

HONORABLE STEPHEN G. CRANE

1996 - 2001

Judge Stephen G. Crane served as Administrative Judge of Supreme Court, Civil Branch, New York County from 1996 until 2001. During his tenure, he actively pursued many projects to improve the administration of the court, increase efficiency and productivity, and enhance the experience of attorneys practicing in the court, including through the introduction of advanced technology in several forms.

Judge Crane expanded the importance of the Commercial Division, which had opened its doors some months before he took the reins from his retiring predecessor, Justice Stanley S. Ostrau. Judge Crane had himself been assigned to the Division. Among other things, he oversaw the introduction and operations of the Commercial Division Support Office, which provided and continues to provide direct support for the Commercial Division Judges. He encouraged mediation in the Commercial Division by introducing an Alternative Dispute Resolution Program. A roster of neutrals was created composed of many experienced commercial practitioners. As part of the ADR program, the court sponsored several training courses to help expand the skills of mediators used by the court and to introduce others to the roster. The court under Judge Crane's direction developed standards for membership on the Commercial Division panel of neutrals and put into place ethical standards for the work of the neutrals. The membership standards presaged the adoption of Part 146, Guidelines For Qualifications and Training of ADR Neutrals Serving on Court Rosters, promulgated subsequently among the Rules of the Chief Administrator of the Unified Court System.



Hon. Stephen G. Crane

Judge Crane was at the forefront of a number of critical technological advances introduced in the court, in some cases leading the way for the state in doing so.

It was during his tenure, in 1999, that the first steps were taken in what was to become the installation of our court's innovative program of electronic filing, which would, in time, grow into the leadership position in the entire project statewide. Our court, along with another, was asked by the Office of Court Administration to assist in a pilot project in electronic filing. Once given access

to the technology, this court did much more than that. With the energy and dedication that typified Judge Crane's service, we moved the program -- a purely consensual one at that time -- forward, nurtured it, and encouraged its growth. We very actively promoted use of the application by the Bar. Judge Crane personally involved himself in efforts at outreach to the Bar and convened and participated in many meetings of attorneys intended to inform them about the capabilities of e-filing and to encourage them to use it. Simultaneously, he led efforts at outreach to the Judges of this court.

While this proselytization was under way, our staff began to make recommendations for improvements to the e-filing application and the development of a strategy for growth in e-filing that were to prove decisive to the application's success. Our court also contributed greatly to the rules and legislation that developed over time. One of the members of the court's staff who was involved in the court's work from the outset in this area, Jeffrey Carucci of the then-Motion Support Office of the court, later became and remains the Statewide Coordinator for Electronic Filing for the Unified Court System. He has since led the effort to expand e-filing across the state, in multiple trial courts and, in 2018, in the Appellate Divisions. There have now been almost two million cases filed electronically using the New York State Courts Electronic Filing System, and e-filing is now mandatory for most action types commenced in our court and for many action types commenced in other courts.

Judge Crane, working closely with Senior Court Reporter Brian DiGiovanna, also ushered in the development and use of Courtroom 2000, a dedicated courtroom at 60 Centre Street that utilized state-of-the-art technological innovations, including, among other things, real-time court reporting, video conferencing, and advanced monitors and evidence display to foster efficiency and transformative methods of conducting trials, which make trial presentation clearer and more powerful, for both the Judge and the jurors. Their work in this area continues to bear fruit: recently, the court system installed new, up-to-date courtroom technology in New York County Supreme Court, Civil Branch.

Under Judge Crane's leadership, the court created its first website in 2000. The website was designed by Reginald Bouchereau of the court's Management Information Services staff. After a test period, the site went live on the internet. From the beginning, the website made available to the Bar a very extensive amount of information on the operations of the court, including Part assignments of the Justices (updated monthly), Chambers' addresses, addresses and phone numbers of the back offices of the court and the offices of the County Clerk, News and Announcements, and summaries of the court's procedures. Over the years since, the website has expanded the information it makes available to the Bar and improved its functionality.

The court also created, through the work of Mr. Bouchereau, a website for the Commercial Division statewide. This website continues to function, although it is now housed centrally.

The Division's website became a vehicle by which the court made the decisions of the Com-

mercial Division easily available to the Bar. Prior to that, the decisions had been accessible only in hard copy form in the courthouse. This step in time led to broad access to the decisions of the court by the Bar through another software application created by Mr. Bouchereau, the *Supreme Court Records On Line Library*, a joint undertaking of the court and the then-County Clerk, Hon. Norman Goodman. *Scroll* remains a popular, helpful, and much-used application of the court, which is available on the court's website at no charge to attorneys. Here, too, Judge Crane's actions as Administrative Judge resonate still.

Further, court staff created an internal website, which contains an array of information that is helpful to court staff.

