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3 pages

June 16, 1997

James F. Gill, Esq.
Chairman, First Department Judicial Screening Committee
Robinson, Silverman, Pearce, Aronsohn & Berman
1290 Avenue of the Americas
New York, New York 10104

Dear Chairman Gill:

We trust you have received, in today's mail, a copy of CJA's June 2, 1997 letter to Governor Pataki, seeking *basic* information about his judicial appointments process and his unworthy appointment of Supreme Court Justice Nicholas Colabella to the Appellate Division, First Department.

Unfortunately, we do not have the mailing addresses of those members of the Permanent Judicial Screening Committees who, not being in private practice, are not listed in the 1997 New York Lawyers Diary and Manual. We, therefore, would appreciate if you would provide their mailing addresses. For your convenience, we have put an asterisk beside their names, as they appeared in the March 6, 1997 Law Journal article announcing their appointment to the four Department Judicial Screening Committees.

Your prompt response would be greatly appreciated.

Yours for a quality judiciary,



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

Enclosures

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Pataki Names Panels For Judicial Screening

Members Appointed Two Years After Order

BY GARY SPENCER

ALBANY — Nearly two years after promising to set up permanent screening committees for judicial appointments, Governor Pataki this week finished selecting the members needed to make them operational.

He named a political ally, James F. Gill of Robinson Silverman Pearce Aronsohn & Berman, to chair the First Department's Judicial Screening Committee. Mr. Gill, a resident of Rockville Centre, served as acting director of the Governor's Office of Employee Relations during Governor Pataki's transition in 1995 and is now chairman of the Battery Park City Authority.

In the Second Department, he chose his former law partner, Kevin J. Plunkett of Tarrytown, to chair the screening committee. Mr. Plunkett is a partner in Plunkett & Jaffe, where Mr. Pataki practiced from 1975 to 1989.

The Governor also named former Chief Judge Lawrence H. Cooke of Monticello to chair the Third Department screening committee and Syracuse attorney John A. Cirando to chair the Fourth Department's.

The new screening panels "will ensure that the highest quality appointments will be made," the Governor said, but he has never explained his lengthy delay in getting the panels up and running.

Although he issued an executive order establishing all four screening committees in April 1995, the Governor did not appoint his share of the members. Instead, he continued to have judicial applicants reviewed by a "Temporary Judicial Screening Committee" headed by Judge Cooke.

Using the temporary panel, on which his appointees hold four of the seven seats, Governor Pataki has appointed or given new terms to at least 83 judges in posts ranging from the Appellate Division to interim trial court vacancies.

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PHOTOGRAPH BY ANITA BARTSCH

Governor Pataki

Pataki Names Panel Members

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The practice has drawn increasing criticism from bar associations. In a scathing report three weeks ago, the Association of the Bar of the City of New York said the Governor's delay in filling the permanent panels "might look like the Governor was waiting until 'political favors' had been paid with judicial appointments" (NYLJ, Feb. 11).

The permanent screening structure differs slightly from the one established by former Governor Cuomo. Mr. Cuomo appointed four of the 10 members on each committee, while Governor Pataki appoints five of the 13 members of his committees and Attorney General Dennis Vacco appoints two.

The rest of the seats are filled as they were in the Cuomo administration: two appointments by Chief Judge Judith S. Kaye, one by the presiding justice of the department, one each by the Republican and Democratic leaders in the Legislature, and one by the New York State Bar Association.

1st Department

In the First Department, in addition to Mr. Gill, the Governor appointed former U.S. Attorney Paul Curran of Kaye Scholer Fierman Hays & Handler, who heads the Mayor's Committee on the Judiciary; Staten Island attorney Daniel L. Master, counsel to Borough President Guy Molinari; Manhattan Assistant District Attorney Mireya C. D'Angelo; and Marta B. Varela, commissioner of the city's Commission on Human Rights. Mr. Vacco named Arnold Burns of Proskauer Rose Goetz & Mendelsohn and Charles E. Dorkey III of Haythe & Curley.

