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LAW JOURNAL PROFILE

Under Cardozo, Law Department Strives for a Big-Firm Image

Tech- and P.R.-Savvy Litigator Raises Office's Profile

BY DANIEL WISE

EVERY DAY is a juggling act for Corporation Counsel Michael A. Cardozo, a premier litigator in the private sector who almost four years ago was named to head New York City's third largest law firm—its municipal Law Department.

Cases with major policy implications land on his desk almost daily; Mayor Michael R. Bloomberg and his commissioners seek his advice; reporters clamor for his attention; and the City Council is often on the attack.

In just one week this spring, Mr. Cardozo had two dozen meetings with key Law Department managers and top city officials, including one on a "topic unknown" with Mr. Bloomberg at City Hall. He also had nine meetings with his lawyers to map strategy on the city's most visible cases.

Mr. Cardozo's day starts before 9 a.m., often stretches to 9:30 at night and sometimes beyond. At 2 a.m. one morning last September, Mr. Cardozo, dressed in his trademark dark grey suit and suspenders, appeared in state Supreme Court to defend the city against charges that the police department was jailing protesters to keep them off the streets during the Republican National Convention.

Likewise, Mr. Cardozo took per-

NYLJ PHOTO/RICK KOPSTEIN

Michael A. Cardozo

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sonal charge of negotiations early last January with the Legal Aid Society in an attempt to end a series of court orders and agreements governing shelter for homeless families that have vexed four mayors and their lawyers. He worked through the night until 5 a.m. three times on that case, but the effort fell short.

As his all-nighters attest, Mr. Cardozo takes a hands-on, activist approach to his job—a job that he broadly conceives as changing the way the Law Department conducts its business.

A tough, relentless litigator who is nevertheless capable of turning on the charm, he has pressed to change the way the department's 650 lawyers litigate cases; to give them tools needed to match any major firm; and to mold public opinion to the Law Department's advantage.

What Mr. Cardozo, 64, says he brings to the Law Department as its 51st corporation counsel is the "philosophy" he developed as a senior partner at Proskauer Rose where he "ran major litigations and managed a large law office." He worked at the firm for more than 30 years, representing clients such as the National Basketball Association and Hockey League. His management skills were further honed during his two years as president of the Association of the Bar of the City of New York.

Mr. Cardozo's experience and philosophy has helped to achieve some significant accomplishments as corporation counsel, including:

- A better than 2-to-1 win/loss record in the New York Court of Appeals, as well as prevailing for Mr. Bloomberg in nine of 10 lawsuits against the City Council.
- The undoing of an 18-year-old consent decree that had imposed stringent limits on the police department's ability to conduct security investigations where political activity was involved.
- Halting a seemingly inexorable rise in the city's payouts on tort cases and, perhaps, even reducing them. At the same time, the department won City Council approval of the first legislation in 20 years limiting the city's exposure in personal injury actions.
- Implementing, over significant internal opposition, a requirement that attorneys keep time records, a reform intended to give department managers a better idea of the resources devoted to the needs of its "clients"— city government agencies.
- Upgrading the department's computerized litigation support and document systems to match those used by any major firm in the city.

Mr. Cardozo's tough-minded approach to litigation, however, has generated a fair share of criticism from adversaries in the public interest sector, the Eastern District U.S. Attorney's Office, the City Council, and the plaintiffs' tort bar.

Steven Banks, the Legal Aid Society's attorney-in-chief, said Mr. Cardozo's campaign to eliminate consent decrees that constrain city operations "has gotten in the way of the practical resolution of disputes which in a number of instances has led to protracted litigation which could have been avoided."

Joel Berger, a former senior litigator at the Law Department who is now a frequent adversary of the agency, said that Mr. Cardozo's aggressive tactics often place the narrow interest of winning individual lawsuits before the public good.

"When Michael Cardozo, the pillar of the bar, comes up against Michael Cardozo, the hard-as-nails Proskauer litigator, the litigator always wins hands down," Mr. Berger said.

However, some public interest attorneys say that the Law Department has become more reasonable and less combative than it was under former Mayor Rudolph Giuliani.

