

Eli Vigliano

**Post Office Box 70 • Gedney Station
White Plains, New York 10605-0069
Tel: (914)723-6650 Fax: (914) 684-6554**

FAX COVER SHEET

This fax transmission consists of a total of two page(s), including this cover page. If you have not received all the pages, please notify the sender as soon as possible.

TO: Gannett Newspapers, Ron Patafio

TITLE: Editorial Page Editor

DATE: 11/26/97

TIME: 9:30 a.m.

FAX #: 696-8396

RE: Letter to the Editor

FROM: ELI VIGLIANO

CONFIDENTIALITY NOTICE

The information herein contained is PRIVILEGED AND CONFIDENTIAL, intended solely for the person for whom it is addressed and is protected by the Personal Privacy Protection Law. If you are not the intended recipient or an agent or employee responsible for delivering this document to the intended recipient, you are hereby notified that any dissemination or copying of this document or the information contained herein is strictly prohibited. If you have received this facsimile in error, please notify the sender immediately by telephone at the above indicated telephone number and return the original facsimile to us at the above address by mail. You will be reimbursed for all costs incurred. Thank you!

MESSAGE

I am transmitting a proposed Letter to the Editor. I do not authorize any editing changes without my consent. Please let me know as soon as possible if it exceeds your required length, in which case I would like to submit it as a MY View piece, or if time permits, expand it.

Eli Vigliano, Esq.
P.O. Box 70, White Plains, NY 106005
TEL: 914/723-6650

November 26, 1997

Gannett Newspapers
One Gannett Drive
White Plains, NY
Att: Ron Patafio, Editorial Page Editor
Letters to the Editor

Westchester is indebted to David McKay Wilson for his detailed report on Andrew O'Rourke's legacy to its taxpayers. (11/23/97 "O'Rourke's privatization initiatives cost county"). Millions of dollars in added direct cost--but does it not reveal a more serious character flaw-- a trained lawyer, flouting clear statutes in pursuit of an illegitimate end? One error of judgment is excusable, perhaps, two, but FOUR? "3 strikes and you're out" is the rule. No, having decided it was time to cash in on his political chip, i.e., the judgeship presumably "owed" him for his loyal service to the G.O.P. as its sacrificial lamb in the 1986 gubernatorial race, his military training came to the fore: "Damn the torpedoes, full steam ahead." Such attitude may be tolerable in the Executive Branch, but in a judge?

According to a 1992 study of Mr. O'Rourke's credentials by the Center for Judicial Accountability, Inc., for a federal judgeship to which he had already been nominated, the County Executive was asked to list **ten** cases he had handled to show the requisite trial experience. Incredibly, Mr. O'Rourke could only come up with **three**. The Center's fully documented report provided evidence demonstrating that practitioner O'Rourke had been guilty of legal malpractice in two of those cases and less than honest in his responses to the Senate Judiciary questionnaire. The full Report is available to the public. No, he has neither the legal competence nor experience to qualify as a trial lawyer, let alone a judge.

But perhaps the most significant current disqualifier for judicial office is his blatantly partisan, political attempt to shackle his successor by trying to lock in a "no-layoff" clause in the union contract intended as "the matrix" for collective bargaining negotiations that have been stalled for months, bordering on years.

Do we really need another politician for judge, state or federal? The answer is clearly "No!" But unless the public immediately sends a thundering wake-up call to Governor Pataki, more than likely that's what it's going to get -- and deserve. And then, don't complain.

ELI VIGLIANO
-- Port Charlotte, Florida

The writer is the Chairman and founder, in 1989, of the Ninth Judicial Committee, committed to improving the quality of the judiciary in the Ninth Judicial District, including Westchester.