After some humorous opening remarks regarding the public perception of Judges, Judge Miner expressed his pride in the Law School and his support for the Alumni Association in the following words:

"I am most happy to be present on the occasion of the 25th Reunion of the Class of 1956, and I extend my congratulations and best wishes to all the Alumni who are having reunions with their classmates here tonight. I think that the best way to manifest our pride in our Alma Mater is by active membership in the Alumni Association. Through this Association, we can offer guidance and assistance to students and recent graduates; participate in programs of continuing legal education; provide advice and support to the trustees and faculty; advance the reputation of the school in the legal community; and contribute necessary financial support. Every graduate owes some time and treasure to the Law School, and the best way to pay those debts is through the Alumni Association. Needless to say, I am very proud to be a graduate of New York Law School and a member of its Alumni Association."

Judge Miner then reviewed the important historical events of 1926, the year of his father's graduation, and of 1956, the year of his graduation. He also discussed the condition of the Law School during those years. Finally, Judge Miner undertook a critical examination of one phase of judicial activism, commencing
on another humorous note:

"And speaking of Judges again, I am reminded of one of my father's favorite stories. It concerns the Judge who undertook to put a number of questions to a plaintiff who had just taken the witness stand in a jury trial. The plaintiff's lawyer broke into the Judge's examination with this remark: 'I don't mind if you examine my client, your Honor, but don't lose the case for me.' This story brings me to the theme of my remarks this evening - the unnecessary intrusion of the Judge during the trial process. This form of judicial activism seems to be on the increase and should be a matter of concern to all of us. Its natural consequence is the erosion of the lawyer's ability to put forward proofs and arguments on behalf of clients in our traditional manner of presenting a controversy in court.

"Those who support an expanding role for trial judges contend that the so-called search for truth is promoted by active judicial participation. They argue that the incompetence of the trial bar and the need for Judges to keep their calendars moving necessitated judicial intervention. I believe that these arguments are without substance. In spite of what the Chief Justice of the United States has said, most Judges believe that lawyers generally conduct their trials in a competent and professional manner. As for case load management, there are some fundamental problems that must be addressed, and judicial intervention at trials is not one of the solutions."
After finding fault with excessive judicial participation in the voir dire examination of jurors, the interrogation of witnesses and the summation of the evidence, Judge Miner concluded as follows:

"As Bacon said in his Essay on Judicature, '... an overspeaking Judge is no well-tuned cymbal.' The undue intrusion of an overspeaking Judge during trial is a threat to the adversary system and to the right of trial by jury. The roles of trial judge and trial attorney have been fairly well defined over the years. There is no real need for any major change in these roles. The Bar should resist any revision of statutes or rules designed to effect such changes. We of the trial bench should exercise considerable restraint so as to avoid unnecessary involvement in the lawyers' presentation. After all, we don't want to be responsible for losing anybody's case.

"Thank you."