

**State of New York
Commission on Judicial Nomination**

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October 14, 2021
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FOR IMMEDIATE RELEASE

**The Commission on Judicial Nomination Releases List of Seven Nominees In
Connection with Upcoming Vacancy**

Under New York's Constitution, the Commission on Judicial Nomination is charged with evaluating, and then recommending to the Governor, candidates to fill vacancies on the State's highest court, the Court of Appeals of the State of New York. The Commission vigorously seeks out, carefully evaluates and then nominates to the Governor well-qualified candidates from the extraordinary, diverse community of lawyers who have been admitted to practice in New York State for at least 10 years.

In connection with the coming vacancy on the Court created by the mandatory age retirement of Associate Judge Eugene M. Fahey, as of December 31, 2021, the Commission today released its Report to the Governor. The Report contains the names of seven candidates who in the Commission's collective judgment are well qualified, by virtue of their character,

temperament, professional aptitude, experience, qualifications and fitness for office, to fulfill the duties of that high office.

The Commission's Report follows outreach efforts that were conducted through public announcements and individual solicitations of applications. These efforts resulted in the receipt of 34 applications. The applicant pool was diverse. Of the 34 applicants, 15 (44%) were women and 10 (29%) of diverse backgrounds. The Commission ultimately interviewed 18 candidates, of whom 11 (61%) were female and 7 (39%) were ethnic minorities or otherwise diverse. The Commission interviewed candidates from around the State, of varying personal and professional backgrounds, and drawing from the bench, the practicing bar and academia.

E. Leo Milonas, Chair of the Commission, stated, "I am gratified at the extraordinary quality and diverse backgrounds of our applicants. That so many exceptional candidates were motivated to apply demonstrates the remarkable strength and depth of the legal profession in the State of New York."

The Commission's seven nominees (in alphabetical order) to the Governor are:

- Hon. Francesca E. Connolly, Associate Justice, Appellate Division, Second Department;
- Timothy P. Murphy, Esq., Assistant Federal Public Defender in the Appeals Unit of the Federal Public Defender's Office for the Western District of New York;
- Hon. Erin M. Peradotto, Associate Justice, Appellate Division, Fourth Department;
- Hon. Stan L. Pritzker, Associate Justice, Appellate Division, Third Department;
- Corey L. Stoughton, Esq., Attorney-in-Charge, Special Litigation and Law Reform, The Legal Aid Society;
- Hon. Shirley Troutman, Associate Justice, Appellate Division, Fourth Department; and
- Hon. Joanne M. Winslow, Associate Justice, Appellate Division, Fourth Department.

By law, the Governor is required to make her appointment from among this list no sooner than November 15, 2021 nor later than December 1, 2021. The State Senate then, within 30 days after receipt of the Governor's choice, must confirm or reject the appointment.

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October 14, 2021

The Honorable Kathy Hochul
Executive Chamber
State Capitol
Albany, New York 12224

Dear Governor Hochul:

As Chair of the Commission on Judicial Nomination, it is my privilege to report to you on behalf of the Commission, pursuant to Article 6, Section 2 of the Constitution, and Section 63(3) of Article 3-A of the Judiciary Law, the names of seven candidates for your consideration for appointment to the office of Associate Judge of the Court of Appeals of the State of New York. These candidates in the collective judgment of the Commission are well qualified, by virtue of their character, temperament, professional aptitude, experience, qualifications, and fitness for office, to discharge the duties of that high office. The coming vacancy in that office is the result of the mandatory retirement of Associate Judge Eugene M. Fahey by reason of age, as of December 31, 2021.

In assembling the Candidate List, the Commission complied with its mandate to “conduct broad outreach to encourage wide participation in the application process.” 22 N.Y.C.R.R. § 7100.6. For example, the Commission disseminated statewide notice of the vacancy and application procedure and continued its outreach efforts through the date of the application deadline. Notice was sent to the media, bar associations, New York law schools, and members of the judiciary. The Commissioners also engaged in individual solicitation of applications by qualified candidates.

The Commission's outreach efforts were successful. These applications provided the Commission with a pool of 34 candidates for the Judge Fahey vacancy. Of the 34 candidates, 15 (44%) were female and 10 (29%) were of diverse backgrounds.