And Victor A. Kovner, who was corporation counsel under former Mayor David N. Dinkins, praised Mr. Cardozo for doing exactly what he is supposed to be doing, which is "to vindicate the rights of his clients, the city and its taxpayers."

Praised by Mayor

Unlike Mr. Giuliani, Mr. Bloomberg is not an attorney. Before his election, the billionaire businessman had never met Mr. Cardozo, who was recruited by Nathan Leventhal, an old friend and classmate at Columbia Law School who directed the mayor's transition team.

The decision to enter the public sector was costly for Mr. Cardozo. According to a survey of law firm profits by The American Lawyer, an affiliate of the Law Journal, the average profits per partner at Proskauer were $965,000 in 2001, the year Mr. Cardozo became corporation counsel. As corporation counsel, Mr. Cardozo started at a salary of $162,800. He now earns $171,000.

Nevertheless, Mr. Cardozo said, "I can't think of a lawyer who would have said 'no' " to the new mayor's offer. He said that the pay cut was more than balanced by the "enormous satisfaction that comes from representing the city and helping move it in the right direction."

Mr. Bloomberg has likewise been pleased by his choice.

"Michael has been a great asset to the City of New York," the mayor said in a statement. He said Mr. Cardozo had "inspired the Law Department's many talented members, worked to bring the agency into the 21st century with technological and operational enhancements and helped further its tradition as the nation's finest municipal legal department."

The general counsel of a major city agency, who asked not to be identified, said Mr. Cardozo has won the confidence of the mayor and his top aides and has "a lot of credibility" with them. Mr. Cardozo is "an important ally" in internal policy discussions "who can settle issues that agency counsels couldn't possibly accomplish on their own," he said.

Many of Mr. Cardozo's mornings start with a senior-level staff meeting at City Hall, and Mr. Cardozo has a work carrel in the "bull-pen" style office that Mr. Bloomberg designed for his top aides. On days when he has meetings scheduled at City Hall, Mr. Cardozo may work out of his carrel until his meetings are finished before returning to his sixth floor office at 100 Church Street.

The mayor has shown his confidence in Mr. Cardozo by steadily increasing the Law Department's budget during his four years in office, while many other agencies had their budgets cut. The department annually receives $111 million in city funds, an increase of more than 18 percent since Mr. Bloomberg took office.

Mr. Cardozo's success in winning added money for his lawyers' salaries drew cries of protest from the city's five district attorneys at a City Council budget hearing in May. The prosecutors asked for salary parity with the Law Department to prevent their best lawyers from leaving for better-paying jobs.

Hard-Hitting Litigator

Mr. Cardozo has sought to shape the way his staff approaches litigation through personal example (he has handled three appeals) and frequent behind-the-scenes strategy sessions.

When the city is sued—as it was in 8,000 personal injury cases alone last year—Mr. Cardozo said that "the best and least expensive alternative is to settle" the claim. But if that "is not possible on reasonable terms," he added, the Law Department will do what any big firm

Michael A. Cardozo

Born: June 28, 1941. The oldest of two sons born to Harmon and Lucy Cardozo. His father was a real estate broker and his mother was a homemaker involved in civic affairs.

Relation to U.S. Supreme Court Justice Benjamin N. Cardozo: Justice Cardozo, who was also chief judge of the New York Court of Appeals, was a first cousin of Mr. Cardozo's great grandfather.

Childhood: When Mr. Cardozo was in seventh grade his family moved from the Upper West Side of Manhattan to Westport, Conn., where his mother served on the Board of Education. He attended public schools in Manhattan and Westport.

Higher Eduction: He earned his undergraduate degree in political science from Brown University in 1963 and his law degree from Columbia Law School in 1966.

Work Experience: He clerked for the late Southern District Judge Edward C. McLean in 1966-67. In 1967, he joined Proskauer Rose, where he became a partner in 1974 and has remained until becoming corporation counsel in 2002.
At Proskauer, Mr. Cardozo developed a sports law specialty representing the National Basketball Association, the National Hockey League and Major League Soccer. He rose to become co-chairman of the firm's sports law group and its litigation department. He also was elected on three separate occasions to the firm's six-member executive committee.

Family: He and his wife, Nancy, have been married 40 years. Nancy, like his mother, is a homemaker involved in civic affairs. They have two daughters: Sheryl, the director of a youth program, and Hedy, a geriatric social worker, who recently had twins.

