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Doc No	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
1	AGENDA	RE 8/16/84 MEETING (W/NOTATIONS)	1	ND	B6
2	REPORT	RE TENTH CIRCUIT (PARTIAL)	1	ND	B6
3	QUESTIONNAI RE	FEDERAL JUDICIARY ADVISORY PANEL FOR FLORIDA: PERSONAL DATA QUESTIONNAIRE FOR LAWYERS (PAGE 1, PARTIAL)	1	ND	B6

Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]

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Description of Material:

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Aug. 16, 1984 w/ Cicconi notes
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THE WHITE HOUSE
WASHINGTON

August 15, 1984

MEMORANDUM FOR THE ATTORNEY GENERAL
EDWIN MEESE III
✓ JAMES A. BAKER III
FRED F. FIELDING
DEPUTY ATTORNEY GENERAL CAROL E. DINKINS
D. LOWELL JENSEN
HAROLD J. "TEX" LEZAR
M.B. OGLESBY
MARGARET TUTWILER

FROM: JOHN S. HERRINGTON
SUBJECT: JUDICIAL SELECTION COMMITTEE MEETING
AUGUST 16, 1984

Comment

Per the attached, please include Morris Sheppard Arnold on the agenda for Thursday's meeting. Congressman Ed Bethune and Congressman John Hammerschmidt have recommended Mr. Arnold for the Western District of Arkansas.

Thank you.

Noted & Filed. Oversight Attachment #9763

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RE 8/16/84 MEETING (W/NOTATIONS)

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STATUS REPORT ON CIRCUIT COURT VACANCIES

We have tentatively selected candidates for 10 of the 11 Circuit Court vacancies the President may fill this year. Set forth below is a list of all circuit court vacancies and the names of individuals tentatively selected as candidates to fill those vacancies. Asterisks denote candidacies that are items for discussion this week.

<u>Court</u>	<u>Vacancies</u>	<u>Candidate</u>
D.C. Circuit	1	Paul Bator
1st Circuit	2	Judge Juan R. Torruella
2nd Circuit	2	None selected
3rd Circuit	2	Judge Carol Los Mansmann *
4th Circuit	1	Emory R. Sneed
5th Circuit	2	Edith Jones
6th Circuit	4	Judge Ted Milburn
7th Circuit	2	Frank Easterbrook
8th Circuit	1	None selected
9th Circuit	5	Judge Cynthia Holcomb Hall Former Congressman Wiggins
10th Circuit	2	Stephen Williams *

THIRD CIRCUIT

Currently, there are two vacancies on the Third Circuit; however, at least one more vacancy is anticipated to occur this year. We have made preliminary selections of U.S. District Court Judge Carol Los Mansmann (W.D. Penn.) and Faith Whittlesey as candidates to fill the existing vacancies on this court. Jane R. Roth, wife of Delaware Senator William Roth, has also indicated an interest in appointment to this court. The Department of Justice can report its views on Ms. Roth's qualifications.

JANE RICHARDS ROTH

Home Address:
2206 Old-Kennett Road
Wilmington, DE 19807
(302) 656-8755

Office Address:
One Rodney Square
P. O. Box 551
Wilmington, DE 19899
(302) 658-6541

Attorney, Member of the Delaware State and American
Bar Associations
Member of the firm of Richards, Layton & Finger
1973 to Present
Associate with Richards, Layton & Finger
1965 to 1973

General civil litigation with emphasis on
defense of medical malpractice cases. Civil
litigation experience in United States District
Court for the District of Delaware, Delaware
Superior Court, Delaware Family Court. Appellate
experience in Delaware Supreme Court, Third
Circuit Court of Appeals.

I have assumed full responsibility for litigation
of major civil cases, including direction of
discovery and pretrial preparation, settlement
negotiations, briefing and argument of pretrial
and summary judgment motions, and conduct of the
trial.

In appellate proceedings, I have researched,
briefed and argued civil appeals before the
Delaware Supreme Court and the Third Circuit Court
of Appeals, and have assumed the lead role in
briefing and argument of appeals in multiple party
situations.

In 1978, my name was one of six included on the
list of candidates for Associate Justice of the
Delaware Supreme Court, submitted by the Delaware
Judicial Nominating Commission to the Governor.

