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Judge Ben Novicoff

by OZZIE NOGG

The verdict is in. According to family and friends, Retired Workers' Compensation Judge Ben Novicoff, 93, makes really good chopped liver. "My mother had no recipe," he said, "but whenever she made chopped liver I'd stand over her shoulder and watch until I finally figured out the proportions. I use an old fashioned grinder, like she did. Never a Cuisinart."

Despite his culinary bent, Novicoff chose Law School over Le Cordon Bleu. He received his J.D. from the University of Nebraska College of Law in 1948, opened a private practice in Lincoln, and has been a force to reckon with ever since. In recognition of his generous support to his alma mater, a Study Room at the UNL College of Law bears Ben Novicoff's name, as does the Library at the Harris Center for Judaic Studies.

Novicoff has dedicated his professional life to oiling the wheels of justice, a fact acknowledged by his peers. The International Association of Industrial Accident Boards and Commissions, over which Novicoff presided from 1972 to 1973, honored him with the Outstanding Administrators Award for his achievement in advancing workers' compensation throughout the world. In 1996, he received the Commissioner's Award For Eminent Achievement from the U.S. Department of Labor, Bureau of Labor Statistics. In 1997, Novicoff was elected to the Nebraska State Bar Foundation Class of Fellows, a selection based on his dedication to improving the administration of justice in this state, his leadership in the legal profession, his civic service and integrity. His pro bono service as a Trustee of the Daniel J. Gross Fund, which aids practicing Nebraska lawyers and their families during a time of crisis or financial distress, is described as exemplary. But there's more.

On March 1, 2014, during The Foundation Fellows Dinner at the Holland Performing Arts Center, Judge Novicoff was recognized with the Nebraska State Bar Foundation's Public Service Award. Mike Mooney, a past Nebraska State Bar Foundation Board member and current member of the Gross Fund Board, said, "Judge Novicoff, by his service as a Workers' Compensation Judge for over forty years, more than fulfilled the public service criteria for this award. He is held in the highest esteem by his colleagues in the Bar and by

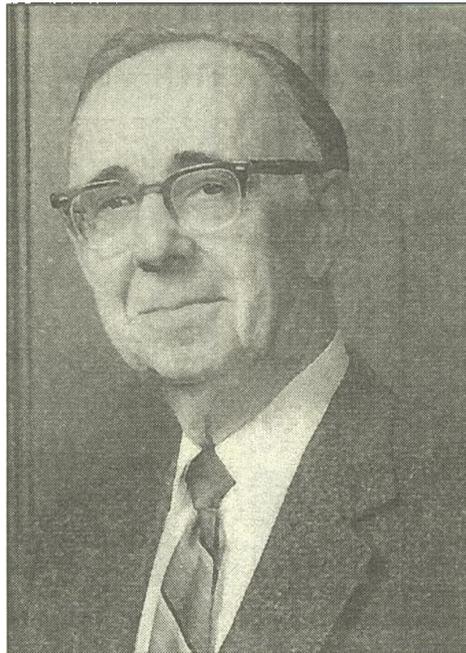
the University of Nebraska. His career on the bench has been stellar, and it is our honor to honor him." Former Omahan, Elaine Novicoff Nachman, came from Arizona to be her Uncle Ben's guest at the event. "My dad George was the oldest Novicoff brother. When I was eight and Uncle Ben was twenty, we all lived in the same house in Lincoln. Sunday was my Grandmother Helen's day to cook for the whole family and guests, and I'd set the table for at least twenty. Uncle Ben didn't like kasha, so when the serving bowl was put in front of him, he'd push it away. But he sure liked his mother's chopped liver. Uncle Ben is an important, special part of my family. He came to Omaha to attend each of our three daughters' Bat Mitzvahs and their weddings. I was so happy to be at The Fellows Dinner and will always remember watching Uncle Ben receive this accolade."

Novicoff feels lucky to have found a career he enjoys. "I wanted to be a lawyer for as long as I can remember, but my sitting on the Workers Compensation Court came by accident. Back in 1956, I was in private practice in Lincoln. One day I was delivering papers to the Justice of the Peace and I saw Hyman Polsky and Hyman Evnan -- two other Lincoln attorneys -- standing and talking. I heard them say, 'What about him?' I turned around and said, 'What about who?' At which point they told me that a judge was leaving the Compensation Court. 'You'd probably like that,' they said, so I applied for the job and got it." The 1956 appointment was made by then-Governor Victor Anderson. Novicoff served as Presiding Judge of the Workers' Compensation Court for twenty-eight years, having been elected to the position by his fellow judges. He retired from the bench in 1996, exactly forty years from the date he was appointed.

