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Paterson Picks Chief Judge Nominee

By JOHN ELIGON

Gov. David A. Paterson nominated Justice Jonathan Lippman on Tuesday to be the next chief judge of the New York Court of Appeals, the state's highest court.

Justice Lippman, 63, the presiding justice of the First Judicial Department of the Appellate Division of State Supreme Court, one of the state's midlevel appeals courts, is expected to be introduced at a news conference in Albany on Wednesday.

Despite the nomination, Mr. Paterson renewed his criticism of the selection process.

The Commission on Judicial Nomination gave Mr. Paterson a list of seven male candidates last month, and the governor was required to select one of them to replace Judith S. Kaye, who was the first woman on the Court of Appeals and the first female chief judge..

"Though I am thrilled to choose Judge Lippman to serve as our next chief judge, I firmly believe that we must revise the process for future judicial nominations to ensure that those under consideration represent all New Yorkers," the governor said on Tuesday. "That is why I will propose revising the judicial nomination statute."

The selection process was also criticized by State Senator John L. Sampson, a Brooklyn Democrat and chairman of the Senate Judiciary Committee, who said he would hold hearings concerning the criteria used by the commission in its selection process.

Justice Lippman's nomination needs the confirmation of the State Senate.

As the chief judge, he would sit on the state's high court, as well as run the entire state court system, which has a budget of more than $2 billion.

He was widely considered to be the choice favored by Ms. Kaye, who was forced to step down at the end of last year after reaching the mandatory retirement age of 70. Ms. Kaye served 25 years on the court and 15 years as chief judge, the longest tenure of any chief judge in state history.

Justice Lippman also has the support of Sheldon Silver, the speaker of the Assembly and a Manhattan Democrat.

Justice Lippman served under Ms. Kaye as the state's chief administrative judge from 1996 through 2007. As a confidant of Ms. Kaye's, Justice Lippman is expected to continue some of the innovative approaches that Ms. Kaye championed, like drug courts and domestic violence courts.

"He was my vital partner in those initiatives," Ms. Kaye said Tuesday in an interview.

"I couldn't be happier," she added. "I think he has a proven quality both on the judicial end and on the administrative end."

Ms. Kaye said Justice Lippman would be particularly effective during the economic downturn.

"In these very difficult times, I always relied on him for his unique familiarity with the budget," she said. "He knows how every penny is spent in the court system."

While Ms. Kaye has been widely regarded as having reformed the courts, a major issue lingers: judicial pay raises. Judges in the state have not received a pay increase in 11 years, and Ms. Kaye filed a lawsuit last year seeking one.

Mr. Lippman has spent his entire legal career in the state court system. He graduated from New York University Law School in 1968 and took an entry-level court job.

In 1989, he became the deputy chief administrator for management support, responsible for the day-to-day management of the court system. In 1995, Gov. George E. Pataki appointed him a judge of the New York Court of Claims. In 2005, he was elected to the State Supreme Court for a 14-year term. Gov. Eliot Spitzer assigned Justice Lippman to the appellate division in May 2007.

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