Member, Superior Court Civil Case Backlog Committee;
Member, Superior Court Medical Malpractice Advisory
Committee; Member, Delaware Bar Association Committees
on Litigation, Medical-Legal/Dental-Legal Relations,
and World Peace Through Law (Chairman, 1980).

I have lectured on legal and medical-legal matters
at Delaware Law School (Seminar on Professional
Medical Liability), at the Delaware Bar Association
CLE Program on Medical Malpractice, and before

JANE RICHARDS ROTH

professional and community groups, including the Delaware Society of Radiologic Technicians, the Delaware Chapter of the American Cancer Society, and the surgical and anesthesia residents at the Wilmington Medical Center.

1956 to 1962, employed as a clerk/typist and administrative assistant with the Foreign Service of the U.S. Department of State.

Stationed in Tehran, Iran, 1957-59;
Salisbury, Rhodesia, 1960-61; and
Brazzaville, Republic of Congo, 1961-62.

Born June 16, 1935, in Philadelphia, Pennsylvania.
Married October 9, 1965 in Wilmington, Delaware, to William V. Roth, Jr.

Two children, William V. Roth, III, born October 19, 1966; and
Katharine K. Roth, born August 18, 1969.

Education

High School: The Madeira School, Greenway, Virginia, 1952
College: B.A., Smith College, Northampton, Massachusetts, 1956
major in History of Art. Spent the academic year
1954-55 with the Smith College Junior Year in France
Law School: LLB cum laude, Harvard Law School, 1965

Member, Board of Directors, The Speakman Co., Wilmington, Delaware

Member, Board of Directors, Associated Harvard Alumni, 1980-82
Member, Council of the Harvard Law School Association, 1976-79
Vice President, Harvard Law School Association of Delaware, 1980-
Area Representative for Delaware, The Madeira School
Member, Advisory Board, University of Delaware, College of
Marine Studies
Member, Board of Directors, University of Delaware Library
Associates

President, Delaware Chapter of the Arthritis Foundation, 1972
to present

SEVENTH CIRCUIT

Senator Lugar is considering whether to recommend Indiana Court of Appeals Judge V. Sue Shields to fill the vacancy on the Seventh Circuit created by the retirement of Judge Pell of Indiana. Judge Shields, 45, has served on the Indiana Court of Appeals since 1978. From 1965 to 1978, she served on the Hamilton County Superior Court (trial court of general jurisdiction), where she enjoyed a reputation for being an excellent trial judge who was fair, able to handle complex cases, and able to obtain settlements when appropriate.

Calls made by Justice in 1983 concerning Judge Shields as a candidate for the vacancy that existed then on the Southern District of Indiana revealed that although most people regard her as generally "conservative to moderate," some consider her too ready to reverse convictions in criminal cases. Justice's review of her reported decisions indicates some cause for concern on criminal issues, although her decisions in the areas of labor and business law are reported as being consistent with this Administration's philosophy. Judge Shields lacks Federal experience, and some have expressed concern about her readiness to handle the heavier workload she would face on the Federal bench. Nevertheless, she is widely considered to be qualified for the Seventh Circuit.

The Department of Justice will conduct a personal interview with Judge Shields on Tuesday, August 14. Justice will report further at the Thursday meeting.

SHIELDS, V. Sue (*Judge, Hamilton County Superior Court*) Elected to term beginning Jan 1, 1965. Current term expires Dec 31, 1982. Born Wilmore Kentucky Jan 1, 1939 to Ralph W. and Virginia June Ballard Blodgett. Married William Edward Shields Sept 30, 1961. Sons Gregory William Sept 22, 1969 and Bradley William Feb 3, 1971. Methodist. Educated at Ball State University A.B. 1959 and Indiana University LL.B. with honors 1961. Staff member Law Journal. Member Pi Gamma Mu and Order of the Coif. Admitted to practice Indiana 1961.

With the Office of the Internal Revenue Service Regional Counsel 1961 and Office of the Indiana Attorney General 1962-64. Member Indiana Lawyers Commission Board of Directors (Secretary), Indiana Judges' Association Board of Managers (Co-chairman Judicial Reform Committee), Indiana Judicial Center Board of Managers, Hamilton County, Indiana State and American Bar Associations. Republican.