Judge Kaye named Claire Gutekunst of Proskauer Rose Goetz & Mendelsohn and Carol Edmead, counsel to the Federal Deposit Insurance Corporation. Presiding Justice Francis T. Murphy named Peter Johnson Jr. of Leahy & Johnson. Republican legislative leaders named Taisa Rak of Sciretta Rak & Shea, and Democratic leaders named legislative consultant Barbara Shack. The State Bar named Renaye Cuyler of Gorayeb & Cuyler.

2d Department

In the Second Department, in addition to Mr. Plunkett, the Governor named Rockville Centre lawyer and investment banker William R. Howell; Jerold R. Ruderman of Scarsdale, a partner in Wilson Elser Moskowitz Edelman & Dicker; and Nassau County Assistant District Attorney Patricia P. Wright of Freeport. Mr. Vacco named

Lawrence E. Elovich of Elovich & Adell and William F. Harrington of Bleakley Platt & Schmidt.

Judge Kaye named Sandra Granum of Stroock Stroock & Lavan and solo practitioner Caroline Levy. Presiding Justice Guy J. Mangano named former Supreme Court Justice Joseph J. Kunzeman. Republican legislative leaders named Jeffrey L. Stadler of Rivkin Radler & Kremer, and Democratic leaders named Philip M. Damashek of Schneider Kleinick Weitz Damashek & Shoot. The State Bar named one of its former presidents, John P. Bracken of Bracken & Margolin in Islandia.

3d Department

In the Third Department, in addition to Judge Cooke, the Governor appointed former Albany County Court Judge John J. Clyne of Delmar, Harry J. D'Agostino of D'Agostino Hoblock Greisler & Siegal in Albany, Dale M. Thuillez of Thuillez Ford Gold & Conolly in Albany, and Guilderland attorney Nancy M. Sills. Mr. Vacco named Chemung County Attorney Ransom P. Reynolds Jr. and M. Cornelia Cahill of Ruberti Girvin & Ferlazzo in Albany.

Judge Kaye named New York State United Teachers General Counsel Bernard F. Ashe and Rachel Kretser, head of the attorney general's Consumer Frauds Bureau. Presiding Justice Anthony V. Cardona named Stanley A. Rosen of McNamee Lochner Titus & Williams in Albany. Republican legislative leaders named James B. Crane III of Crane Kelley Green & Parente in Albany, and Democratic leaders named former State Bar president John J. Yanas of DeGraff Foy Holt-Harris Mealey & Kunz in Albany. The State Bar named former State Senator John R. Dunne of Whiteman Osterman & Hanna in Albany.

4th Department

In the Fourth Department, in addition to Mr. Cirando, the Governor named former Court of Appeals Judge Matthew J. Jasen of Orchard Park, former State Bar president Maryann Saccomando Freedman of Buffalo, John C. Cherundolo of Cherundolo Bottar & McGowan in Syracuse, and Anne D. Riley of Harris Beach & Wilcox in Rochester. Mr. Vacco named Buffalo attorney Sal Martoche of the State Commission of Investigation and Patricia Snyder of Syracuse, assistant general counsel of Fay's Inc.

Judge Kaye named former Court of Appeals Judge Stewart F. Hancock Jr. of Syracuse and Joan Photiadis, a director of the League of Women Voters of Greater Buffalo. Presiding Justice M. Dolores Denman named Philip H. Magner Jr. of Magner Love & Morris in Buffalo. Republican legislative leaders named Gordon Gross of Gross Shuman Brizdle & Gilfillan in Buffalo, and Democratic leaders named Thomas G. Smith of Harter Secrest & Emery in Rochester. The State Bar named David L. Hoffberg of Nixon Hargrave Devans & Doyle in Rochester.

Daily columns on page 3 of the Law Journal give readers an opportunity to rely on experts to keep them abreast of developments in many areas of practice.

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