

## **HONORABLE PETER TOM**

### **Former Senior Justice of the Appellate Division, First Department Supreme Court of the State of New York**

Justice Peter Tom's judicial career — which spans over 33 years from his appointment as a Housing Court Judge to his last judicial position as the senior justice and former Acting Presiding Justice of the Appellate Division, First Department — encompasses a number of judicial “firsts” for an Asian American.

Justice Tom was born in Canton, China and immigrated to the United States at the age of eight. After graduating from Brooklyn Law School, he practiced briefly at private law firms before embarking on his judicial career.

In April, 1985, he was the first Asian American appointed to the Housing Court of the City of New York, where he disposed of more than 4,000 landlord-tenant cases in a short period of less than three years. Many of Justice Tom’s novel rulings in the Housing Court had significant impact over the lives of residents in New York City and received wide coverage in the New York Law Journal and various local newspapers. In a landmark decision (*Kellner v Cappellini*), Justice Tom utilized a 100 year old “Bawdy House Statute” (RPAPL § 715) for the first time to evict drug dealers from residential property. Employing Judge Tom’s novel ruling, Manhattan District Attorney Robert Morgenthau and the City of New York established a Narcotics Eviction Part throughout the city’s Civil Courts to effectively evict drug violators from residential and commercial properties.

In November, 1987, Justice Tom was one of the first Asian Americans elected to the Civil Court of the City of New York. In winning election to the Civil Court, he broke new ground as one of the first Asian Americans to win a county-wide election (contested) in Manhattan.

In November, 1990, Justice Tom became the first Asian American elected to the New York State Supreme Court in New York County. During his tenure in Supreme Court, he was assigned to the Protracted Trial Part, where he presided over complex commercial and medical malpractice trials.

In January 1994, Justice Tom became the first Asian American appointed to the Appellate Division of the Supreme Court of the State of New York (First Department), and for the next 14 years was the only Asian American to serve in the Appellate Division of the State of New York before another Asian was appointed in 2008 to the Second Department. Justice Tom authored over 500 legal opinions, many of which have received front page coverage in the New York Law Journal. His opinions have been regularly affirmed by the Court of Appeals, and his dissents have often been the basis of reversal in that Court. The fairness of his decisions as well as his absence of ideological partisanship have been well noted by commentators in the New York Law Journal and by colleagues of the bench and bar. Justice Tom was the Acting Presiding Justice of the Appellate Division, First Department in 2007, 2009 and from January 2016 to May 2017.

Justice Tom was the first Asian to sit in the New York State Court of Appeals (*People v Boone*) by invitation of Chief Judge Janet DiFiore on October 17, 2017. The Boone case was one of six major cases which dominated the High Court's calendar in 2017 (*New York Law Journal*, December 29, 2017, p. 1, col. 3).

Justice Tom was appointed by Chief Janet DiFiore in February, 2017 to co-chair the Special Commission on the Future of the New York City Housing Court. The goal of the commission was to improve the overall organization and operations of the Housing Court. The areas addressed included: better accessibility of the court for both tenants and landlords; improving facilities; alleviating court congestion and reducing backlog; training of judicial and non-judicial staff; speeding up dispositions; and making preparation for universal access to counsel for low-income tenants (26 NYC Admin. Code Section, Chap. 13). The Commission issued its report with recommendations in January, 2018.

Justice Tom has received numerous awards which include: the Trailblazer Award from the National Asian Pacific American Bar Association, the Louis D. Brandeis Award from the Jewish Lawyers Guild, the Ellis Island Medal of Honor from the National Ethnic Coalition of Organizations (NECO), Honoree of The Historical Society of the New York Courts (see the interview of Justice Tom at <https://nylegalhistory.wordpress.com/2018/05/23/get-to-know-hon-peter-tom/>), the Leadership Award from the Judges and Lawyers Breast Cancer Alert, and the Leadership Award from Asian Americans For Equality. He has also been honored by and received awards from legal institutions and community organizations including: the New York County Lawyers Association, the Association of Law Secretaries to the Justices of the Supreme and Surrogates' Courts, The Asian American Bar Association of New York, The Chinese Chamber of Commerce of New York, Chinese American Planning Council, New York University and Brooklyn Law School.

Justice Tom, as a young man, was the first Asian American to win the New York City Golden Gloves Boxing Championship and represented New York City in the National Boxing Championship (boxing championship of the United States).

Justice Tom is active in the Asian-American community where he was raised and still resides.