Office: Courthouse, Noblesville 46060.
Telephone: (317) 773-6110.

NINTH CIRCUIT

Senator Paul Laxalt has requested that we proceed this year on Nevada lawyer Melvin Theodore Brunetti as a candidate for appointment to the Ninth Circuit. Justice will report on its review of Brunetti's qualifications.

BIOGRAPHY

MELVIN THEODORE BRUNETTI
402 N. Division Street (office address)
6 Comstock Circle (home address)
Carson City, NV 89701

Social Security No.

[REDACTED]

Born:

[REDACTED], Reno, Nevada

Marital Status:

Married; Gail Diane (Ferguson) Brunetti, Occupation,
Housewife, one prior marriage ended in divorce.

Children:

Bradley Brunetti, age 20
Student

*Nancy Gordon - 25 -
Carson City -*

Melvin T. Brunetti, Jr., age 17-1/2
Student

Parents:

Frank A. and Nancy M. (Sanna) Brunetti
2110 Ponderosa Drive
Sparks, Nevada
Both born in Reno, Nevada.

Grandparents:

Joseph and Mary Brunetti
Salvatore Sanna; Henry Lauretti (stepgrandfather)
and Teresa Lauretti. All immigrants from Italy.

Military Service:

Nevada Army National Guard
1955-1956, Honorable Discharge
Serial No. 28761688

Education:

Grade School; Reno and Sparks, Nevada.
High School; Sparks High School, Sparks, Nevada. Graduated 1951.

Work Experience Prior to Law School:

1953-1954

White Clover Dairy. Sparks, Nevada. Milk Route Driver.

1954-55

(Approx.)

June, 1958

Minden Cooperative Creamery, Minden, Nevada. Reno
Operations Manager. (White Clover sold to Minden Coop.)

(Approx.)

January, 1958-

January, 1960

James Canyon Ranch, Genoa, Nevada. General Operations
Manager.

January, 1960-

June, 1960

James Canyon Ranch, Reno, Nevada. Accountant part time while
attending University of Nevada Reno full time.

1960-1961

Challenge Butter Company, San Francisco, California. Milk
route driver and clerk for J.C. Penneys part time during law school.

(Approx.)

February, 1961-

March, 1964

Arthur Young & Co., San Francisco, California. Accounting
clerk in tax department, accounting and tax returns part time
and full time summer during law school.

Attended University of Nevada, Reno, Nevada; 1951-1953 (full time electrical engineering student); Night School 1953-1960 (accounting), January-June, 1960 (accounting/pre-law).
Hastings College of Law, University of California, San Francisco, California (J.D., 1964).

Professional Associations:

Admitted State Bar of Nevada, 1964
Member, U.S. District Court, District of Nevada, 1965
State Bar of Nevada, President 1984-1985
State Bar of Nevada, Board of Governors, 1975-1985
Member, American Bar Association, Sections of Real Property, Probate and Trust Law, General Practice, Economics of Law Practice and Litigation
Member, Washoe County Bar Association
Member, First Judicial District Bar Association
Member, The Association of Trial Lawyers of America
Member, Northern Nevada Trial Lawyers Association

Law Practice:

September, 1964/
December 31, 1969

Vargas, Bartlett & Dixon, 201 W. Liberty St., Reno, Nevada 89501.
Litigation, corporate, business practice.

January, 1970/
Present

Allison, Brunetti, MacKenzie, Hartman, Soumbeniotis & Russell, Ltd., (formerly: Allison, Brunetti, MacKenzie & Taylor, Ltd.; Laxalt, Berry & Allison; Laxalt, Bell, Berry, Allison & LeBaron) 402 N. Division St., Carson City, Nevada 89701. Corporate, business, real estate and related litigation administrative law practice.

Representative Clients Personally Previously and Presently Represented:

Public Employees Retirement System of Nevada
Nevada National Bank
Nevada State Board of Accountancy
Occidental Land, Inc.
Porsche Cars North America, Inc.
Firemans Fund Insurance Co.
Hughes Nevada Operations (Robert Maheau)
Teamsters Pension Fund (Las Vegas Ice Palace bankruptcy)

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RE TENTH CIRCUIT (PARTIAL)

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TENTH CIRCUIT

There are now three vacancies on this court, two omnibus judgeships and one created by the retirement as of August 31 of Judge Robert H. McWilliams of Colorado. We had tentatively selected Stephen F. Williams to fill one omnibus vacancy; however, that selection was placed on hold until this week.

