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## 'S NEWS

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**The Manhattan Democratic Party screening panel Thursday reported six candidates as qualified for the party's nomination for two open seats on the State Supreme Court in New York County. They are Acting Justices Eileen Branston, Sherry Klein Hettler, Barbara R. Kapnick and Alice Schlesinger; and Civil Court Judges Rolando T. Acosta and Eduardo Padro. The Manhattan Democrats will select their two candidates for the November election from the six recommended by their screening panel when their judicial convention convenes later this month.**



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## Convention Votes Judges Without Farrell's Imprint

BY DANIEL WISE

IN AN UNUSUALLY unscripted convention, Manhattan Democrats nominated Acting Justices Eileen Bransten and Alice Schlesinger as their candidates in November for two vacancies on the State Supreme Court.

For the first time in recent memory, Democratic insiders said, Democratic County chairman, Assemblyman Herman D. Farrell, failed to control the outcome of the nominating convention vote by brokering a slate that commanded an unassailable majority.

The reason Mr. Farrell stayed on the sidelines this year, those sources said, was that he was unable to put a package together that would assure that his candidate, Civil Court Judge Rolando T. Acosta, would have one of the two seats.

Mr. Farrell was stymied, they said, because a second Latino candidate, Civil Court Judge Eduardo Padro, was also cleared by the Democratic party's screening panel. Under the party's rules, its two candidates must be selected from the six Civil Court judges who were approved by the screening panel.

Judge Acosta, who lives within Mr. Farrell's Assembly District, the 71st, is Dominican, while Judge Padro is Puerto Rican. With the Latino community

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## Convention Votes Judges Without Farrell's Imprint

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split by those two candidates, Mr. Farrell, who usually starts with a base of about 25 of the convention's 106 votes, did not have enough of a base to broker a deal, and made no attempt to do so, several sources said.

Judge Acosta, a former Legal Aid lawyer and City Human Rights commissioner, would have been the first Dominican on the Supreme Court bench had his campaign been successful. However, he has been a Civil Court judge less than two years.

With Mr. Farrell staying his hand, sources said, the forces backing Judges Schlesinger and Bransten negotiated their own deal, agreeing that their delegates would support the two candidates. Even with the alliance, it took two ballots to elect Justice Brantsen, though Justice Schlesinger was elected without opposition.

Justice Schlesinger's support was centered in lower Manhattan from the 20s, both east and west, running south. Justice Bransten's support was strongest on the Upper West Side.

Both Justice Schlesinger and Justice Bransten have strong political connections. Justice Schlesinger's husband, Thomas Newter, is a Democratic leader in the Gramercy Park area, and Justice Bransten's husband, John Simpson, is an aide to West Side Assemblyman Scott Stringer.

With the delegates from the two camps united, Justice Schlesinger had enough support to scare off the opposition, and faced no challengers. But three of the remaining four candidates chose to challenge Justice Bransten, who at that point was the front runner for the second seat. Only Acting Justice Barbara R.

Kapnick, who has been twice approved by the screening panel, decided to withdraw before the voting started.

### Second Ballot

Even with the accord, however, Justice Bransten did not have enough strength to muster a 54-vote majority on the first ballot. Justice Bransten led that ballot with 32 votes, followed by Judge Acosta with 29, Judge Padro, 25, and Justice Sherry Klein Heitler, 20.

With Justice Heitler as the lowest vote getter eliminated, Justice Bransten was elected on the second ballot with 56 votes. Judge Padro received 36 votes and Judge Acosta, 14.

Justice Schlesinger, who was a lawyer with the criminal division of the Legal Aid Society for 16 years before she was elected to the Civil Court in 1984, had been approved by the screening panel in two previous years. Justice Bransten, who was elected to the Civil Court in 1992, won the nomination after being recommended for the first time by the party's screening panel.

Before being elected to the Civil Court, Justice Bransten was a prosecutor in Queens for five years, a solo practitioner in Manhattan for eight years, and law secretary for two years to Justice Jacqueline W. Silbermann, who is now Statewide Administrative Judge for Matrimonial Matters.

The Democratic conventions in other boroughs were more sedate affairs than the one in Manhattan. Without any visible opposition, the Bronx convention selected Civil Court Judge Paul A. Victor, Civil Court Judge Laura G. Douglas, supervising judge for the Bronx Civil Court, and Civil Court Judge Norma Ruiz.

Similarly, the convention for the Sec-

ond Judicial District, which covers Brooklyn and Staten Island, selected Civil Court Judge Martin Schneier, who is an acting Supreme Court justice; Court of Claims Judge Lewis L. Douglass, also an acting Supreme Court Justice; and Robert J. Giganti, the Democratic Party leader in Staten Island. Mr. Giganti, if elected, will fill the seat that is currently being held by another Staten Islander, Justice Louis Sangiorgio, who turns 70 this year. Justice Sangiorgio, who is the administrative judge of the Supreme Court on Staten Island, remains eligible to be certificated by the Office of Court Administration for three additional two-year terms.