Residence: Mr. Cardozo has an apartment near Columbus Circle, and Ms. Cardozo continues to reside in their home in Scarsdale. They are always together on weekends, and Ms. Cardozo comes into the city about two or three nights a week.

For Fun: Mr. Cardozo is a big sports fan, but has a particularly warm spot in his heart for the Yankees. When Nancy comes to town, they often attend the theater or opera.
He jogs three to four miles almost every day. He also loves the outdoors and recently went hiking and snorkeling with his daughter Sheryl in the Galapagos Islands. He enjoys reading history and biography.

Dress: He tends toward the conservative with dark suits and suspenders, but he likes to play a bit with his suspenders and ties. He wears a tie with the city bar association's logo on it to association functions and has a pair of "Chrysler Building" suspenders.

would do—"litigate to demonstrate the right not to be beaten to a pulp and coerced into a settlement."

The tenacity of the Law Department's approach to litigation has been illustrated by its attempts to invoke a 100-year-old maritime law to limit its liability for a Staten Island Ferry crash that killed 11 people and injured 70 others to the $14.4 million value of the boat.

The city's pursuit of the limit, at the same time it was encouraging settlement negotiations, infuriated plaintiffs' representatives. Anthony Bisignano of Bosco, Bisignano & Mascolo on Staten Island, the lead lawyer for the plaintiffs, likens the city's approach to "wielding a double hammer to intimidate settlements too early and too cheap."

Mr. Cardozo rejected the criticism, saying, "I don't see how someone can suggest that we not assert a valid defense, which we are obligated to raise in trying to protect the city's fisc."

The Law Department also angered the Eastern District U.S. Attorney's Office, which complained that the city's attempts to reduce its liability in any civil actions were undermining the pursuit of criminal charges against ferry managers. At one point, the city sought to interview its employees after they had appeared before a grand jury or talked to federal investigators. Federal prosecutors charged in a court brief that since those prior statements undercut the city's economic interest in the damage litigation, the interviews could be construed "as an offer—not to be refused—to change or repudiate that statement or testimony."

Mr. Cardozo described the allegations as "absolutely false." He said that the city wanted to interview the employees as "any good lawyer would in a civil case." He also said the interviews were necessary so the city could take "appropriate steps to stop these types of accidents from happening again."

Mr. Cardozo's willingness to fight back hard when the city is challenged was also demonstrated after Eastern District Judge Sterling Johnson overturned a jury verdict rejecting liability for the city and five police officers who had shot and killed an emotionally disturbed man, Gidone Busch.

At the risk of alienating Judge Johnson, city lawyers faulted him for not releasing an ex parte letter from Mr. Busch's mother, even though the judge said he would not consider its contents. The city petitioned him to reinstate the verdict or for permission to appeal his order. And, if he rejected both requests, the city insisted the judge recuse himself from a second trial. Judge Johnson has yet to rule.

Mr. Cardozo also believes that a litigator who wants to win in a court of law first must win in the court of public opinion. Indeed, the only addition Mr. Cardozo made to his top-level staff after assuming office in January 2002, was to hire Kate O'Brien Ahlers as the department's first full-time public relations officer.

"It is very important to get our message out," he said. "Sometimes the press has a misimpression and a good press officer can explain things so a story is either not written or written in a very different vein."

The sensitivity to public relations paid off after a Manhattan Supreme Court justice unexpectedly struck down the state's law limiting marriages to heterosexual couples. The mayor was criticized for appealing the decision, but Mr. Cardozo and Ms. Ahlers worked closely with a New York Times editorial writer, who a few days after the ruling praised Mr. Bloomberg for his effort to get a

definitive legal ruling from the state's top court. While maintaining that state law does not permit gay marriages, the mayor and Mr. Cardozo both said they favor legislation that would sanction same-sex unions.

Litigation Scorecard

During Mr. Cardozo's tenure, the city's Law Department has had some notable litigation successes.

At the Court of Appeals, the department's lawyers have won 34 appeals, lost 14 and had two split decisions. Department lawyers have also bested the City Council in nine of 10 encounters in various courts.