In 1997, Judge Crane brought about the formation of the Office for the Self Represented, now known as the Help Center, a court department that provides support to unrepresented litigants. Ms. Gloria Smyth-Godinger was the first Chief Clerk of this Office for the Self-Represented and it fell to Ms. Smyth-Godinger to organize that new, innovative Department. User-friendly instructions and forms were created by staff attorneys for use by the unrepresented in our court and these were distributed by this office. This groundbreaking office was the first of its kind in a court of superior jurisdiction in New York State and paved the way for the court system's more expansive efforts in recent years to promote public access in our courts.

Judge Crane worked to advance improvements in the treatment of jurors during his time as Administrative Judge. A reform championed by Chief Judge Judith S. Kaye, this effort required careful planning and effective monitoring and follow-through to translate the aspiration into a reality. An essential aspect of the jury reforms was reducing the amount of time spent in jury selection, while at the same time assuring the trial attorneys sufficient time to achieve effective questioning of prospective jurors and the exercise of challenges. Judge Crane worked very hard to bring about a balanced approach, but one that allowed the court to take up less of the jurors' time during selection, that avoided the use of jurors as a kind of club to induce settlement, and that permitted the court system to call upon citizens for jury service less frequently than had been the case in the years before.

Judge Crane formed several court-sponsored committees in the areas of tort litigation, medical malpractice, and commercial and matrimonial matters. These committees were and are composed of a cross-section of members of the Bar, including representatives of plaintiff's and defendant's sectors of the Bar and municipal and other governmental litigants, and Judges and members from the court staff. The committees serve to foster communication and cooperation between the Bar and the Bench and court administration, and to promote innovation in all aspects of court operations.

The effectiveness and efficiency of court operations were always of intense concern to Judge Crane. It was under his aegis that the first edition of the *Handbook on Case Management* was published in 1996, a manual that has proven invaluable in aiding court personnel to handle effectively

the very large caseloads that are endemic to the Supreme Court, Civil Branch, New York County, one of the busiest courts of superior jurisdiction on the civil side in the state and a court that routinely handles especially large and complex cases. He also personally led a series of seminars on case management with all the Judges of the court in December 1996 as part of a comprehensive approach to the topic. At the seminars, he and the Judges of the court discussed techniques for case management and debated ideas in this area. These discussions gave emphasis to the goal of effective and efficient case management and helped to spread useful ideas among the members of the court. At that time, the court system was about to introduce standards and goals for all cases in pre-note-of-issue status, which meant that case management was to assume much greater importance than it had ever had before. Judge Crane saw to it that court clerks were also trained in the new techniques and requirements as a key element of his comprehensive approach. Each Judge was thus supported by a team of knowledgeable persons who could assist the Judge to move his or her inventory forward effectively and with dispatch and to detect any problem cases and address issues in them as quickly as possible.

Further, along the same lines, it was under the aegis of Judge Crane that the court issued a handbook on court operations, now called the *Operations Manual*. This document explained in thorough fashion all key operations of the court and its back offices. These operations are very complicated because of the large size of the court, the diversity and complexity of its inventory, the fact that the court operates out of four different facilities, and the absence, due to limitations of space, of a centralized clerk's office. Prior to this time, the court's operations had never been summarized in a thorough fashion in one document. The handbook has been used since to train Judges, attorneys, and clerks who come to the court for the first time and has served as a reference tool. It also provides for the administration of the court a statement of what the court understands to be its procedures, which is helpful to administration as it reviews operations seeking improvements and efficiencies, and promotes uniformity of operations and administration, which is vital in a court as complex as ours.

As the advisory committees mentioned earlier suggest, Judge Crane was always eager to promote communication with the Bar about court operations. The notion of the court's having operations that affect practitioners that conscientious attorneys could not uncover by diligent research was anathema to him and he made it a point to try to explain how the court works at all times, including whenever important changes were made. He used and encouraged communications with Bar groups and publication of Court Notes in the newspaper and on the court's website about all important operational changes. To provide a comprehensive summary of operations for any attorneys who might be interested, he saw to it that a modified version of the handbook on operations was produced and distributed to the Bar. Later on, this information was placed on the pages of the court's website.

While Administrative Judge, Judge Crane led our court's response to the court system's 1999



Left to right: Jay Weiner, Esq., Judge Crane’s Law Clerk at the Appellate Division, Second Department, Judge Crane, and Ray Denton, the Judge’s secretary

report introducing a program called the Comprehensive Civil Justice Program (“CCJP”). There were multiple facets to this report and Judge Crane was continuing to deal with the court’s responses to it in 2001, the last year of his term.