The Commission met on October 11, 2021 and October 12, 2021, to conduct virtual interviews of 18 candidates who applied for the Judge Fahey vacancy. Of those 18 candidates interviewed by the Commission, 11 (61%) were female and 7 (39%) were ethnic minorities or otherwise diverse. The Commission interviewed candidates from around the State, of varying personal and professional backgrounds, and drawing from the bench, the practicing bar and academia.

Consistent with past practice, Commission staff investigated the qualifications of the applicants and reported the results of each investigation to the Commission. The Commission sought by its investigations and interviews to address each candidate's character, temperament, professional aptitude, experience, qualifications, and fitness for office.

The Commission's seven nominees (in alphabetical order) to the Governor are:

- Hon. Francesca E. Connolly, Associate Justice, Appellate Division, Second Department;
- Timothy P. Murphy, Esq., Assistant Federal Public Defender in the Appeals Unit of the Federal Public Defender's Office for the Western District of New York;
- Hon. Erin M. Peradotto, Associate Justice, Appellate Division, Fourth Department;
- Hon. Stan L. Pritzker, Associate Justice, Appellate Division, Third Department;
- Corey L. Stoughton, Esq., Attorney-in-Charge, Special Litigation and Law Reform, The Legal Aid Society;
- Hon. Shirley Troutman, Associate Justice, Appellate Division, Fourth Department; and
- Hon. Joanne M. Winslow, Associate Justice, Appellate Division, Fourth Department.

Each candidate recommended for the Office of Associate Judge has been interviewed by the Commission and each has filed the financial statement required by law, which is being transmitted to you separately. A summary of the careers of the recommended candidates is attached.

Section 66(2) of the Judiciary Law provides that "[t]he governor shall have access to all papers and information relating to persons recommended to him by the commission." At your request, the Commission will furnish you with any such material or information, which requests should be directed to the Commission's Counsel, Henry M. Greenberg.

The Honorable Kathy Hochul
October 14, 2021
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Thank you.

Respectfully,

A handwritten signature in blue ink, reading "E. Leo Milonas". The signature is written in a cursive style with a large initial "E" and "M".

E. Leo Milonas
Chair

Hon. Francesca E. Connolly

Francesca E. Connolly, an Associate Justice of the Appellate Division, Second Department, was found by the Commission to be well qualified for the position of Associate Judge of the Court of Appeals based on her character, temperament, professional aptitude, experience, qualifications, and fitness for office. She was interviewed by the Commission on October 11, 2021.

Justice Connolly received her undergraduate degree (*magna cum laude*) from the State University of New York at Albany in 1979 and law degree from Pace University School of Law in 1982. She began her legal career as an Assistant General Counsel at the New York City Department of Probation and later served as Assistant to the Deputy Administrative Judge of the Family Court in Queens County. In 1985, she commenced a 25-year career in private practice, focusing on civil litigation.

In 2006, Justice Connolly was elected Town Justice of Ossining and in 2009 was appointed to fill an interim vacancy on the State Supreme Court, assigned to the Ninth Judicial District. She was then elected a Justice of the Supreme Court, Ninth Judicial District, commencing January 1, 2010, and served in that position until she was appointed an Associate Justice of the Appellate Division, Second Department, in 2016.

Justice Connolly is a frequent lecturer at bar associations, judicial institutes, and law schools, and served as Director of the White Plains Bar Association from 2013 to 2020 and Treasurer of the Association of Justices of the Supreme Court of the State of New York from 2015 to 2020.

Timothy P. Murphy, Esq.

Timothy P. Murphy, Assistant Federal Public Defender in the Appeals Unit of the Federal Public Defender's Office for the Western District of New York, was found by the Commission to be well qualified for the position of Associate Judge of the Court of Appeals based on his character, temperament, professional aptitude, experience, qualifications, and fitness for office. He was interviewed by the Commission on October 11, 2021.

Mr. Murphy received his undergraduate degree from Fordham University in 1991 and law degree from the University of Dayton School of Law in 1994. Early in his legal career, he served for four years as an Assistant District Attorney with the Niagara County District Attorney's Office. In 2001, he joined the Legal Aid Bureau of Buffalo as an Appeals Unit Staff Attorney, where he remained until 2010. In 2008, Mr. Murphy was elected Town Justice of the Town of Pendleton in Niagara County. In 2010, he entered private practice, where he represented criminal and civil clients.