Senator Armstrong has recommended Judge John P. Moore of the District of Colorado for appointment to this Circuit; Representatives Hank Brown, Ken Kramer, Dan Schaefer, and James V. Hansen have recommended Chief U.S. District Judge Sherman G. Finesilver (also of Colorado). An additional candidate is Colorado Supreme Court Justice William Erickson.

Judge Moore, 49, is a former Attorney General of Colorado and a former U.S. Bankruptcy Judge. President Reagan appointed him to the district court in July 1982. Justice states that a preliminary review of Judge Moore's reported decisions indicate his judicial philosophy is compatible with the President's. Justice will be able to report fully on its views on Judge Moore in Thursday's meeting.

Judge Finesilver, 56, has served on the district court since President Nixon appointed him in 1971, and served on the state bench in Colorado for the seventeen years before that. Justice's review of Judge Finesilver's articles and reported decisions showed that he is a "hardliner" on crime, but that he is relatively moderate on civil rights issues. Justice

~~REDACTED~~

~~REDACTED~~

Justice has expressed particular concerns over Judge Finesilver's analysis of constitutional rights in Foe v. Vanderhoof, 389 F. Supp. 947 (D. Colo. 1975). In Foe, Judge Finesilver declared unconstitutional a Colorado statute which required parental consent before an unmarried minor could obtain an abortion, and stated that "the right to privacy as expounded in Roe and Doe to include a decision to terminate a pregnancy extends to minors." 389 F. Supp. at 953. Additionally, the judge referred to parents in Foe as "third parties" who should not have "exclusive control over the activities of minors in this area," 389 F. Supp. at 956. Based on an analysis of Judge Finesilver's writings, Justice has concluded that he is not a suitable candidate for the Tenth Circuit.

Justice William H. Erickson, 60, was admitted to the Colorado bar in 1951 and practiced law in Denver until his appointment to the Supreme Court in 1971. Justice will be able to advise more fully on Erickson's qualifications in Thursday's meeting.

Resume

of

Stephen F. Williams

Address: University of Colorado School of Law
Boulder, Colorado 80309

Telephone: (303) 492-8262 or
(303) 492-8047

Vital Statistics: Born 1936; married 1966; five children

Education: B.A., Yale University, 1958 (Magna cum Laude)
J.D., Harvard Law School, 1961 (Magna cum Laude)
(Law Review)

Employment:

1969-present: Professor of Law, University of Colorado
(1969-1976: Associate Professor of Law,
University of Colorado)

Courses: Current: Property, Oil & Gas Law,
Administrative Law, Law and Economics,
Land Use Planning Law

Past: Public Lands, Wills & Trusts,
Estate Planning, Water Law, Civil
Procedure, Evidence, Environmental
Law

1979-80: Visiting Professor and Fellow in Law and
Economics, University of Chicago Law School

1975-76: Visiting Professor, UCLA School of Law

1966-69: Assistant U.S. Attorney, Southern District
of New York

Specialty: Securities Fraud

1962-66: Associate, Debevoise, Plimpton, Lyons & Gates

Nature of Work: General corporate and litigation
(the latter primarily work on
defense of a suit under Section
7 of the Clayton Act)

1961-62: U.S. Army, Reserve Unit on Active Duty

Activities:

Member, American Law Institute, Colorado and Boulder County Bar Associations

Consultant, 1974-76, Administrative Conference of the United States

Participation in various local civic activities - Boulder Area Growth Study Commission, Historic Boulder, Plan Boulder

Publications:

Severance Taxes: The Supreme Court's Role in Preserving a National Common Market for Energy Supplies, 53 Colo. L. Rev. 281 (1982).

"Liberty" in the Due Process Clauses of the Fifth and Fourteenth Amendments: The Intentions of the Framers, 53 Colo. L. Rev. 117 (1981).

An Energy Policy Perspective on Solar Hot Water Equipment Mandates, 2 UCLA J. of Env. Law & Policy 135 (1981).

Implied Covenants in Oil and Gas Leases: Some General Principles, 29 Kansas L. Rev. 153 (1981).