Mr. Cardozo personally argued the appeal that led to the Law Department's most important victory at the Court of Appeals—a ruling upholding a badly drafted state law that gave the city a $2.5 billion relief on debt payments. But city lawyers under Mr. Cardozo's direction also have won other important appeals in the state's top court, including a ruling upholding the city's residency requirement for its workers.

Additionally, the Law Department has persuaded the courts to void eight laws enacted by the council over the mayor's veto. Among the laws struck down was one barring city agencies from doing business with financial institutions that engage in predatory lending. Another rejected a law that would have barred the city from contracting with companies that failed to extend the same family coverage to couples registered as domestic partners as they provide to married couples.

Hofstra Law School Professor Eric Lane, who has been retained as special counsel to the City Council, criticized Mr. Cardozo for approaching his job too narrowly in disputes between the executive and legislative branches.

"He sees his job as being the mayor's lawyer as opposed to being the city's lawyer," said Mr. Lane, who was the executive director of two charter revision commissions.

Mr. Cardozo's tilt toward the mayor was most plainly on view, Mr. Lane said, when he refused to defend a 2004 lead paint law enacted by the City Council.

Although prior mayors, as well as Mr. Bloomberg, have challenged laws they believe to be legally deficient, the Law Department did not contend that the lead paint law was defective, Mr. Lane said. Instead, he said that Mr. Cardozo cited policy reasons for declining to defend the law and forced the council to hire Carter Ledyard & Milburne, which, at a cost of more than $450,000, persuaded the Appellate Division, First Department, to uphold the law.

Mr. Cardozo responded that in most instances the Law Department is the city's lawyer, but that when there is a conflict between the mayor and the City Council "historically" the department has represented the mayor. And he said that the mayor had cited "serious legal questions" in vetoing the lead paint law.

Despite the Law Department's winning record, there have been some setbacks. One occurred when Acting Supreme Court Justice John Cataldo issued a series of orders during the last two days of the Republican convention directing the release of protesters who had been held in jail for more than 24 hours without being produced in court. The city appealed but was rebuffed by the First Department.

In April, with a contempt hearing scheduled to start in a few days, the city agreed to settle by paying $150 to 108 of the protesters, a total of $16,200, and $215,000 as fees for their attorneys.

In another setback, the First Department rejected the city's claim that common law immunity insulated it from suit for injuries caused to children who have been placed in foster care. The First Department also rejected an effort to shield from public view contracts between hospitals and private ambulance companies which had been filed with the Fire Department as a part of the 911 system.

Tough as Giuliani?

After years of battling Mr. Giuliani, many leaders of advocacy groups that frequently challenge city policies expressed hope for a less antagonistic relationship with the new administration. Mr. Cardozo himself offered an olive branch by making goodwill visits to the offices of major public interest firms shortly after taking office.

Almost four years later, however, some leaders said the hoped-for perestroika had not materialized.

Donna Lieberman, executive director of the New York Civil Liberties Union, said Mr. Cardozo's visit had been viewed as a signal the Bloomberg administration would show "more flexibility on the First Amendment and other civil liberties issues, but in too many significant matters that has not been the case."

A sign of problems to come surfaced early in Mr. Cardozo's tenure, said Christopher Dunn, a top NYCLU litigator, when Mr. Cardozo personally initiated an effort to resolve a dispute started in the waning days of the Giuliani administration over whether the Fifth Avenue Presbyterian Church could let the homeless sleep on its steps. Mr. Dunn said that negotiators worked out an acceptable compromise, but the city abruptly pulled it off the table.

The matter returned to court, where the church won after what Mr. Dunn described as a "fierce litigation." Mr. Cardozo declined to comment on settlement negotiations that did not work out.

While some public interest lawyers criticize what they regard as the continuing stubbornness of the Law Department, others said there has been improvement under Mr. Cardozo's leadership.

Jane Stevens, head of litigation for the New York Legal Assistance Group, said the organization's 35 attorneys "are doing better under the Bloomberg administration in getting settlements. They push very hard on details but they are certainly not refusing to settle."

Progress on Decrees

One of Mr. Cardozo's major priorities has been the elimination of consent decrees.

"I detest them," he said, "because they hamstring the ability of the government to set policy."

