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## Jones sworn in as high court judge

By MICHELE MORGAN BOLTON, Staff writer

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ALBANY - Gov. Eliot Spitzer's first nominee to the state's highest court - an African-American Vietnam veteran - was sworn into office this morning in a moving ceremony in Court of Appeals Hall.

Surrounded by family, friends and downstate colleagues, former Brooklyn Supreme Court Justice Theodore Jones Jr., 62, admitted to being overwhelmed.

"I take this responsibility very seriously, aware of the almost 200 years of history in this particular court," he said.

"Next to the Supreme Court of the United States, this is probably the most important appellate bench in the country."

As he acknowledged February as Black History Month, Jones said he was mindful that he stands "on the shoulders" of those who preceded him, including George Bundy Smith.

The court's first black judge retired last year after former Gov. George Pataki refused to extend his term.

Jones was unanimously tapped by the Senate Judiciary Committee Monday and later approved by the full Senate.

Chief Judge Judith S. Kaye praised Jones' integrity, intellect and independence, but said she was sad to learn, given his extraordinary people skills, that he makes everybody feel special: "I thought it was just me."

He is also known for an uncanny ability to "bend people to his will," Kaye said: "Now that skill will surely be tested."

Spitzer smiled broadly as he expressed his envy at the 'collegiality' of the high-court bench, something he said "does not exist up the hill, in the Capitol building ... with my colleagues, should I call them, in the Legislature."

"It is a place that has come to typify 'three men in a room,'" he said.

The phrase takes on new meaning in the Court of Appeals, Spitzer added, considering the make-up of the 7-member high court, dominated by four women.

"I realize here that three men in a room means you've been outvoted," he joked.

Jones was elected to the state Supreme Court in Brooklyn in 1989 and re-elected in 2003.

He handled criminal and civil cases before being named administrative judge of the court's civil term. Jones was thrust into the spotlight when he was assigned to handle the case surrounding the three-day New York City transit strike in 2005.

After Local 100 of the Transport Workers Union shut down Manhattan's public transportation system for 60 hours, Jones fined the union \$2.5 million for violating the law that bans public employees from striking, and sentenced President Roger Toussaint to 10 days in jail.

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