



225<sup>th</sup> Anniversary  
1789-2014

# Samuel Mandelbaum

## **Born:**

September 20, 1884  
Russia or Poland

## **Received Commission:**

June 22, 1936

## **Died:**

November 20, 1946  
New York, NY

Samuel Mandelbaum was the first judge of the S.D.N.Y. not born on this continent. He was born in Russia or Poland), and brought to the U.S. by his parents when he was a boy. He grew up on the Lower East Side of Manhattan amongst the immigrant community. Mandelbaum worked his way through law school, graduating in 1912, followed by an L.L.M. in 1913.

From 1912 to 1923, Judge Mandelbaum maintained a private practice in the Lower East Side, representing clients in the municipal and magistrates courts. When he was elected to the New York State Assembly in 1923 he championed legislation to aid the poor such as creation of the municipal housing authorities to clear slums and make low cost public housing available. During this time he became close friends with then-Governor Franklin Roosevelt. In 1932, he followed his time in the Assembly with four years in the New York State Senate.

When Congress created additional judgeships in the S.D.N.Y., the President selected Mandelbaum. A storm of protests by the New York City Bar Association, the New York County Bar Association, and a committee on law reform of the New York State Chamber of Commerce resulted, with the associations accusing the President of making a purely political appointment of a lawyer who had little or no trial experience, and certainly not in Federal Court. But with the backing of the Federal Bar Association (predecessor of the Federal Bar Council), and numerous others, Mandelbaum was confirmed by the Senate.

Judge Mandelbaum spent his first ten weeks on the court presiding in criminal matters. He then moved to the civil docket and became the trial judge in *Erie Railroad Co. v. Tompkins*, his first civil case. His handling of the case was affirmed by both the Second Circuit and the Supreme Court, resulting in one of the seminal cases in U.S. legal history.

## Sources:

Biographical Directory of Federal Judges, available at <http://www.fjc.gov/>

Irving Younger, "Observation: What Happened in Erie", 56 *Texas L. Rev.* 1011 (1977-1978)

"S. Mandelbaum, 62, A Jurist Since 1936", *New York Times*, November 21, 1946, pg. 29.

"City Bar Protests Bench Appointees", *New York Times*, June 19, 1936, pg. 14.

"Ban Asked on Judges Named by Roosevelt", *New York Times*, June 20, 1936, pg. 7.

"Nominees to Bench Backed in Report", *New York Times*, June 20, 1936, pg. 7.