

Golden: Governor, Senate compromise over vacant court seat

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AS A development that could change the direction of government or alter the course Gloucester, over the nomination of Anne Patterson to be an associate justice of the Supreme Court barely nudged the needle on the state's political Richter scale.

Christie will get what he wanted — Anne Patterson on the Supreme Court — and the first step toward fulfilling his pledge to remake the court.

For his part, Sweeney will be able to boast that he stood toe-to-toe with a tough governor and came away with a draw.

Sweeney, furious that Christie refused to

nominate Justice John Wallace for a tenured term on the court last May, vowed to block Senate action on Patterson's selection and has stuck doggedly to that position.

In January, he suggested the Governor re-submit Patterson's nomination to succeed Associate Justice Roberto Rivera-Soto, rather than for the Wallace vacancy. Rivera-Soto had

become something of an embarrassment to the court. He was censured for using his position in an attempt to influence local officials investigating an incident involving his son.

Earlier this year, he publicly criticized his colleagues, then said he would protest the temporary elevation of an appellate division judge to the court by refusing to participate in court decisions, and finally announcing in

an attempt by the Senate president to select associate justices and reminding him that such power belonged exclusively to the governor.

Sweeney, though, was not moved. He accused the governor of a naked effort to politicize the court by, for the first time in history, denying tenure to a sitting justice. That Wallace was the only African-American on the court added to the controversy.

The governor ultimately displayed his politically pragmatic side by agreeing with Sweeney's suggestion, effectively ending the stalemate and clearing the way for Senate consideration of Patterson's nomination.

The Patterson nomination is one of four Christie will make to the court — a majority of the seven-member panel. The Wallace seat will remain open until March of 2012; Justice Virginia Long will reach the mandatory retirement age of 70 in next March as well, and Justice Helen Hoens' initial seven-year term will expire in 2013.

Assurances

While it was not a part of the public announcement of the agreement, presumably Christie received assurances from Sweeney that a sufficient number of Democratic

senators would join the minority party Republicans to support Patterson's confirmation.

By all accounts, Patterson is eminently qualified and, all other things being equal, her confirmation is a certainty.

Its potential as a potent political issue in this year's legislative election campaign, though, is considerably less than compelling.

Normally, partisan disputes over gubernatorial nominations, even one as critical as a Supreme Court Justice, are considered "inside baseball" — controversial. It's