Getting Downtown--Relief of Highway Congestion Through Pricing, Regulation (Mar/Apr 1981) pp. 45-50.

The Static Conception of the Common Law: A Comment, 9 J. Leg. Stud. 277 (1980).

Implied Covenants for Development and Exploration in Oil & Gas Leases--The Determination of Profitability, 27 Kan. L. Rev. 443 (1979).

Solar "Access" and Property Rights: A Maverick Analysis, 11 Conn. L. Rev. 430 (1979).

Pollution Control: Taxes v. Regulation (International Institute for Economic Research Original Paper 23, August 1979).

Review of Horwitz's Transformation of American Law, 25 UCLA L. Rev. 1187 (1978).

Running Out: The Problem of Exhaustible Resources, 7 J. Leg. Stud. 165 (1978).

Subjectivity, Expression & Privacy: Problems of Aesthetic Regulation, 62 Minn. L. Rev. 1 (1977).

"Hybrid Rulemaking" Under the Administrative Procedure Act: A Legal and Empirical Analysis, 42 U. Chi. L. Rev. 401 (1975).

Review of Posner's Economic Analysis of Law, 45 U. Colo. L. Rev. 437-53 (1974).

Optimizing Water Use: The Return Flow Issue, 44 U. Colo. L. Rev. 301 (1973).

Publications
forthcoming:

Liberty and Property: The Problem of Government Benefits, in 12 J. of Legal Studies ____ (1983).

Publications
in process:

Book review of two recent books on natural gas and oil policy, for the Texas Law Review.

The Requirement of Beneficial Use as a Cause of Waste in Water Resource Development, tentatively accepted by Natural Resources Journal for April 1983 publication.

Analysis of Sporhase v. Nebraska for the Supreme Court Economic Review

Chapter on energy problems for European University Institute's project on "European Legal Integration and the American Federal Experience".

Article on history and original purpose of the Standard State Zoning Enabling Act.

Article on certain technical problems associated with "unitization" of oil and gas interests.

JOHN PORFILIO MOORE
UNITED STATES DISTRICT JUDGE
DISTRICT OF COLORADO

Personal Data

Home address: 245 South Monaco Parkway
Denver, Colorado 80224

Home phone: 303-333-6044

Office phone: 303-844-6346
FTS 564-6346

Born in Denver, Colorado, October 14, 1934. Son of Edward A. Porfilio (deceased July, 1940) and Caroline Carbone Moore. Adopted by Robert M. Moore in 1948. Robert and Caroline divorced in 1959.

Married Theresa (Terri) L. Moore, December 28, 1983. Three children from prior marriage: Edward Miles, 24; Joseph Arthur, 21; and Jeanne Kathryn, 20. Step-daughter - Katrina Smith, 10. Lived in Aurora, Colorado, 15 years; Denver, Colorado 34 years.

Personal interests include photography, gourmet cooking, reading, music, travel, theater, and sports of all kinds.

Health status, excellent.

Representative Affiliations, Past and Present

Member of the bars of the United States Supreme Court;
Supreme Court of Colorado; Court of Appeals for the
Tenth Circuit; United States District Court for the
District of Colorado
Alpha Sigma Phi, social fraternity
Phi Delta Phi, legal fraternity
Kiwanis International (Past President)
Junior Chamber of Commerce
Board of Managers, Aurora, Colorado, YMCA
Career Service Commission, Aurora, Colorado
Republican Committeeman, Arapahoe County, Colorado
Colorado Commission on Interstate Cooperation
State Council on Criminal Justice
National Conference of Attorneys General (Chairman Western
Conference, 1974)
Governor's Committee on Ethics (Chairman)
Denver, Colorado, and American Bar Associations
Adult Choir, Church of the Risen Christ (soloist)

Personal Life Experiences

Lettered in three sports in high school (football captain and "Player of the Year" in 1951)
Assistant Manager, baseball team, Stanford University 1953
Member of college and church choirs for more than 22 years
Student government officer in both high school and law school
Coached boys' flag football
Co-founder of a charitable foundation providing education for learning disabled children
Advisor to an association for retarded children
Advisor to center for troubled teenagers
Delegate to International Conference, Atlantic Alliance of Young Political Leaders, Paris 1974
Campaigned for statewide political office (lost)

Education

Primary - Denver Public Schools
Secondary - Colorado Military Academy
University - Stanford University, 1952-54
University of Denver, 1954-56, BA in Chemistry 1956
University of Denver, College of Law, 1956-59
LLB 1959

Pre-Professional Work Experience

Summer and part-time employment from age of 14 as a gardener, handyman, farm worker, laborer, service station attendant, hospital orderly, bookkeeper, car rental agent, bill collector, process server, and warehouseman.

