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Spitzer Names Halligan Solicitor General

BY JOHN CAHER

ALBANY — For the second time in his three-year administration, Attorney General Eliot Spitzer has selected a former U.S. Supreme Court clerk as his chief appellate litigator.

Mr. Spitzer yesterday announced that Caitlin J. Halligan, a former clerk to Justice Stephen G. Breyer, will immediately succeed Preeta D. Bansal as solicitor general. Ms. Bansal, who had once served as clerk to Justice John Paul Stevens, resigned to pursue other opportunities.

"You don't need to be [a former Supreme Court clerk to serve as solicitor general], but it doesn't hurt," Mr. Spitzer said yesterday. "It is certainly within the legal community one of those indicia of particular and unique status and I am thrilled that Preeta had clerked for the Supreme Court and Caitlin continues that tradition. Caitlin's legal excellence and the judgment she

has is the defining characteristic that drove me to choose her."

Ms. Halligan has served as first deputy solicitor general since January, and previously headed Mr. Spitzer's Internet bureau. Previously, she was an associate with Howard, Smith & Levin in Manhattan and an associate at Wiley, Rein & Fielding in Washington. Ms. Halligan also spent a year with Georgians for Children in Atlanta, where she coordinated a network of lobbyists, and was a congressional aide from 1989 to 1991.

In 1988 and 1989, Ms. Halligan taught history, literature and writing to college students in China as part of a Princeton University exchange program. In addition to clerking for Justice Breyer, Ms. Halligan also clerked for Judge Patricia M. Wald of the U.S. Court of Appeals for the District of Columbia Circuit.

A graduate of Princeton, where she received a degree in American history, and Georgetown University Law Center where she was managing editor of the law review, Ms. Halligan lives in Greenwich Village with her husband, attorney Marc C. Falcone of Paul, Weiss, Riffkind, Wharton & Garrison.

"She is a superb writer, a superb oralist and understands the tough judgment calls that have to be made by the State both in our defensive litigation and our affirmative litigation," Mr. Spitzer said. "The role of the [Solicitor General's] office is complex in ways that are often not appreciated.... Caitlin understands the competing values and the need to rationalize those values."

Ms. Spitzer described Ms. Bansal as a



Caitlin J. Halligan

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"gem" who "did a remarkable job in invigorating the office and renewing a reputation for excellence. I am absolutely thrilled at the work she did and disappointed she is leaving, but after 2.5 years she had worked herself to the core."

The Solicitor General, who oversees a staff of about 100 attorneys and support personnel, is responsible for appellate litigation in both state and federal courts. Yesterday, in the just-reopened office of the Attorney General in Manhattan, Ms. Halligan had the rare and coveted luxury of a telephone from which she could both make and receive calls. The office opened for the first time since the attack on lower Manhattan and staffers were still largely communicating via cellular phones.

Ms. Halligan said her goal "is to continue the work the office has done in developing a high caliber appellate practice in the state and federal courts."

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