Among other things, and building upon his own previous work in this area, Judge Crane sought to advance the court’s operations in the CCJP era by promoting a very active and efficient approach to case management, as discussed above. He sought to identify points of operation where improvements might be made. For instance, he reviewed the processing of references to Judicial Hearing Officers and Special Referees and made a number of operational changes to reduce delay. He reviewed the trial assignment procedures and the operations of the central trial assignment mechanism, Part 40. A number of modifications were made to those operations, likewise to improve efficiency and minimize delay. Before introducing these changes, Judge Crane considered the procedures used by other courts to send cases to trial, including visiting other operations to see them for himself. New nomenclature (Part 40 was named the Administrative Coordinating Part) was a reflection of the substance of some of these operational changes.

Judge Crane established a neutral evaluation program for cases outside the Commercial Division. After filing of the note of issue, cases were referred to evaluation before a member of the court’s legal staff. Judge Crane appointed the first of the evaluators, the late Michael McAllister, Esq. This program was very successful in its day. Successors to it survive today.

Judge Crane was renowned for his work ethic, powerful intellect, attention to detail and warm

and gracious manner. While he was Administrative Judge, he continued to preside as one of the New York County Justices in the Commercial Division. He was always well-prepared for every motion, conference, and trial, and every administrative meeting. His preparation and hard work and his gifts as a writer were evident throughout every phase of his career. During his years as Administrative Judge he was assisted admirably and impressively by his Administrative Assistant, Mr. Ray Denton, and his Law Clerk, Kellie J. George.

Judge Crane began his judicial career as a Judge of the Criminal Court of the City of New York and he served in that capacity from 1981 through 1984. He then held the position of Acting State Supreme Court Justice from 1984 until 1989. During that time he presided over the criminal trial of Bernhard H. Goetz, a controversial case that riveted the attention of New York City residents for many months. He was appointed an Interim Supreme Court Justice by Gov. Mario Cuomo in 1989 and became an elected Supreme Court Justice in 1990.

In 2001, he left his post as Administrative Judge to be designated an Additional Justice for the Appellate Division, Second Department, and in 2005 he was officially designated an Associate Justice for that Court. He became Senior Associate Justice of that court in 2008 and retired the same year.

Judge Crane earned a B.S. degree from Cornell University in 1960 and a J.D. degree from Cornell Law School in 1963.



Judge Crane with, on the left, John Werner, Esq., Chief Clerk, New York State Supreme Court, Civil Branch, New York County, and unidentified colleague on the right.

In the early days of his legal career, from 1963 to 1966, he was an Associate at the firm of Poletti, Freidkin, Prashker, Feldman & Gartner. He then served as Senior Law Assistant for the Appellate Division, First Department from 1966 until 1976, and as Chief Law Assistant from 1976 until 1979. From 1979 until 1980, he was Counsel to the Office of Court Administration. The Judge was a Partner at Glass, Howard and Crane from 1980 until 1981, at which time he was appointed to the judiciary.

Following his retirement from the bench he began work in alternative dispute resolution at the New York office of JAMS, thus continuing his longstanding interest in ADR. He served as a member of the Chief Judge's Task Force on Commercial Litigation in the 21st Century.

Judge Crane was always very active in organizations of the Bar. His memberships in professional organizations have included the New York State Bar Association, New York County Lawyers' Association, the House of Delegates, Association of Justices of the Supreme Court of the City and of the State of New York, the Pattern Jury Instructions Committee of the Association of Supreme Court Justices of the State of New York, New York State Dispute Resolution Association, Commission on Legal Services for the Middle Income, Association of Trial Lawyers of America, and the New York State Trial Lawyers Association. He is a past President of the Cornell Law Association and past Chair of the Cornell Law School Advisory Council, Co-Chair of the Institute on Continuing Legal Education, and a former Chair of the Board of Trustees of the New York County Public Access Law Library. He has been a member of the New York Regional Board and Executive Committee of the Anti-Defamation League, the Board of Justices for the First Judicial District, and a Fellow of the New York State Bar Foundation.

Judge Crane was and is a lover of reading. He shares this love with his wife, Elaine, a distinguished professor of American history emerita at Fordham University. They also loved the country. For 32 years they maintained a weekend retreat in Bucks County, PA. After they, with great sadness, were forced to give up the place because of the difficulties of the travel there and back, they found a new retreat - - a studio apartment in Brooklyn Heights, a find warmly recounted in an article in the *New York Times* Real Estate section.

Judge Crane and his wife are blessed to have a daughter, Andrea Crane, who is a private dealer in New York in Impressionist, modern and postwar art.

Judge Crane's love for and dedication to the law were very deep and they continue in his family. His second daughter, Melissa A. Crane, is an Acting Justice of the Supreme Court, and is assigned to an IAS Part in Judge Crane's old court, the Supreme Court, Civil Branch, New York County, to which he gave so much during his time here, as a Justice and as Administrative Judge.

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