Ticking off a series of open-ended court decrees that have been in place for 20 or 30 years, Mr. Cardozo said they are "the bane of government's existence."

Mr. Cardozo said that consent decrees may sometimes be unavoidable. However, he vowed not to approve any future decree unless it terminates, by its own terms, within the shortest possible time period. Meanwhile, he has been chipping away at existing decrees in an effort to increase the city's freedom of action.

In 2003, Southern District Judge Charles S. Haight lifted almost all the restrictions on the police department's ability to conduct investigations touching upon political activity. The restrictions were contained in an 18-year-old decree in *Handschu v. Special Services Division*, 273 F. Supp. 2d 327 and 288 F. Supp. 2d 411 (2003).

Department lawyers also have made significant progress in clearing away restraints contained in a 1979 consent decree setting conditions in city prisons. According to John Boston, head of the Legal Aid Society's Prisoners Rights Project, about 75 percent of the requirements have now been lifted.

Mr. Boston said that Legal Aid had agreed to the lifting of about half of the original requirements because improvements had been made or circumstances changed. In litigation that went up to the U.S. Court of Appeals for the Second Circuit in 2003 on the remaining

provisions, Mr. Boston said, the two sides came out about even.

Mr. Cardozo acknowledged that he has been unsuccessful in his efforts to roll back more than 50 decrees and orders governing the provision of shelter to the homeless, which date back to the First Department's 1986 ruling in *McCain v. Koch*, 117 Ad2d 997.

After the January negotiations broke down, a panel of three mediators, who had been selected jointly by Legal Aid and the city, recommended that all court orders be lifted, though the three set different time frames and conditions.

Although the homeless decrees remain in place, New York Law School Professor Ross Sandler, a former city transportation commissioner, said Mr. Cardozo has little reason to be disappointed.

Mr. Cardozo has "navigated the consent decrees very well," said Mr. Sandler. He pointed out that an interim agreement that Mr. Cardozo negotiated with the Legal Aid Society in 2003 and the Bloomberg administration's work to improve the shelter system have enabled the two sides to stay out of court for the last two years and avoid the politically charged contempt litigation that plagued both the Giuliani and Dinkins administrations.

Tort Payments Curbed

Mr. Cardozo and the mayor also have worked hard to stem the decades-long rise in payouts on verdicts and settlements in tort cases against the city.

As compared to the year before Mr. Bloomberg took office, tort payments have only increased 2.5 percent to $569.6 million during the first three years of his administration. The increase was 148.4 percent during Mr. Giuliani's eight-year tenure.

Moreover, Mr. Cardozo predicted during a recent City Council appearance that payouts for the fiscal year that concluded on June 30 will have actually fallen by the time the books are closed. He estimated that payments will fall to $530 million and perhaps to $510 million, which would represent at least a 4.7 percent decline from the 2000-2001 fiscal year, Mr. Giuliani's last full year in office.

Mr. Cardozo said two initiatives—the establishment of a risk management unit and a push to settle cases before discovery is completed—may have played a role in curbing tort awards.

The three lawyers in the risk management group meet six to nine times a year with general counsels of the five agencies that are most frequently sued (Transportation, Police, Education, Parks and Sanitation), and less frequently with other agencies, said Steven Levi, who heads the group. The lawyers review cases to identify situations that expose the city to liability.

Starting in 2004, the department expanded its system for spotting cases with early settlement potential. A lawyer in each of the department's borough offices was assigned to review the complaints and initiate negotiations where promising, said Fay Leoussis, head of the department's tort division. A similar system, she added, has been set up at the department's headquarters to spur settlements in medical malpractice cases.

By settling earlier, Mr. Cardozo said, "plaintiffs benefit because they get paid more quickly and the city can devote its lawyer resources to the cases that should really be focused on."

However, a report issued by the Office of Court Administration in February found problems in the length of time it takes to get city cases ready for trial. There is "a tremendous disparity" between the time it takes to complete discovery and motions in city cases as opposed to cases between private parties, with the percentage of city cases exceeding state standards reaching 69 percent in both Brooklyn and the Bronx, the report stated.

Ms. Leoussis acknowledged problems with complying with discovery deadlines in some boroughs and said the department "is working to fix it."

