



Wednesday, September 23, 2009

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Assemblymember Rory I. Lancman

25th Assembly District

State Lawmakers Unveil Legislation Reforming Court Of Appeals Nomination System

February 4, 2009



Albany – Assemblyman Rory I. Lancman (D-Queens), State Senator John L. Sampson (D-Brooklyn), and Assemblyman Peter M. Rivera (D-Bronx) announced legislation to reform the nominating system for Court of Appeals judges today. The current process was widely criticized recently, including by Governor David Paterson and Attorney General Andrew Cuomo, when the Commission on Judicial Nominations did not nominate a single woman or Latino as a possible replacement for retiring Chief Judge Judith Kaye.

Unlike the current law which arbitrarily limits the number of "well qualified" nominees who can be forwarded to the Governor for consideration for the state's highest court, the legislation unveiled by Assemblyman Lancman and Senator Sampson would require the Commission on Judicial Nominations to forward every "well qualified" candidate to the Governor. This measure would provide the Governor with access to the state's top judicial talent and prevent the Commission from exceeding its intended purpose as a screening mechanism.

"New Yorkers deserve the best and brightest on our Court of Appeals, distinguished lawyers who also represent the diversity of our state. This legislation will accomplish that by broadening the pool of judicial nominees for the Governor to consider while keeping politics out of the nomination process," said Assemblyman Lancman.

"The public must feel confident in the process for Court of Appeals nominations. We must make sure that the people of the State of New York have faith in the judicial system. This bill is one way to open the process and help ensure that people continue to have faith in the system," said Senator Sampson.

"Not only are Hispanics tremendously under-represented at all levels of the state government workforce, we are also grossly absent from judgeships throughout our court system. The problem is highlighted by the reality that with over 4 million Hispanics in our state there are no Hispanic presiding Judges in the Appellate Term of the State of New York," said Assemblyman Rivera. "I strongly support the work of Assemblyman

Lancman and Senator Sampson that will help make sure that our judiciary is as diverse as the people of the Empire State."

Assemblyman Lancman is a member of the Assembly Judiciary Committee, Assemblyman Rivera is a member of the Assembly Judiciary Committee and a former Assistant District Attorney and Senator Sampson chairs the Senate Judiciary Committee. Senator Sampson recently held a hearing (<http://nyssenate19.com/Files/PDF/Judiciaryhearingnotice.pdf>) on New York State's judicial nomination process.

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