In 2014, Mr. Murphy returned to the Legal Aid Bureau of Buffalo as Chief Attorney of the Appeals and Post-Conviction Unit. He remained in that post until 2019, when he joined the office of the Federal Public Defender.

Mr. Murphy lectures for the New York State Defenders Association. He has also served as Co-Chair of the New York State Bar Association Committee on Courts of Appellate Jurisdiction, Chair of the Appellate Practice Committee of the Bar Association of Erie County, and as Vice President and a member of the Board of Directors of the New York State Association of Criminal Defense Lawyers.

Hon. Erin M. Peradotto

Justice Erin M. Peradotto, an Associate Justice of the Appellate Division, Fourth Department, was found by the Commission to be well qualified for the position of Associate Judge of the Court of Appeals based on her character, temperament, professional aptitude, experience, qualifications, and fitness for office. She was previously nominated by the Commission for the position of Associate Judge of the Court of Appeals in 2014, 2015, 2016 and 2021 (twice). She was interviewed by the Commission for the Judge Fahey vacancy on October 12, 2021.

Justice Peradotto received her undergraduate degree (magna cum laude, Phi Beta Kappa) from The State University of New York (“SUNY”) at Buffalo in 1981 and law degree from SUNY Buffalo Law School in 1984. From 1985 to 1987, she worked in private practice as a trial attorney. From 1997 to 1998, she served as Assistant Attorney General in Charge of the Buffalo Regional Office of the New York State Attorney General. She returned to private practice from 1999 to 2004, when she was elected a Justice of the Supreme Court, Eighth Judicial District. In 2006, she was appointed an Associate Justice of the Appellate Division, Fourth Department.

Justice Peradotto has served on the New York State Ethics Commission for the Unified Court System since 2011 and was President of the Bar Association of Erie County from 1997 to 1998. She also served on the State of New York’s Attorney Grievance Committee for the Eighth Judicial District from 2001 to 2003. She has served as a delegate to the New York State Bar Association’s House of Delegates, a director of the Women Lawyers of Western New York, a director of the Volunteer Lawyers Project, and a director of the SUNY at Buffalo Law Alumni Association.

Hon. Stan L. Pritzker

Justice Stan L. Pritzker, an Associate Justice of the Appellate Division, Third Department, was found by the Commission to be well qualified for the position of Associate Judge of the Court of Appeals based on his character, temperament, professional aptitude, experience, qualifications, and fitness for office. He was interviewed by the Commission on October 11, 2021.

Justice Pritzker received his undergraduate degree (magna cum laude) from The State University of New York (“SUNY”) at Buffalo in 1978, a master’s degree in social work (with honors) from SUNY at Buffalo in 1980, and a law degree from St. John’s University School of Law in 1986. He attended law school at night while working full time as a social worker

for Catholic Charities, Bayside Senior Services, and the New York City Department for the Aging, in Queens, New York. From 1986 to 2004, he worked in private practice, focusing on civil litigation.

From 2005 to 2013, Justice Pritzker served as a Judge of the County Court, Washington County, and was designated an Acting Supreme Court Justice in 2007. In 2013, he was elected a Justice of the Supreme Court, Fourth Judicial District, and served in that position until he was appointed an Associate Justice of the Appellate Division, Third Department, in 2017.

Justice Pritzker serves as a member of various advisory committees and task forces. He recently was co-chair of the New York State Bar Association's Task Force on Rural Justice. From 2016 to 2017, he served as President of the Washington County Bar Association.

Corey Lynn Stoughton, Esq.

Corey Lynn Stoughton, Attorney-in-Charge, Special Litigation and Law Reform, The Legal Aid Society, was found by the Commission to be well qualified for the position of Associate Judge of the Court of Appeals based on her character, temperament, professional aptitude, experience, qualifications, and fitness for office. She was interviewed by the Commission on October 11, 2021.

Ms. Stoughton received her undergraduate degree from the University of Michigan (with high honors) in 1998 and law degree from Harvard Law School (magna cum laude) in 2002. She was Lead Submissions Editor of the Harvard Civil Rights-Civil Liberties Law Review and President and Founding Member of the American Constitution Society, Harvard Chapter. She also received the 2002 Dean's Award for Community Leadership. Upon graduation from law school, she served as a law clerk for the Honorable Cornelia G. Kennedy of the United States Court of Appeals for the Sixth Circuit. She also was a civil rights fellow at Relman & Associates and a Karpatkin Fellow at the American Civil Liberties Union.

