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Hispanic Senator Criticizes Rivera Pick for High Court

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A Hispanic Democratic lawmaker has joined with several Republican senators in questioning the qualifications of Jenny Rivera to serve as a Court of Appeals judge. In a news release yesterday, Senator Ruben Diaz, D-Bronx, listed 11 Hispanic judges whom he said are better suited to sit on the high court than Rivera.

Rivera, a professor at the City University of New York School of Law with no judicial experience, was nominated by Governor Andrew Cuomo to fill the seat vacated by the court's first Hispanic, Carmen Beauchamp Ciparick, who retired on Dec. 31.

The Senate Judiciary Committee on Feb. 5 permitted Rivera's nomination to go to the full Senate, but without endorsing her. Several Republican lawmakers questioned whether Rivera has the necessary experience; several Democrats said she is a stellar candidate, and some of them suggested the opposition is rooted in bias.

"I am a Puerto Rican...and I have to agree with those who are of the opinion that Jenny Rivera does not have the necessary experience, due to the fact that she has neither been a judge nor a litigator," Diaz said. "I am honored and glad that the governor is appointing a Hispanic. However, to me, it is disrespectful and offensive for the governor to jump over so many men and women who have been serving in the judicial system for many years and have vast experience."

Of the 11 Hispanic judges who Diaz said are better qualified, only one, Justice Rolando Acosta ([See Profile](#)) of the Appellate Division, First Department, was among the seven candidates approved by the Commission on Judicial Nomination. The governor must appoint from that list.

Cuomo's office declined comment.

In an interview, Diaz said he has not decided how he will vote on the Rivera nomination when it comes to the Senate floor on Feb. 11.