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Briefing

Questioning O'Rourke

A judicial watchdog group led by a suspended lawyer criticizes the way County Executive Andrew O'Rourke answered questions raised as part of his nomination for a federal judgeship. **6B**

O'Rourke listed only 3 cases for Senate

Panel requested 10 to help it consider his fitness for bench.

By Ed Tagliaferri
Staff Writer

When the U.S. Senate Judiciary Committee asked for "the 10 most significant cases" Andrew O'Rourke handled as a lawyer in its review of him for a federal judgeship, the Westchester county executive offered only three.

And while O'Rourke contended he was unaware of the outcome of one of those cases—saying the appeal took place

after he became county executive in January 1983—a check of court records shows an O'Rourke victory was overturned in December 1981.

The county executive's responses are contained in the questionnaire he submitted to the Senate committee earlier this year. His judgeship is apparently dead, since he was one of 56 judicial nominees awaiting a hearing when the Senate recessed for the year last month.

O'Rourke said he was only able to come up with three cases because he hadn't practiced law since becoming county executive 10 years ago. He said he left his



Andrew O'Rourke

the process, O'Rourke said.

He said he didn't recall that one of the three cases was overturned on appeal, since he did not handle appeals for his firm.

records with former law partner Joseph LoCasio, who moved to Florida and back to New York. Most of his records were lost, misplaced or thrown out in

O'Rourke said his answers on the questionnaire were good enough for the American Bar Association and Association of the Bar of the City of New York, which rate judicial nominees.

"They understood the problems and both of them found me qualified," he said.

O'Rourke's responses and nomination have been criticized by the Ninth Judicial Committee, a Westchester-based citizen organization that has questioned political influence in the selection of state and federal judges.

The group is headed by Doris

Sassower, a lawyer appealing her suspension from practicing law, and her daughter Elena Sassower, a teacher at a Hebrew school.

The group has filed a lengthy critique of O'Rourke's submission and qualifications with the Senate, opposing his choice for the bench.

Elena Sassower said O'Rourke cited cases that were "trivial" and "run-of-the-mill." His "excuses" for not coming up with 10 cases or for being unaware of the outcome of one case "is an insult to our intelligence," she said, since they were available in public court records.