



NINTH JUDICIAL COMMITTEE

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The New York Times
229 West 43rd Street
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To the Editor:

"We have good, quality judges. I think I'd take that as a significant accomplishment". That comment by President Bush is buried in the middle of your full-page article "Selection of Conservative Judges Insures a President's Legacy" (7/1/92). Buried even further is the reality behind this so-called "accomplishment": 1 out of every 6 of President Bush's judicial nominees has been rated "not qualified" by a minority vote of the American Bar Association's evaluating panel.

We believe the real news story is not the conservative court built by President Bush--but the mediocrities he has nominated for life-time federal judgeships. Indeed, based upon six months of investigative effort, our grass-roots citizens' group recently submitted a critique to the Senate Judiciary Committee documenting the unfitness of one of President Bush's nominees to the Southern District of New York. That nominee--like 1 out of every 6 others--had received a "not qualified" minority rating by the ABA's evaluating panel.

Although your article states "in no case has a majority

of the [ABA's] evaluating panel found a Bush nominee unqualified", our critique found no basis for the ABA's majority rating of "qualified" for the nominee we studied. Indeed, the evidence strongly suggests that the ABA's rating of that nominee was not the result of any meaningful investigation at all.

Our critique raises a "red flag" as to the failure of the screening process to make appropriate threshold determinations, which, as set forth by the ABA itself, are directed to the "integrity, professional competence, and judicial temperament" of the prospective nominee.

Because of the danger represented by Senate confirmation of unfit nominees to life-time federal judgeships, we have called on the Senate leadership to halt all judicial confirmations until an investigation is undertaken and safeguards put in place. This dramatic call, designed to protect the public from a documented threat, deserves press attention.

We note that appended to your article were three interviews, entitled "Voices: San Francisco". None of the individuals interviewed had an insider's knowledge of "Bush's Choices for the Court". Frankly, we do not understand why The New York Times does not give space to New York voices--particularly when those voices have something concrete and informed to say about the "quality" of President Bush's judicial nominees--and the process that produces them.

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The Ninth Judicial Committee, based in the Ninth Judicial District of New York, is a non-partisan citizens' group dedicated to a quality judiciary.