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# Governor Cuomo Announces Appointments to The Appellate Division of The Supreme Court

## Appointments Fill Vacancies in Appellate Division of the Supreme Court, First Department of New York State

Governor Andrew M. Cuomo today announced four appointments to fill vacancies in the Appellate Division of the Supreme Court, in the First Department of New York State. The justices selected today reflect the diversity, talent and experience present throughout New York's judicial system.

"New York State's courts have enormous impact on the laws that shape citizens' day-to-day lives, and their judges should display strong commitments to justice and fairness," **Governor Cuomo said**. "I am proud to appoint four individuals whose exemplary service qualifies them to serve in the Appellate Division of New York's Supreme Court and wish them well in their work for New Yorkers in Manhattan and the Bronx."

### ***Appellate Division-First Department Appointees:***

The Governor appointed Supreme Court Justices Saliann Scarpulla, Manuel Jacobo Mendez Olivero, Martin Shulman, and Tanya R. Kennedy to fill vacancies on the Appellate Division-First Department. The First Department covers Manhattan and the Bronx.

#### Honorable Saliann Scarpulla

After graduating law school Justice Scarpulla clerked for the Hon. Alvin F. Klein in Supreme Court, New York County. When her clerkship concluded, Justice Scarpulla joined Proskauer Rose Goetz & Mendelsohn as a litigation associate. Justice Scarpulla later moved to the

Federal Deposit Insurance Corporation as Senior Counsel. From the FDIC Justice Scarpulla became Senior Vice President and Bank Counsel to Hudson United Bank. Justice Scarpulla returned to the New York State court system as Principal Court Attorney to the Hon. Eileen Bransten. She was then elected to the New York City Civil Court in 2001, appointed to the New York State Supreme Court in 2009, and elected to the Supreme Court in 2012. Since February 2014, Justice Scarpulla has been sitting in the Supreme Court, New York County Commercial Division. In 2019 Justice Scarpulla was also appointed to handle all international commercial arbitration matters pending in the New York State Supreme Court. Justice Scarpulla is active in several New York City and statewide bar associations and is a Business Court Representative to the American Bar Association. Justice Scarpulla earned a J.D. from Brooklyn Law School, cum laude.

#### Honorable Manuel Jacobo Mendez Olivero

Justice Mendez has been a Justice of the Supreme Court, New York State, since his election in 2012 and has been since 2018 the coordinating judge of the New York City Asbestos Litigation (NYCAL). Prior to his election, Justice Mendez was elected Judge of the Civil Court, New York County in 2003, and had served as a Judge in the Civil Court from 2004 to January 2010. He presided by Designation in Bronx Criminal Court from 2008 to January 2010, and as an Acting Justice of the Supreme Court, Bronx County from January 2010 to January 2011, and then New York County until his election to Supreme Court in 2012. Before his election to the Civil Court, Justice Mendez was engaged in the private practice of law as a solo practitioner (Law Office of Manuel J. Mendez, P.C.), from 1999 through 2003, and as a partner in the firm of Kwasink & Mendez, P.C. from 1993 through 1998. He worked as a Senior Staff Attorney at the Legal Aid Society Criminal Defense Division in the Bronx from September 1990 to October 1993. Justice Mendez earned a J.D. from the Universidad Central Del Este School of law in the Dominican Republic.

#### Honorable Martin Shulman

Justice Shulman was first elected to the New York County Supreme Court in the First Judicial Department in 2005 with his term ending in 2019, and in 2019, was re-elected to the New York County Supreme Court for another 14-year term. At the First Judicial Department, he served as the Presiding Justice in the Appellate Term, a position Chief Administrative Judge Lawrence K.

Marks appointed him to in 2018. Justice Shulman first became a Justice of the Appellate Term when Chief Administrative Judge Ann Pfau appointed him in 2009. From 1999 to 2004, he served as an Acting Justice after being appointed by then Chief Administrative Judge Jonathan Lippman. In addition to his time with the New York County Supreme Court, Justice Shulman was also a Judge at New York County's Civil Court from 1995 to 2014. Judge Lippman also appointed Justice Shulman as the Supervising Judge of the New York County Civil Court. Before becoming a Judge, Justice Shulman was an Associate, then Partner, at the real estate litigation firm of Shaw & Binder. Prior to Shaw & Binder, Justice Shulman held numerous positions at the New York State Division of Housing and Community Renewal (Formerly New York City Conciliation and Appeals Board), including Deputy Chief of the Administrative Review Bureau, a Supervising Attorney and a Staff Attorney from 1982 to 1987. He was also a Court Attorney for the Hon. Eugene L. Nardelli from 1981 to 1982. Justice Shulman earned a J.D. from Benjamin N. Cardozo School of Law.

#### Honorable Tanya R. Kennedy

Justice Kennedy has served as a Justice of the Supreme Court, New York County, since January 2016, after election in November 2015. She was elected to Civil Court in November 2005 and thereafter served in Criminal Court (January 2006-September 2008), Civil Court (September 2008-December 2009), Family Court (January 2010-December 2010), as Acting Supreme Court Justice (January 2011-December 2012) and as Supervising Judge of Civil Court (January 2014-December 2015). As an Acting Supreme Court Justice, Justice Kennedy presided over an integrated guardianship and landlord-tenant calendar and conducted bench hearings on a daily basis from January 2012 to December 2013. Before her election to Civil Court, Justice Kennedy was principal law clerk to Hon. Barry A. Cozier both while he was an Associate Justice of the Appellate Division, Second Department (March 2001-December 2005) and while he was a Justice in the Commercial Division, New York County (May 1999-March 2001). Before her clerkship with Justice Cozier, Justice Kennedy served in the Office of the Corporation Counsel, New York City Law Department, as an Assistant Corporation Counsel in the Bronx Family Court Division (August 1992-August 1994) and in the Bronx Tort Division (August 1994-August 1997), where she was promoted to Assistant Deputy Chief. Justice Kennedy earned a J.D. from Benjamin N. Cardozo School of Law.

The Judicial Screening Committee for the First Department, Appellate Division reviewed the applications and conducted interviews of dozens of applicants. Only those applicants deemed "highly qualified" by the Committees were submitted to the Governor for his consideration. To be found "highly qualified," candidates must display integrity, independence, leadership, intellect, legal ability, judgment, temperament, and experience.

The Governor's Office will continue to review candidates that successfully advance through the screening process to fill vacancies in the Appellate Divisions of the Supreme Court.

Under the New York State Constitution and Judiciary Law, the Governor has the authority to appoint Justices to each Appellate Division from among those who have been elected as Justices of the Supreme Court. These appointments are not subject to Senate confirmation.