

Rosemary S. Pooler, a Senior Judge of the United States Court of Appeals for the Second Circuit, a prominent figure in the Syracuse, New York community who championed criminal justice and consumer protection issues and was both the first woman to serve as a district court judge in the Northern District of New York and, previously, the first to be elected as a trial court judge for the Fifth Judicial District, New York State Supreme Court, passed away peacefully last night in Syracuse. She was 85 years old. Her passing was announced by Chief Judge Debra Ann Livingston.

Speaking on behalf of the Court, Chief Judge Livingston said, "This is a heartrending loss for our Court and our judges. Judge Pooler was a leader – a distinguished jurist who, by her example and wise counsel, helped open doors for so many others in the legal profession. She was devoted to public service, to fairness, and to equal justice for all. Her persuasive skills, her commitment to her craft, and, above all, her devotion to this Court, were unparalleled. She was also our very dear friend. We will miss her."

Judge Pooler began her judicial career when she was elected to serve on the New York State Supreme Court, Fifth Judicial District, in 1991—the first woman to be elected as a State Supreme Court Justice in that District, which covers Onondaga, Oneida, Lewis, Herkimer, Jefferson and Oswego counties. She entered federal judicial service in the Northern District in September 1994, at the appointment of President William J. Clinton. She was the first woman to serve as a judge in the Northern District. Judge Pooler was nominated to the United States Court of Appeals for the Second Circuit by President Clinton some three years later, in November 1997. She joined the Court in June 1998.

Judge Pooler served with distinction on the Court of Appeals, which hears appeals from the federal district courts in New York, Connecticut, and Vermont. She brought to the Court her experience both as a trial court judge and a specialist in consumer protection issues. She was the second woman appointed to the Court in its 132-year history and also the first judge on the Court to be resident in Syracuse since the retirement of Judge William J. Wallace in 1907.

Judge Pooler was born on June 21, 1938, in East Flatbush, Brooklyn, where her father had a dry goods store. She graduated from James Madison High School (which was also the alma mater of Justice Ruth Bader Ginsburg) and went on to earn a Bachelor of Arts degree from Brooklyn College, where Judge Pooler majored in history. She thereafter obtained a Master of Arts degree in history from the University of Connecticut, where she also met her husband, William Pooler, a fellow student who would later become a member of the faculty at Syracuse University, teaching sociology. But as for Judge Pooler, she knew from childhood that she wanted to be a lawyer, even though there were no lawyers in her family. She completed her legal studies at the University of Michigan Law School in 1965.

Judge Pooler was in private practice in Syracuse during the initial years of her legal career, but early on concluded that she was drawn to public service. Judge Pooler began her distinguished public service career as Director of the Consumer Affairs Unit of the Syracuse City Corporation Counsel. In 1974, she was elected to the Syracuse Common Council. From her position on the City Council, Judge Pooler was appointed by Governor Hugh Carey to be Chair and Executive Director of New York State's Consumer Protection Board. She served in that capacity for five years, commencing in 1976. During this period, Judge Pooler also attended the Program for Senior Managers in Government at Harvard University and earned a Graduate Certificate in Regulatory Economics from the State University of New York at Albany. She thereafter was appointed to one of two consumer advocate positions on the seven-member New York State Public Service Commission, where she served from 1981 until 1986. Judge

Pooler also served as a visiting professor of law at Syracuse University College of Law and as the vice president of Legal Affairs for Atlantic States Legal Foundation, Inc.

Judge Pooler found work on the Court of Appeals to be stimulating and still challenging, even after many decades. She was treasured as a colleague. "If ever there were a happy warrior," said Judge Richard C. Wesley, "RSP," as she was known to her judicial colleagues, "was the one. RSP loved the exchange of views and while she was not shy in expressing her take on a case, she was a master of the art of principled compromise. She was the dearest of friends."

Former Chief Judge Dennis Jacobs echoed Judge Wesley's remarks. "She was a leader by virtue of her tireless persuasion and the force of principles sincerely held," said the former Chief Judge. "Over decades, she earned and kept the loyalty and admiration of her colleagues. Her opinions reflected craft, vigor and insight. She was one of those irreplaceable colleagues and friends."

Judge Pooler is also sorely missed by a generation of law clerks with whom she formed deep and lasting bonds. "Judge Pooler was an absolute trailblazer who believed passionately in equal justice and protecting consumer rights. She cared deeply about criminal justice issues and was a wonderful mentor to her law clerks. She stayed involved in our lives, gave us career advice, and performed the marriage ceremonies for any number of us. We will miss her dearly," said Lillian Pfohl, who has been Judge Pooler's law clerk since 2009.

Judge Pooler received many accolades over the years. She was honored with the Women's Bar Association of the State of New York's Doris S. Hoffman Medal in 2012; the Onondaga County Bar Association's William C. Ruger Award in 2009; and the National Council of Jewish Women's Hanna G. Solomon Award in 1998. She was a member of the Onondaga County and New York State Bar Associations and the Women's Bar Associations of the State of New York and Central New York, and an honorary member of the Board of Advisors for the Syracuse University College of Law.

Judge Pooler was predeceased by her husband, William Pooler, who passed away in 2017. Judge Pooler is survived by her son, Michael; her daughter, Penelope; her son-in-law, Mark; and her two grandchildren, Broden and Asher.