Professional Work History

Deputy Clerk and Law Clerk, Superior Court, Denver, 1957-1959
Associate, Carbone & Walsmith, Denver, 1959-1962
Assistant Attorney General, Colorado 1962-1967
Deputy Attorney General, Colorado 1967-1972
Attorney General (by appointment), Colorado 1972-1975
United States Bankruptcy Judge, District of Colorado, January 15, 1975, to July 1, 1982
United States District Judge, District of Colorado, July 2, 1982, to present

Professional Work Experience

Private legal practice was general in nature dealing principally in wills and estates, personal injury and contract litigation, and individual taxation. Some work in corporate, criminal, and agricultural law.

With the Colorado Attorney General's office, assigned originally to the legislative drafting office, then to criminal appeals, various administrative and regulatory agencies, handling both advice and litigation. Participated in major litigation in state and federal courts, involving civil rights and governmental issues of all kinds. Instructed criminal law in the Colorado Law Enforcement Training Academy. Served as a member of a special bar association committee for the drafting of rules of criminal procedure.

As attorney general initiated administrative reforms carried out by successor; formed a specialized task force for investigation and prosecution of organized crime; initiated creative consumer oriented programs; initiated various legislative measures in both criminal and civil law. Chaired a special committee on computerized informational systems for the criminal justice system.

As a United States Bankruptcy Judge, lectured at law schools and bar seminars. Served in the District of New Mexico and the District of Utah by special assignment of the Chief Judge of the Tenth Circuit.

As a United States District Judge, presided over a number of complex and important civil and criminal cases. Because of the demands of office, other activities have not been undertaken.

R E S U M E

CHIEF JUDGE SHERMAN G. FINESILVER UNITED STATES DISTRICT COURT DISTRICT OF COLORADO

Judge Finesilver has been in the judiciary since 1955, serving as a federal district judge since 1971 and previously, as a Colorado State district and county judge. He was first appointed as a judge at the age of 26.

JUDICIAL AND LEGAL POSITIONS

April 8, 1982-present	Chief Judge, United States District Court (Colorado)
1971-April 7, 1982	District Judge, United States District Court (Colorado)
1962-1971	District Judge, Second Judicial District of Colorado
1955-1962	Judge, County Court, Denver, Colorado
1952-1955	Assistant City Attorney of Denver, Colorado

EDUCATION - HONORARY DEGREES AND FELLOWSHIPS

1949	B.A., University of Colorado
1952	J.D., University of Denver College of Law
1970	Honorary LL.D. - Honorary Doctorate of Laws, Gallaudet College, Washington, D.C.
1981	Honorary LL.D. - Honorary Doctorate of Laws, Metropolitan State College, Denver, Colorado
1981	Selected as Honorary Fellow, American College of Legal Medicine, Chicago, for pioneering work in legal-medical field (swine flu litigation). Only eleventh person in history of college to be so honored.
1983	LL.D (HONORARY), New York Law School, New York

CAREER RELATED ACTIVITIES

1981-1983	Appointed to Presidential Commission on Drunk Driving
1976-1980	Appointed by the Chief Justice of the United States as one of the 12 federal judges to study qualifications of attorneys to practice in federal courts.
1960-present	Co-chairman, American Citizenship Committee of the Colorado Bar Association
1970-1971	Chairman, American Citizenship Committee, American Bar Association
1977-present	Faculty: Advocacy Institute, United States Attorney General - a training program for United States Attorneys and their assistants Seminar for new Federal Judges, Federal Judicial Center, Washington, D.C. Public Defenders Institute, San Antonio, Texas.
1971-present	Adjunct Professor: University of Denver, College of Law Faculty: National College of the Judiciary, Reno, Nevada
1977-1980	Board of Visitors of the Law School of Brigham Young University, Provo, Utah
1944-1954	Denver Opportunity School, taught citizenship to foreign born students desiring United States citizenship
1958-1962	Consultant, United States Department of Health, Education and Welfare

Lecturer at national seminars in legal, medical, and social welfare subjects. Recently addressed cadets at United States Air Force Academy and students at Universities and colleges.

