

Lawsuit calls cross-endorsing 'illegal, invalid'

By Deborah Pines

Staff Writer

Westchester County Democrats and Republicans were served yesterday with a lawsuit calling their three-year package of joint endorsements of judicial candidates "illegal, invalid, void and against public policy" because it "disenfranchises" voters.

The suit was filed by a group called the Ninth Judicial Committee and it aims to invalidate the endorsements and remove three cross-endorsed judicial candidates from the Nov. 6 ballot.

Those being targeted are Albert Emanuelli, the cross-endorsed candidate for Westchester County Surrogate Court judge, and Howard Miller and Francis Nicolai, candidates cross-endorsed for state Supreme Court justice in the 9th Judicial District.

A hearing on the suit is scheduled for Oct. 5 in the Albany County Courthouse, said Doris Sassower, a lawyer from White Plains and counsel to the group.

The lawsuit names 13 defendants, including Anthony Colavita, chairman of the Westchester Republican County Committee, and Dennis Mehiel, chairman of the Westchester Democratic County Committee, and the three judicial candidates.

The suit says that under the practice of cross-endorsing judges, voters are "deprived of their right of election between opposing candidates." The idea of cross-endorsing judges, discussed for years, was implemented last year, when both parties agreed to endorse a single slate of judicial candidates.

Mehiel and Colavita, in separate interviews, called the lawsuit "frivolous." Both said other candidates could have challenged the slate, which Colavita said was picked for "good government" reasons.