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| Subj: | Fwd: Dec 18 article: "State Senate Votes to Confirm One of Its Own for a Judg... |
| Date: | 12/20/02 12:02:03 AM Eastern Standard Time                                       |
| From: | Judgewatchers  |
| To:   | mckinley@nytimes.com   |

I hope you will agree this is an important letter to the editor, clarifying your article. Also, unless you would like me to do so, please notify the "Corrections" Dept. [nynews.nytimes.com or 1-888-698-6397] that our organizational name is Center for Judicial Accountability, not Center for Judicial Responsibility, if you have not already done so.

Thanks.

Elena

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 Forwarded Message:

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| Subj: | Dec 18 article: "State Senate Votes to Confirm One of Its Own for a Judgeship" |
| Date: | 12/19/02 11:54:40 PM Eastern Standard Time                                     |
| From: | Judgewatchers  |
| To:   | letters@nytimes.com  |

BY FAX: 212-556-3622 (4 pages)  
 BY E-MAIL: letters@nytimes.com

December 19, 2002

The New York Times

To the Editor:

NOTE: This letter is somewhat longer than my previous letter which you published on November 16, 1996, as the lead letter, under the title "On Choosing Judges, Pataki Creates Problems". However, it may be even more important.

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RE: "State Senate Votes to Confirm One of its Own to a Judgeship" (news article, Dec. 18).

Where is respect for democracy and fundamental rules of procedure when the NYS Senate Judiciary Committee holds a "hearing" on the confirmation on the Governor's judicial nomination of its own Chairman, Senator James Lack -- without notice to the public, without permitting opposition testimony, and without asking a single question as to his legal qualifications?

Yet under Senator Lack's chairmanship, this kind of violative conduct has become the norm for confirmation of the Governor's judicial nominees. Of the hundreds passed on for Senate confirmation, Chairman Lack has not permitted opposition testimony to a single one. This is not because, prior to the confirmation "hearings", Chairman Lack has interviewed those members of the public who have contacted the Committee with requests to testify or because, after reviewing their substantiating documents, he has deemed what they had to say unworthy. Rather, all requests have been summarily rejected or simply ignored.

It is Chairman Lack's betrayal of the public trust in confirming judicial nominees that I attempted to testify about at the Committee "hearing" on his own judicial confirmation. Although you identified that a sergeant at arms threatened me with removal, such threat came from Acting Chairman Volker. This, when I rose to inquire whether a stenographer was present to record the proceedings. Oh, did I not mention that during Chairman Lack's tenure Committee "hearings" to confirm lower court nominees have also not been

stenographically recorded?

**ELENA RUTH SASSOWER, Coordinator**  
Center for Judicial Accountability, Inc.

**Faxed Enclosures:**

- (1) "State Senate Votes to Confirm One of Its Own for a Judgeship", article, NYT, 12/18/02
- (2) "On Choosing Judges, Pataki Creates Problems", letter, NYT, 11/16/96