THE ARCHIVAL COLLECTION OF JUDGE ROGER J. MINER

The Archival Collection of Judge Roger J. Miner was established as a research collection relating to Judge Miner’s career for the use and benefit of the students and faculty of New York Law School, other legal scholars, historians, political scientists, journalists, and researchers of all disciplines. It is a compilation of materials associated principally with Judge Miner’s tenure as a United States District Judge for the Northern District of New York between 1981 and 1985.

There are additional materials (including videotapes, copies of speeches, and presentations) dating from 1985 to 1993 that are associated with Judge Miner’s tenure as a United States Circuit Judge for the United States Court of Appeals for the Second Circuit. Most of Judge Miner’s additional papers and records, including those related to his tenure as a United States Circuit Judge, beginning in 1985, will be transferred to New York Law School after Judge Miner’s death. The archive will eventually provide scholars and others researching Judge Miner or his works, or the jurisprudence of the Second Circuit, with access to an unparalleled collection of unique material.

A large component of the collection consists of Judge Miner's files covering the sentencing phases of 309 criminal proceedings in the Northern District of New York between October 1981 and September 1985. These files contain, among other items, pre-sentence reports, briefs, exhibits, recommendations, hundreds of pieces of original correspondence, and Judge Miner’s sentencing and related notes. The collection also contains original copies of 449 of Judge Miner’s District Court decisions issued between October 30, 1981, and August 1, 1985. The decisions span a wide range of subject matter, including antitrust, bankruptcy, civil rights, criminal law, discovery, employment discrimination, habeas corpus, jurisdiction, labor law, patents, securities, social security, tax, and trademark law. Also in the collection are the stenographic minutes for the United States District Court for the Northern District of New York, which provide a day-to-day journal of court sessions presided over by Judge Miner, and Daily Record Books containing Judge Miner’s personal, contemporaneous notes and observations for cases tried before him.
Thank you, Dean Matasar. I’m very grateful to the law clerks who have presented this portrait to the school, and I’m very grateful to the school for accepting it. The only thing that I can say about the artist is that he did the best he could.

I’m certainly glad to be here tonight. At my age I am glad to be anywhere. I enjoyed the remarks of the dean very much. He’s quite a sparkplug, our new dean, and I’ve read some of the things he’s written about the mission of New York Law School, and I’m happy to report that we’re going to get back to the job of training lawyers here. And that’s what the school has been dedicated to, and that’s what we have to continue to do at New York Law School. I thank Arthur Abbey for his kind remarks; he’s the chairman of the Board of Trustees. He’s a distinguished attorney here in New York City, a philanthropist, and, of course, his firm is very active before my court, so it doesn’t hurt to say a few nice things.

Jim Simon is a very distinguished scholar at New York Law School. We’re fortunate to have him. He was the dean when I got my second degree from New York Law School, my honorary degree. The work that he’s done is really outstanding. He comes out with a new book every couple of years. His most recent book was a very excellent work called *What Kind of Nation*, contrasting the styles and lives of Thomas Jefferson and his cousin, John Marshall. It was a very, very intriguing way that Jim wrote the book—in point/counterpoint. He’s written many books over the years. I thought this was an especially good one. I started out to write a book review about it and, as a matter of fact, I still have my notes on it. I was otherwise occupied by the dissent that he mentioned, and so I cited his book in my dissent rather than writing a review of it. But I know that on one occasion, one of the justices of the Supreme Court gave out his book (one of his books) for Christmas presents. And that’s how well-regarded he is in the academic field.

My two clerks who spoke tonight, I thank them very much. Dan Isaacs has always been a real sparkplug and always very close to the family. He came to me highly recommended by my wife, who met him at some Republican function. He was the president of the State Republican Club and she told me I ought to take a look at him. I was teaching here at the time and he was a student in my class on federal crimes, and he did a wonderful job in my class. I gave him an A and I said, “Gee, this is the kind of fellow I want for my chambers. He’s a brilliant law student.” And then I found out he blew off his other classes so he could get an A in my course. But he was a good law clerk, despite what he says. He’s a very diligent fellow and he’s somebody that you can always rely on.

Mike Rofer, of course, has been with me longer than anybody else. He was with me two years on the District Court, and one year on the Circuit. And I found him down here when I came and interviewed at New York Law School. A wonderful young lawyer, at the time. He’s still fairly young, but it was a long time ago. He had a successful career at the bar, and just a couple years ago he started out in a different career. He got a Master of Library Science degree, and here he is back at New York Law School doing what he really loves, which is research, and he’s so good at it. I’m very grateful to him.

