Mary Ellen stand alongside of you
12 and repeat after me.

13 (Oath of office duly administered)

14 (Applause)

15 JUDGE PALMIERI: Members of the dais, honored
16 guests and speakers, inductors, Father John, my colleagues
17 here who have joined us today and who are probably worrying
18 about the mountain of work that's waiting for them in their
19 chambers, I want to thank you all.

20 You know, this is the part where we give our

21 thanks to the people who helped us get here. This is an
22 important matter. It's not trivial. It's deserved because
23 we don't do this alone.

24 My first thanks are to you, the audience, for
25 being here in the first place. Your presence honors us. By

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1 your being here, you demonstrate your faith and confidence
2 in the institution that is our system of justice. Put
3 another way, if you didn't think highly of and have respect
4 for our judiciary, then our service as such would not be
5 important enough to prompt you to come. So once again, my
6 thanks to you for your attendance and participation, of
7 course, by the dais and honored guests.

8 Now, our political parties, let me say a word
9 about that. We all know that we live and function in an
10 elective system. I'm not going to debate the wisdom of
11 that, but because of it, we work within that political
12 structure. And for me that started with the Garden City
13 Republican Association and its leader, Kemp Hannon, assisted
14 by Jackie Vita, who advocated for me and promoted my goals.

15 Next, what can I say about Chairman Mondello? He
16 has been a supporter since District Court days. You know,
17 we don't get the chance to participate without our political
18 leaders. They, all the parties, have awesome
19 responsibilities which they perform with dignity, honesty
20 and respect for the system. So for that, Chairman, I

21 heartily thank you.

22 Chairman Mondello is backed up by a core of

23 dedicated leaders and elected officials, some of whom I see

24 in the audience here today. But two who deserve special

25 mention you've already heard named. Anthony Santino.

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1 Anthony gave us our confidence and support during some tough
2 times. He is an eminent political strategist. Joseph
3 Cairo, who worked tirelessly to get the vote out and by his
4 own diligence and work sets an example and raises the bar
5 for us to follow him.

6 That we run in two counties for Supreme Court,
7 that is, Nassau and Suffolk, we found Suffolk County
8 energized by the efforts of Chairman John LaValle and his
9 deputies and some of the assistants who I've met, some of
10 whom may be here. I'll mention Steve Losquadro, who was
11 always responsive to us during the campaign.

12 And then you heard mention of the Conservative
13 Party, whose impact in this last election cycle cannot be
14 underestimated. For that we thank Messrs. Dan Donovan and
15 Ed Walsh, Nassau and Suffolk Chairs. Now, I think that
16 having a wife named O'Brien may have helped a little bit
17 there in that department and we'll let it go at that.

18 Finally, Mr. Kumar of the Independence Party, who
19 extended his support to me even when his own party went in
20 another direction.

21 So it can't be done without the support of the
22 political parties who put their energy and prestige behind
23 us and who well deserve the thanks I'm offering them today
24 and which you're hearing from the others.

25 Next we have a committee. Sal and Donna Pontillo

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1 put their own careers and plans in neutral and lent their
2 energy and advice. Peter and Francine Roach took charge of
3 the finances, kept the books and paid the bills. Campaign
4 strategist Ken Cynar and Donna, his wife. I coached Ken out
5 of political retirement because I valued his wisdom and
6 counsel. Numerous others helped, particularly Thomasina and
7 Anthony Mastroianni, attorneys who practice law as husband
8 and wife together, as well as numerous others. Also Reisman
9 & Perez, the law firm and the partners there always had my
10 back.

11 Finally, the courthouse committee. Judge Marano,
12 you gave me assignments that allowed me to display my
13 abilities to the profession. My staff, Philip Weis and
14 Carol Peluso, who by their skills made me look good to the
15 public. Our clerks, such as Kathy Hopkins, and our court
16 officers, who also make us look good.

17 Now, this is a culmination of a life's body of
18 work and many of you here represent significant building
19 blocks in my career. Mary Ellen, my wife, who put her own
20 ambitions on hold, is my first source of counsel and whose

21 advice has always been valued. She has made her own
22 personal and financial sacrifices for my benefit and cannot
23 be thanked enough.

24 My family as well. Some of them you've heard
25 mentioned are no longer here. My parents are gone. Mary

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1 Ann, my first wife, had left us when I went on the District
2 Court. Aunts and uncles. You heard about Uncle Sam and
3 Uncle Frank, who survived the Great Depression and a world
4 war, to become my role models and inspiration.

5 And I always wanted the family to be proud of my
6 legal career. So the desire to please and bring honor to
7 the family, my friends and colleagues has, I believe, been a
8 major motivating factor in the things that I've done.

9 Having a Judge in the family with immigrant roots is a great
10 source of pride and I hope that the next generation, and
11 some of them are here today, can build on the little bit
12 that I have done.

13 My extended family. Our extended family helps to
14 make us what we are, and not just the relatives, many of
15 whom are here. That extended family includes the family at
16 St. John's University, who you've already heard about. In
17 the desire to do public service, of which Judge Bellacosa is
18 a prime example, the St. John's family has been a constant
19 source of inspiration to me.

20 My family at the Nassau Bar Association, the

21 Columbian Lawyers and other professional organizations were
22 a source of support because they gave us an opportunity to
23 form professional relationships and friendships. Our
24 friends in the Indian-Asian communities who worked so hard
25 to deliver my message there, who I hope may be represented

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1 here by the Chopra family. Our fellow parishioners at Saint
2 Anne's Church. Our neighbors in Garden City where I was
3 provided with an overwhelming vote on election date.

4 So where are we going here? I said at the start
5 that we don't do this alone. We may arrive by different
6 paths. In my case I owe thanks to all those who helped my
7 creation or formation or who helped make me what I am. For
8 my part, I will strive to justify your beliefs in my
9 abilities and your respect for the institution of justice as
10 we know it to be.

11 Once again, I thank you all for being here.

12 (Applause)

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