

## R E G I O N

## State Senate Votes to Confirm One of Its Own for a Judgeship

By JAMES C. MCKINLEY Jr.

ALBANY, Dec. 17 — Senator James J. Lack, a Republican whose reputation was tarnished when he flew into a rage at another driver last year, was confirmed today by the State Senate as a Court of Claims judge, just a few minutes after a short committee hearing.

Mr. Lack was nominated for the judgeship by his fellow Republican, Gov. George E. Pataki, just a week ago. His bid to run for a State Supreme Court judgeship last year ran into trouble after a woman said he had flown into a rage, followed her home, screamed at her, chased her into her garage, flashed his Senate

badge and continued yelling.

Mr. Lack, who is 58, later said he had become outraged at the woman, Lore von Hoffen, because she crossed a double yellow line in a school zone. She filed a complaint with the police but later dropped charges. Senator Lack delivered a written apology to her, but the political damage done to his career doomed his effort to be elected a judge.

The road-rage incident did not come up at Mr. Lack's confirmation hearing today. Several senators delivered speeches praising him for being a kind and compassionate colleague as well as for having a fine knowledge of court administration.

The committee hearing was a strange event, because Mr. Lack, of Suffolk County, has been committee chairman since 1994. He recused himself from the vote, in which his colleagues confirmed him unanimously without asking a single question about his legal qualifications.

"It's a little bit of an out-of-body experience watching your own committee meet and you are the subject matter," Senator Lack, who was first elected in 1979, said.

The hearing was called without notice and no one was allowed to testify in opposition. Elena Ruth Sassower, who runs the Center for Judicial Responsibility, attempted to testify, and said she would have told the committee that Senator Lack had a tendency to rush confirmation hearings and sometimes ignored complaints about nominees. A sergeant-at-arms threatened to remove her from the chamber.

"They didn't allow any testimony," she said. "It's only themselves, chatting with the nominee, trading compliments. It's an affront to proper procedure."

The acting chairman, Senator Dale M. Volker, said Ms. Sassower was not allowed to speak because she had disrupted other hearings. He said the committee had taken into account the road-rage incident but dismissed it as a minor setback in an otherwise exemplary career. "Jim Lack is an extremely competent guy," he said.

Governor Pataki has also expressed his confidence in Mr. Lack's temperament. The governor's aides said his judicial screening committee had vetted Mr. Lack and had found him highly qualified.

### Lottery Numbers

**Dec. 17, 2002**

Midday New York Numbers — 245

Midday New York Win 4 — 2129

New York Numbers — 519

New York Win 4 — 3863

New York Take 5 — 9, 18, 21, 25, 32

New York Pick 10 — 2, 3, 4, 18, 22, 24, 26, 32, 41, 48, 49, 52, 58, 67, 70, 71, 73, 75, 77, 79

New Jersey Pick 3 — 261

New Jersey Pick 4 — 1353

New Jersey Cash 5 — 6, 10, 22, 23, 24

Mega Millions — 3, 7, 21, 29, 49; mega ball, 46

Connecticut Mid-Day 3 — 617

Connecticut Mid-Day 4 — 2194

Connecticut Daily — 171

Connecticut Play 4 — 0237

Connecticut Cash 5 — 7, 8, 11, 18, 21

Connecticut Classic Lotto — 3, 4, 5, 9, 13, 33

**Dec. 16, 2002**

New York Take 5 — 6, 15, 16, 24, 36

New York Pick 10 — 2, 5, 6, 11, 15, 18, 24, 32, 34, 35, 37, 40, 42, 50, 57, 59, 63, 68, 78, 79

Connecticut Daily — 405

Connecticut Play 4 — 4413

Connecticut Cash 5 — 1, 12, 28, 33, 35

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