I’m grateful to all the law clerks who came tonight from so many places. I consider them alumni, and Jackie and I consider them family, as well. We try to remain in close contact with all of them. There’s a special relationship that develops between a judge and his clerks, and I’d like to think we’ve had that relationship. They’ve gone on to all kinds of jobs. They’re partners and senior associates in major law firms. There’s one who’s a professor of law down south in a law school. A counsel to the governor of the State of New York, and he’s here tonight. I’m grateful to see him. I have one fellow who’s a member of the State Assembly. And these are wonderful people who served me well over the years and who I hope have learned a great deal. One of the former clerks that I forgot to mention is house counsel to the Miss Universe Contest. He’s here tonight, too.

I take this opportunity to thank the members of my family for the love, support, and encouragement I have received from them throughout the years. Foremost among them is, of course, my wife, Jackie, to whom I literally owe my life as
well as my career. My life was saved through her adamant insistence on medical treatment following my cardiac arrest. When all said I was finished, she stood by day and night, monitoring the physicians who were treating me. I’m glad I wasn’t one of those physicians. They will tell you today that most wives would have signed off at an early stage. She certainly must love me to work so hard at keeping me around, and I am still in love with her after many years of marriage. She has been, is, and as long as I live, will be, my everything.

Insofar as my career is concerned, Jackie has not merely been a supportive observer. Her political skills have guided me through my years of public service, starting with her management of my first campaign for district attorney. It was through her talent and knowledge that I was able to be nominated for the State Supreme Court in the Third Judicial District, which included Albany, although no judge had been elected from my small county in 50 years. It was through her talent and knowledge that I obtained the endorsement of a second party that made the margin of victory for me in that election. And it was her talent and knowledge of the workings of the national government that brought me to the attention of the senator who recommended my nomination to the District Court. And it was her talent and knowledge of the workings of the White House and its staff and her participation in those operations that brought me to the attention of those who zealously guarded the process by which President Reagan chose Circuit Court appointees. And so it was no surprise when President Reagan called to offer me the nomination that he asked how Jackie was doing. They say that a judge is a lawyer who knew a politician. I have had the pleasure of sleeping with one.

Our children have come from far and wide to be with us tonight. We’re pretty happy about that. Our oldest, Larry, came all the way from his home in Santa Monica, California. He is the athlete in the family. We are very proud of Larry, who is a graduate of the College of Environmental Science at Syracuse. He has spent his professional career in California and the companies that have employed him have greatly benefited from his expertise in environmental regulation compliance. He also has his own environmental consulting business. Larry recently became the father of twins, Evan James and Josh, named after my father, about whom I shall speak later. His wife, Lisa, is at home in Santa Monica with the two little guys.

Number two is Ronald Carmichael, who is a naval architect and engineer, with a degree in ocean engineering from Florida Institute of Technology. Ronald has been a civilian engineer with the Department of the Navy for 18 years and now has the heavy responsibility of managing the torpedo launching and sonar dome technology for the Navy. The Navy just could not get along without him. His work has been especially important of late, since our Navy, as we all know, is stretched to its limits around the world, and Ronald has been very busy. He is also a world-class scuba diver and instructor and has even taught me how to dive. I don’t dive anymore. He tried to teach his mother how to dive, but said that she couldn’t keep her mouth shut long enough. Ron is here with his steady companion, Dory McMillan, and they live in Arlington, Virginia.

Number three is Ralph Carmichael, New York Law School 88, who provided continuity in the family tradition after receiving B.A. and M.B.A. degrees from Michigan State. He was an outstanding student here, winner of most of those book awards that they give to outstanding first-year students in the various courses. He was a law review editor and easily landed a job at the oldest Wall Street firm—Cadwalader, Wickersham & Taft. Who said that New York Law School graduates can’t make it on Wall Street? We founded most of these firms. At any rate, Ralph worked on corporate matters at the firm and thought he would like it better to be making the deals rather than handling the legal end. He landed a job at Bear Stearns and became a vice president there in short order. Then he courageously undertook a very daring and daunting project. He created his own banking house—Carmichael and Company. Such a project is about as easy as launching a new automobile manufacturing company. But Ralph did it, and after several years on Fifth Avenue, he moved his headquarters recently to Phoenix, Arizona. His wife, Rose, is at home in Phoenix, and they are the parents of two great kids, Clayton and Ciena.

Number four is son Mark. He is also a Michigan State graduate, having majored in public relations. Many say his personality is akin to mine. I don’t know if that’s a compliment to him or not. Anyway, he has been in the political end of the