Two lawyers and eight paralegals have been assigned to both the Bronx and Brooklyn to deal with discovery work earlier and more aggressively, she said.

"We are optimistic based upon preliminary reports that the tide is turning," she said.

Law Department At a Glance

Budget (FY2006):		$117 million ($111 million in city funds)
Staff:	Attorneys	650
	Support Staff	607
	Total	**1,257**
Pending Cases:		90,000
New Lawsuits (FY2005):		
	Tort (federal and state)	8,000
	Workers' Compensation	15,600
	Family Court	7,250
	Other	8,500
	TOTAL	**39,350**

Source: New York City Law Department

At the same time that the city has taken administrative measures to tame its rising tort costs, Mr. Cardozo and Mr. Bloomberg have advocated changes in state and city laws to create a more favorable playing field for city lawyers.

Headway has been slow, but the two have achieved one major success: City Council's adoption of a bill that shifts liability for mishaps on sidewalks from the city to the owners of adjacent properties. The bill, which went into effect in September 2003, is expected to save the city $40 million a year, perhaps by next year.

However, Jeffrey Lichtman, the former head of the state Trial Lawyers Association, complained bitterly about the way Mr. Cardozo had campaigned for adoption of the city's legislative agenda.

While Mr. Cardozo gives "lip service" to the idea of sitting down and working out accommodations, Mr. Lichtman said, he charged that Mr. Cardozo has used "extreme cases to promote the idea that the system was out of control." Even worse, he said, Mr. Cardozo either misstated or distorted key facts in the cases the city was offering to support the need for new legislation.

Mr. Cardozo pointedly disagreed. "I stand by what I said," he asserted.

Administrative Makeover

Mr. Cardozo has devoted considerable attention to improving his office's tools and techniques.

He has sought to model the Law Department's relationships with the legal departments of city agencies on those that large firm lawyers develop with the legal departments of their major corporate clients.

To that end, Mr. Cardozo holds periodic meetings with the general counsels to discuss legal developments that cut across agency lines. He uses those meetings to showcase the talents and skills of Law Department attorneys and to urge the general counsels to use their services.

Mr. Cardozo has also begun sending hypothetical bills to all the agencies detailing how much it has cost the city to defend their legal matters. The purpose of the bills, Mr. Cardozo said, is not to shift the cost to the agencies, but to create a greater awareness of the costs incurred by litigation and to provide an incentive to take measures to keep litigation costs as low as possible.

To produce the bills, Mr. Cardozo has for the first time required all lawyers in the department to keep detailed time records in quarter hour segments. In addition to enabling the department to itemize the value of lawyer time spent on agency matters,

keeping time records is a valuable management tool, Mr. Cardozo said. It allows managers to see where the workload is greatest and allocate resources accordingly. It also permits lawyers to see how they are spending their time so they can take steps to improve their efficiency, he said.

Some staffers, however, have been hostile to the new requirements, saying the reason they took lower-paying jobs in the public sector was to avoid the harried lifestyle of big firm lawyers that is typified by time records.

One lawyer in the department said that despite all the benign rationales, there is a widespread feeling that the time sheets will be used to judge performance.

"Everyone hates them," the lawyer said.

No one likes to fill out time sheets, himself included, Mr. Cardozo said. But he does not believe the records are "a significant source of unhappiness today" because staffers have come to realize they serve a valuable purpose.

Computer Upgrades

Like the mayor, Mr. Cardozo is comfortable with computer technology. Aides say that whenever he has a down moment he is firing off messages to staffers on his BlackBerry. And stories abound about how quickly he responds to staffers' e-mails.

Indeed, shortly after taking office, he sent a memo to the office's lawyers touting e-mail as a more efficient way of communicating with each other and those outside the office.

Given his affinity for technology, it is unsurprising that Mr. Cardozo made upgrading two of the office's key computer systems a priority. Responding to his entreaties, Mr. Bloomberg has allowed $3.4 million from the city's capital budget to be used to develop new systems for litigation support and for the storage and retrieval of legal documents created by department lawyers.

The new systems rival those in use at any major firm, said John R. Hupper Jr., who worked in the department's affirmative litigation division for 12 years before moving into information management where he oversees the new technology.

