

NINTH JUDICIAL COMMITTEE

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FAX COVER SHEET

DATE

6/8/90

TIME

3 p.m.

TO:

John Caher

FAX NUMBER:

518 454-5628

This fax consists of a total of 6 pages, including this cover sheet. If you do not receive the indicated number of pages, or if there is a question as to the transmittal, please call (914) 997-1677.

FROM:

Doris L. Sassower

MESSAGE:

Your material is great! Do you have a copy of the printed version for me? If so, please fax back.

I am faxing a copy of the illegal contract, which was actually put in written form by the 2 party bosses, & masked with the prefatory camouflage, agreed to by the judicial nominees themselves

John -
Our case represents a unique and historic opportunity to democratize the judicial branch of government as the Constitution of the State of New York intended.

Please call me freely for any info you need or can give me.

AKS

The window-dressing

(S)

(1)

In furtherance of a mutual interest to promote a non-partisan judiciary populated by lawyers with universally acclaimed litigation skills, unblemished reputations for character and judicial temperament and distinguished civic careers, and to enable sitting judges of universally acclaimed merit to attain re-election to their judicial office without the need to participate in a partisan contest, the Westchester County (Republican) (Democratic) Committee joins with the Westchester County (Republican) (Democratic) Committee to

Resolve:

The illegal contract

That for the General Election of 1989, we hereby pledge our support, endorse and nominate Supreme Court Justice Joseph Giudice, Supreme Court Justice Samuel G. Fredman and Albert J. Emanuelli, Esq. of White Plains, New York for election to the Supreme Court of the State of New York, Ninth Judicial District, and to call upon and obtain from our counterparts in Rockland, Orange, Dutchess and Putnam Counties similar resolutions; and

For the general election of 1990, assuming that the then Justice Albert J. Emanuelli will resign from the Supreme Court Bench to run for Surrogate of Westchester County and thereby create a vacancy in the Supreme Court, Ninth Judicial District to be filled in the 1990 general election, we hereby pledge our support, endorse and nominate County Court Judge Francis A. Nicolai as our candidate for the Supreme Court vacancy created by Judge Emanuelli's resignation, and to call upon and obtain

from our counterparts in Rockland, Orange, Dutchess and Putnam counties resolutions and commitments to support Judge Francis A. Nicolai as their candidate to fill the vacancy created by the resignation of Judge Emanuelli; and we hereby pledge our support, endorse and nominate Albert J. Emanuelli as our candidate for Westchester County Surrogate in the 1990 general election.

For the general election of 1991, we hereby pledge our support, endorse and nominate Judge J. Emmet Murphy, Administrative Judge of the City Court of Yonkers, for election to the County Court of Westchester County to fill the vacancy anticipated to be created by the election of Judge Francis A. Nicolai to the Supreme Court and Judge Adrienne Hofmann Scancarelli, Administrative Judge of the Family Court, Westchester County, for re-election to the Family Court, Westchester County; and

To require each of the above-named persons to pledge that, once nominated for the stated judicial office by both of the major political parties, he or she will refrain from partisan political endorsements during the ensuing election campaign and, thereafter, will provide equal access and consideration, if any, to the recommendations of the leaders of each major political party in connection with proposed judicial appointments.

How's this for compromising
the independence of a
judge. Party affiliation
not ment, is the criterion
for appointments.

We are resolved and agreed that the foregoing Resolution and pledges are intended to and shall be binding upon the respective Committees of the two major political parties during the years 1989, 1990 and 1991 and shall not be affected by any action or proposed action or court merger or court unification.

A deal has already been made for 1992, extending the horse-trade principle to 1 Supreme Court judgeship in Rochester endorsed by Democrats for 3

Democrats to be cross-endorsed by Republicans for non-judicial positions.

If this dangerous precedent is allowed to stand, the vice may spread to state and national legislative positions.