Holds membership in American, Colorado and Denver Bar Associations.

HONORS AND SPECIAL RECOGNITION

1979	Inspector General Honorary 33° Scottish Rite
1976-1980	Who's Who in America
1976	Service to Mankind Award - Sertoma International
1970	Honorary Doctorate of Laws, Gallaudet College, Washington, D. C. "for distinguished contributions to legal rights of Deaf in America."
1974	Certificate of Commendation "in recognition of his significant contributions to the nation's highway safety," United States Secretary of Transportation.
1972	Gallery of Fame "in recognition of judicial accom- plishments," Denver Post
1972	Medallion for "Outstanding Service by a Non-Handicapped Person to the Physically Disabled," National Paraplegia Foundation.
1969	Honored for "furthering the American Way of Life," Freedoms Foundation, Gettysberg, Pa.
1968	Award of Merit, Law Day, American Bar Association.
1968	Distinguished Public Service Award for "significant and valued contributions to enrichment of retirement living," American Assoc. of Retired Persons, Washington, D. C.
1968	Received First National Distinguished Service Award National Association of the Deaf, Washington, D. C.
1967	Gallery of Fame for outstanding humanitarian services and for work in judicial and civic affairs, Denver Post
1967	Awarded rank and decoration of Knight Commander of Court of Honor, (K.C.C.H.)
1967	Person of the Year Award for significant contributions in the judicial field and social welfare and "for uncompromising devotion to those community and national endeavors designed to eradicate disease and improve the human condition", American Medical Center (JCR)
1964	Honorary Membership for "distinguished contributions to the deaf of America", National Fraternal Society of Deaf
1962	Special Citation for Preservation of Dignity of Indi- vidual Citizen, North American Judges Association
1960	Paul Gray Hoffman Award, for "distinguished service to highway safety", Automotive Safety Foundation, Washington, D. C.
1959	Gallery of Fame for developing first driver improvement program in Colorado for traffic violators - Denver Post
1958	Outstanding Colorado Young Man Under 35 Years of Age - Junior Chamber of Commerce

CIVIC AND GOVERNMENTAL ACTIVITIES

1976-1980 Chairman, Minoru Yasui Community Volunteer Award, Commission on Community Relations, Denver.

1968-1977 National leadership in meeting the safety, legal rights, and employment needs of deaf, handicapped and elderly persons, directed national seminars in these fields.

1972 Member, Task Force, White House Conference on Aging.

1969-1972 Member, Advisory Committee, National Highway Traffic Safety Administration, United States Department of Transportation.

1969-1971 Director - Denver Driver Improvement School.

1970 Chairman, Ad Hoc Committee on Effective Adjudication of Traffic Offenses, United States Department of Transportation.

1967 Chairman, Denver Citizenship Day

1967 Author, Model Law for Interpreters in Court Proceedings.

1964 and 1980 Chairman, Law Day - Denver and Colorado Bar Associations.

Has been instrumental in legislation in fields of effective court administration, organ transplants, and legal rights of deaf and physically handicapped.

NON-PROFESSIONAL DIRECTORSHIPS

1960-1972 Trustee, American Medical Center, Denver.

1960-1971 Chairman, Governor's Advisory Committee on Highway Safety.

1968-1971 Director, National Council of Organizations Serving the Deaf.

1966-1969 Director, Goodwill Industries.

1966-1968 Member, Task Force on Aging, Metropolitan Council on Community Service.

1964-1968 Advisor, Parents Without Partners.

1962-1966 Director, Colorado Hearing Society.

SPECIAL ACHIEVEMENTS AND INTERESTS

1955-1965 Developed Model Safety Programs for Adult Deaf Drivers, Older Drivers and Handicapped Drivers. (Instituted nationally and located in over twenty localities)

1955-1965 Developed programs dealing with legal rights of the deaf and physically impaired. His study and scholarship has had national impact.