In a 1989 *Lincoln Journal Star* interview, Novicoff said, "It may not be the most glamorous area of the law, but Workers' Compensation is important to those whose health or livelihood is threatened by an injury at work." When he first came on the Compensation Court, Novicoff realized "a lot needed to be done. Back then, a claim for total disability got the worker a settlement of twenty-seven dollars a week, maximum. Every time the legislature met, there was a big fight over raising the compensation even two or three dollars." Undeterred,

Novicoff kept crafting new language that eventually led to a winning trifecta of lower litigation costs, higher benefits for injured employees, and saved money for employers. "I took a strong role in making changes, but improvements never would have happened without the help of Nebraska State legislators and the Governors who signed the bills."

Novicoff's empathy for injured workers might stem from his family history. "In 1906, my dad Michael was twenty and about to be drafted by the Tzar's army in Ukraine. So he and my mother



Retired Judge Ben Novicoff

Helen, who was seventeen, eloped and fled to Cairo where my father served as an apprentice barber. Three years later they landed in New York, where he saved up enough money from barbering to buy a Model T. Ford. One morning he was cranking up the motor and it backfired and broke his wrist. That ended his barbering.” Ever gutsy, Novicoff’s father piled his family into the Model T. and travelled west. Last stop, Lincoln, NE. “Our first winter here, my father bought a ton of coal, divided it into five pound paper sacks, and went door to door in the neighborhood. That’s how he made a dollar during our first winter in Lincoln.” Soon, the Novicoff brood included George, the twins -- Sam and Abe -- Lou and Ben. When Helen Novicoff’s brother was killed in Ukraine during a pogrom, one of his sons, Abe Cohen, came to Lincoln with a ticket paid for by Ben’s father and became part of the family. “The six of us boys got along fine,” Judge Novicoff said, “but if we started a ruckus, my mother knew how to stop it.”

During Lincoln’s Tifereth Israel Synagogue 100th anniversary celebration in August of 2013, Judge Novicoff shared his memories. “In my early years, about one hundred families belonged to that synagogue and the Rabbi was Soule Gordon,” he wrote. “I sat upstairs with my mother and the ladies of the congregation. There was no air-conditioning, and if you sat near the windows, you controlled whether they were open or shut. But not always with everyone’s agreement.” Novicoff went on to describe debates that took place in the shul over questions of Jewish practice. “Often there was no agreement, but even if the argument got heated no one ever got angry.” And the four men who always sat in the front center seats? “They delighted in two things. Davening

as loud as they could, and shouting corrections when the Torah reader made a mistake. It was fun listening to them.”

“Like all Jewish boys,” Novicoff continued, “I started cheder.” Unfortunately, he also started catching just about every childhood disease. Frequently absent, young Ben fell behind his classmates, and then dropped out. “My parents didn’t push me to go back, and when I was twelve I had no knowledge of Hebrew. My parents never tried to force me to have a Bar Mitzvah, but I knew my father would be very disappointed. Fortunately, Rabbi Harry Jolt, the rabbi at the time, was the best teacher and the kindest, most patient man I ever knew. In the summer of 1933, we started private lessons in his office. In December of 1933, I struggled through my Bar Mitzvah with help from the four men who always sat in the front row shouting corrections. I knew my father was proud of me, and that made it all worthwhile.” A taped interview with Judge Novicoff is included in the Dr. Ben Nachman Oral History Program at the Nebraska Jewish Historical Society.

Sharp as ever, Judge Novicoff keeps active in retirement. “I read. I attend an occasional Shrine meeting. I stay busy with the State Bar Foundation that gave me this award. The older I get, the faster time goes, so I spend most of it with Aloha, my companion of fifty-nine years. She has Alzheimer’s now. We never married, but she’s the love of my life.”

Doris Huffman, Executive Director of the Nebraska State Bar Foundation, considers it a privilege to call Judge Novicoff her friend. “He visits the Foundation frequently and always stops in my office to ask about my family, my health. He truly cares. It’s quite touching. Over the years we’ve talked about everyday things, from the history of Lincoln, his childhood memories, cooking stories. We both like food, including the Cookie Company’s gooey sticky rolls they have on Fridays. We recently had dinner at Billy’s Restaurant, and Judge Novicoff added their Lemon Drop Cheesecake to his list of favorites. But mostly we talk about Aloha, his lifelong partner. Bottom line, Judge Novicoff is one of the nicest men I know. A true gentlemen. He is so humble, and that’s a rare quality. Chopped liver isn’t on my list of top ten favorite foods, but in his case I’d make an exception.”