From 2005-2015, Ms. Stoughton was a senior supervising attorney at the New York Civil Liberties Union. From 2007-2015, she was an adjunct clinical professor at New York University School of Law, where she taught the New York Civil Liberties Clinic. In 2015, she became senior counsel to the Assistant Attorney General for Civil Rights at the United States Department of Justice, Civil Rights Division. She remained in that post until 2017, when she became the advocacy director and acting director of UK Liberty (National Council for Civil Liberties). In 2020, she joined The Legal Aid Society as its Attorney-in-Charge, Special Litigation and Law Reform.

Hon. Shirley Troutman

Justice Shirley Troutman, an Associate Justice of the Appellate Division, Fourth Department, was found by the Commission to be well qualified for the position of Associate Judge of the Court of Appeals based on her character, temperament, professional aptitude,

experience, qualifications, and fitness for office. She was previously nominated by the Commission for the position of Associate Judge of the Court of Appeals in 2021. She was interviewed by the Commission for the Judge Fahey vacancy on October 12, 2021.

Justice Troutman received her undergraduate degree from the State University of New York (“SUNY”) at Buffalo in 1982 and law degree from Albany Law School in 1985. From 1986 to 1989, she served as an Assistant District Attorney with the Office of the Erie County District Attorney. From 1989 to 1992, she served as an Assistant Attorney General with the Office of the New York State Attorney General. From 1992 through 1994, she served as an Assistant United States Attorney for the United States Attorney’s Office for the Western District of New York. From 1994 to 2002, she served as a City Court Judge for the City of Buffalo. From 2003 to 2009, she served as an Acting Supreme Court Justice in Erie County. In 2010, she was elected a Justice of the Supreme Court, assigned to the Eight Judicial District, and served in that position until she was appointed an Associate Justice of the Appellate Division, Fourth Department, in 2016.

Justice Troutman has served as an Adjunct Professor at Buffalo State College and SUNY Buffalo Law School. She teaches seminars regarding diversity and inclusion in the courts, New York criminal and civil law and procedure, and judicial ethics. She is the co-Chair of the Franklin Williams Commission, which advises decision makers in the New York Court System on issues affecting employees and litigants of color, and is President of the National Association of Women Judges, New York Chapter.

Hon. Joanne M. Winslow

Justice Joanne Winslow, an Associate Justice of the Appellate Division, Fourth Department, was found by the Commission to be well qualified for the position of Associate Judge of the Court of Appeals based on her character, temperament, professional aptitude, experience, qualifications, and fitness for office. She was interviewed by the Commission on October 12, 2021.

Justice Winslow received her undergraduate degree (magna cum laude) from Springfield College in 1981 and law degree from Albany Law School in 1986. From 1987 to 2008, she served in several positions at the Monroe County District Attorney’s Office, including Chief of the Elder Abuse Bureau from 1998 to 2000, Deputy Chief of the Major Felony Bureau from 2000 to 2003, and Chief of the Major Felony Bureau from 2003 to 2008. In 2008, Justice Winslow was elected a Justice of the Supreme Court, Seventh Judicial District, and served in that position until she was appointed an Associate Justice of the Appellate Division, Fourth Department, in 2017.

Justice Winslow has served as an Adjunct Professor at SUNY Buffalo Law School. She is Co-Chair of the Richard C. Failla LGBT Commission of the New York State Courts and a member of the Albany Law School Women’s Leadership Initiative Advisory Committee. Justice Winslow received the Albany Law School Kate Stoneman Award in 2018, the Greater Rochester Association of Women Attorneys Ally Windsor Howell Champion of Diversity

Award in 2017, and the Monroe County Bar Association Outstanding Jurist Award in 2016. She is a member of several bar associations, including the Monroe County Bar Association and Greater Rochester Association of Women Attorneys, and has served as Treasurer and Co-Chair of the CLE Committee for the Greater Rochester Association of Women Attorneys. Justice Winslow also served as a member of Monroe County Public Defender's Office Jeffrey A. Jacobs Award Committee from 2014 to 2015.