



## **SENATE STANDING COMMITTEE ON THE JUDICIARY**

### **NOTICE OF PUBLIC HEARING**

**SUBJECT:** The nomination process for Judges to the New York State Court of Appeals.

**PURPOSE:** This hearing will examine the process by which nominees to the Court of Appeals are selected by the Commission on Judicial Nomination to be forwarded to the Governor.

**ALBANY**  
**Tuesday, January 27, 2009**  
**10:00 am**  
**Hearing Room A**  
**The Legislative Office Building**  
**Albany, NY 12247**

### **ORAL TESTIMONY BY INVITATION ONLY**

The Commission on Judicial Nomination was created in 1977 by statute and Constitutional amendment, and charged with the task of promoting merit selection of Judges to the New York Court of Appeals. Pursuant to the Constitution and the Judiciary Law provisions which implement it, the Commission recommends to the governor a slate of candidates for each vacancy on the Court. The Commission is made up of 12 commissioners – of whom four each are chosen by the Governor and the Chief Judge of the State of New York, with one each being selected by the Speaker of the Assembly, Temporary President of the Senate, Minority Leader of the Senate and Minority Leader of the Assembly.

A series of concerns have been raised about the lack of diversity in the recent list of nominees from which Governor Paterson must choose the next Chief Judge. This hearing will allow the Committee to explore the judicial selection process, including a perceived lack of transparency in the Commission's process, and recommend any legislative remedies that may be deemed necessary.

Twenty copies of any prepared testimony should be submitted at the hearing registration desk. The Committees would appreciate advance receipt of prepared statements.

In order to further publicize these hearings, please inform interested parties and organizations of the Committees' interest in considering testimony from all sources.

In order to meet the needs of those who may have a disability, the Senate, in accordance with its policy of non-discrimination on the basis of disability, as well as the 1990 Americans with Disabilities Act (ADA), has made its facilities and services available to all individuals with disabilities. For individuals with disabilities, accommodations will be provided, upon reasonable request, to afford such individuals access and admission to Senate facilities and activities.

**Senator John Sampson  
Chair  
Senate Standing Committee  
on the Judiciary**

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**PUBLIC HEARING REPLY FORM**

Persons invited to present testimony at the public hearing on the nomination process for Judges to the New York State Court of Appeals are requested to complete this reply form as soon as possible and mail or fax it to:

Tim Spotts, Esq.  
Counsel  
Room 506 LOB  
Albany, New York 12247  
Email: [spotts@senate.state.ny.us](mailto:spotts@senate.state.ny.us) Phone: (518) 455-2788  
Fax: (518) 426-6806

- I plan to attend the public hearing on the nomination process for Judges to the New York State Court of Appeals to be held by the Senate Standing Committee on the Judiciary.
- I have been invited to make a public statement at the hearing. I will answer any questions that may arise. I will provide 10 copies of my prepared statement.
- I will not be attending the public hearing, but I would like submit written testimony for consideration by the committee members. I will provide 10 copies of my prepared statement.
- I would like to be added to the Committee's mailing list for notices and reports.
- I would like to be removed from the Committee's mailing list.
- I will require assistance and/or handicapped accessibility information. **Please specify the type of assistance required:**
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**NAME:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

**ORGANIZATION:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**E-MAIL:** \_\_\_\_\_

**TELEPHONE:** \_\_\_\_\_

**FAX :** \_\_\_\_\_