Town of Penfield Supervisor's Column

Week of November 2, 2015

Last week I had the honor and pleasure of attending the annual dinner of the Monroe County Magistrates Association. The Association presented the 2015 Honorable James E. Morris Award to the Honorable Donald J. Mark in recognition of his devotion to the furtherance of justice throughout his many years as a Justice of the Penfield Town Court, a Judge of the Monroe County Court, and a Justice of the New York State Supreme Court. This award is given annually to a judge or other individual who emulates the principles, ideals, and professionalism of the Honorable James E. Morris and has contributed in a special way to the town and village justice court system.

I first met Judge Mark in 1985 while I was running for town board. Over the past thirty years I have been fortunate to get to better know this remarkable man. Judge Mark was born in Rochester on March 31, 1926. He attended St. Andrew’s School, Aquinas Institute, Syracuse University, and Cornell Law School. Donald met and married Rosalie Lanza, they had two children and became grandparents to three.

Judge Mark served our country as a member of the U.S. Marine Corps in World War II and the Korean War. He has been a member of the New York State Guard, Col. (retired); 1st Marine Division Association; 2nd Marine Division Association; Marine Corps League; American Legion; Veterans of Foreign Wars; Catholic War Veterans Association; Korean War Veterans Association; ItAm Veterans Association; Marine Corps Historical Foundation; and the China Marine Association.

Judge Mark was admitted to practice on November 10, 1953. He is a member of the Monroe County Bar Association (past chairperson of Criminal Justice Committee, and past member of Volunteer Legal Services Project, Community Services Sentencing and Pre-Trial Release Committees), and past member of Plaintiffs Trial Lawyers Association.

Judge Mark’s judicial resume is extensive. He service is as follows: Penfield Town Court Justice from 1964 to 1973; Monroe County Magistrates Association (past president); New York States Magistrates Association; Administrative Judge of Town/Village Courts of Monroe County; and Appellate Division, Fourth Department, Interdepartmental Committee; County Court Judge from 1974 to 1983; Deputy Administrative Judge of County Court; and New York State County Court Judges Association; Supreme Court Justice elected in 1983 to a fourteen-year term; acting Administrative Judge for the 7th Judicial District in 1996 and 2000; Chairman of Jury Board of Monroe County; New York State Supreme Court Justice Association (Publications Committee; Criminal Procedure Committee); 7th Judicial District Supreme Court Justices Association (past president).

The Monroe County Bar Association rated Judge Mark as “highly recommended” for Supreme Court in 1983 and “superior” in 1982. In 1974 he was rated “superior” for County Court. Justice Mark pioneered multiple jury trials (five double-jury trials and two triple-jury trials); authored more than 100 decisions published in law books; and decided Dunaway v. New York in County Court which was affirmed by the U.S. Supreme Court and became a legal precedent nationwide and is the name of a hearing.

Judge Mark is a member of St. Rita’s Church, the Knights of Columbus, and the Sons of Italy. His past memberships include the Moose Lodge, Greater Rochester Track Club, Rochester Police Department Locust Club, and Rosewood Club. He is also physically disciplined, having jogged ten miles per day for twenty years, and he participated in an impressive nine marathons. Judge Mark now walks and weight trains to keep himself fit.

On a personal note I have had the honor of Judge Mark swearing me in for all my elected races for Penfield Town Board, Monroe County Legislature, and Penfield Town Supervisor. On Wednesday, January 6, 2016 I look forward to Judge Mark swearing me in for the thirteenth time!

Penfield is fortunate to include Judge Donald J. Mark as an outstanding member of our great community.

Until next week, be well and be safe!