The document storage system allows lawyers within the department to search for briefs and other documents that might be relevant to their cases. It also gives managers access to the work of lawyers stored in the system.

The litigation support system is capable of creating an electronic data base for the millions of discovery documents that can be amassed in a major litigation. It contains a sophisticated search mechanism that allows attorneys to rapidly access information in those documents needed for deposition or trial examinations, said Mr. Hupper

To date, somewhat more than half of the attorneys are creating legal documents on the new system. The department, however, has not yet requested additional funds to expand the system so all 650 attorneys can participate, he said.

Outside Assistance

Mr. Cardozo has increased the extent to which he has reached outside his agency for extra legal firepower. For example, he has expanded a program begun by his predecessors in which law firms assign associates for tours of duty of between four to six months defending tort cases—with their firms paying their salaries.

More recently, private-firm associates have volunteered for two-week stints to solely handle depositions, while others have been used to conduct depositions in specific cases.

In the past four years, about 60 associates have volunteered time at the Law Department handling trials or depositions, said Heidi Grossman, who leads the department's public service program.

Mr. Cardozo has recruited firms to handle pro bono some of the more complicated affirmative lawsuits the city has brought to advance its interests. For instance, he persuaded Thelen Reid & Priest to take over the city's lawsuit to reform the way guns are marketed and distributed in the city after Weil Gotshal & Manges had to bow out because of a conflict. He also brought on board Cravath Swaine & Moore to press a lawsuit in which the city is seeking to recover $100 million that it and its injured uniformed workers paid into the federal Social Security system.

All told, more than 40 firms have donated about $20 million worth of their lawyers' time to the Law Department since 2002, Ms. Grossman said.

Mr. Cardozo also has expanded to $2 million from $1 million the money spent to hire temporary lawyers to cope with spikes in the workload caused by the filing of major cases.

Finally, G. Foster Mills, the department's managing attorney, said the city budgeted $25.1 million in the Law Department and in a miscellaneous account for outside counsel to represent it in court this year, compared to an allocation of $17.4 million in the year Mr. Bloomberg took office, a 44 percent increase. Through May, the city had spend $2.8 million to hire outside attorneys for the ferry litigation.

Improved Workplace

To make the Law Department a more attractive place to work, Mr. Cardozo has boosted pay for experienced attorneys and strengthened recruitment and training.

His success in winning budget increases has enabled him to raise the salaries of lawyers in the office in tandem with raises given to other personnel under union contracts, said Mr. Mills.

In addition, Mr. Mills said, the department's fiscal 2005 budget contained $1.4 million to be distributed as merit raises among 250 staff attorneys who have been designated as senior counsels (all of whom must have at least five years experience). The average increase for those senior counsels who received merit increases was $6,000, Mr. Mills said. Senior counsels earn from $71,000 to $108,000.

The department has also beefed up its in-house training, and the program for new recruits has been expanded from a half day to a full work week. The new program, which draws heavily upon the one Mr. Cardozo developed at Proskauer, is designed to foster camaraderie among the department's new lawyers and give them access to mentors, said June Witterschein, director of professional development.

According to Stuart Smith, head of recruitment, word had begun to spread that the Law Department is a good place to work. The percentage of lawyers joining the agency this September who graduated from the 30 top law schools, as ranked by U.S. New & World Report, was twice as high as it was for the class that came aboard in September 2001.

Meanwhile, attorneys from other private firms have followed Mr. Cardozo into government service. They include associates from Cleary, Gottlieb, Steen & Hamilton; Paul, Weiss, Rifkin, Wharton & Garrison; Proskauer Rose; Simpson Thacher & Bartlett; Sullivan & Cromwell; and a partner from Skadden, Arps, Slate, Meagher & Flom.

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More on the Web

Additional information about the Law Department, including links to Court of Appeals decisions and annual reports during the tenure of Michael A. Cardozo, are posted at www.nylj.com

Cardozo Deploys Big-Firm Tools, Attitude

NYLJ PHOTO/RICK KOPSTEIN

Michael A. Cardozo at his desk in the bullpen of City Hall, with Mayor Michael R. Bloomberg in front of the railing at the back.