1965-1980 Developed and Chaired Court Visitation Programs Under Bar Auspices for Youth

1970 Developed Model Law Day Program, Honored by ABA and Freedoms Foundation

1974 Authored Model Court Interpreter's Law. Adopted in Colorado and many states.

MAJOR PUBLICATIONS

- 1980 Update on Federal Rules of Evidence and New Approaches to Hearsay Rule, Federal Judicial Center, Washington, D. C.
- 1980 Your Honor, New Age Magazine, Washington, D. C.
- 1975-1979 Numerous Articles for Lawyers and Judges, Federal Judicial Center.
- 1979 Federal Rules of Evidence in Patent Proceedings, ABA Chicago, Ill.
- 1978 Judicial Techniques to Effectively Manage Trials, Federal Judicial Center.
- 1977 Tension Between Practical and Theoretical Legal Education, Brigham Young University, Law Review
- 1977 Study Outline for Judges/Lawyers on New Biology: Organ Transplants, Euthanasia, Abortion, Genetic Screening, National College of Judiciary, Reno, Nevada
- 1977 Selected Notes for New Federal Judges, Federal Judicial Center, Washington, D. C.
- 1976 Perspectives on Federal Rules of Evidence, Federal Public Defenders Institute.
- 1974 Contributing author - Epilepsy Rehabilitation - Chapter on Legal Aspects of Epilepsy, Little Brown & Co.
- 1973 Democracy is a Pyramid: Each Must Add His Grain of Sand! New Age Magazine, Washington, D. C. Nov.
- 1970 Study on Drivers Records, Licensing Requirements and Insurability of Physically Impaired Drivers, U. S. Department of Health, Education and Welfare.
- 1970 Timely Tips When Disaster Strikes - No Second Chance. Howard Warren Publishers.
- 1969 Organ Transplants: The Crying Need for Multi-Discipline Responsibility, Trial Magazine, American Trial Lawyers Association, Boston.
- 1969 Organ Transplants - Modern Miracles - Legal and Medical Challenge, Denver Medical Bulletin.
- 1968 To Violate the Law is to Trample on the Blood of Our Fathers, Law Day, Congressional Record.
- 1968 Author, Model Law for Interpreters in Court Proceedings.
- 1968 The Meaning of Goodwill, Ability Counts, Not Disability, Vital Speeches Magazine XXXIV.
- 1969 Handbook, Protect Your Life - Wise Words for Women. Howard Warren Publishers, Gross and Dunlap Publisher.
- 1966 The Kids I See in Traffic Court, Classmate Magazine August (Methodist Church).
- 1965 Contributing Editor, Teaching Driver and Traffic Safety Education, American Automobile Association, McGraw Hill.
- 1964 Deaf Driver in United States, Driver Records and Safety Education, Department of Health, Education and Welfare.
- 1962 They Can't Hear But They Get the Message, Traffic Safety Magazine, August.

MAJOR PUBLICATIONS - continued

1960 Contributing Editor, Lawyer's Cooperative Publishing
 Co., Rochester, N. Y.
1958 Justice, Though Due to the Accused, Is Also Due the
 Accuser, Vital Speeches Magazine XXVI.
1958 Driver Education - Is It a Frill? Traffic Safety
 Magazine, Nov.
1958 Menace of the Drunk Driver, Vital Speeches Magazine, XXI.

Has authored articles on legal, judicial and social welfare subjects appearing in professional journals and national and international publications.

FAMILY

Judge Finesilver was born in Denver, Colorado on October 1, 1927. He is married to Annette (Warren) Finesilver (University of Colorado 1953-1954).

Annette is a Real Estate Agent with Moore and Company, Denver, Colorado. She served as the Executive Director of the 1980 Health Fair, a statewide health screening program sponsored by Channel 9, KBTU, Denver, Colorado. She also served as initial chairperson of the Mayor's Commission of the Disabled and serves on many social service and human relations boards.

- Son - Jay graduated from the University of Denver College of Law, June, 1980; served as law clerk for Judge Harlington Wood, U. S. Court of Appeals, and is currently employed by Rothgerber, Appel & Powers, Denver, Colorado.
- Son - Steve is a teacher-and coach, Montbello High School, Denver Public Schools.
- Daughter - Susan attends University of Kentucky and served a one-year commitment in Vista, an action government program.

HOBBIES

Stream fishing, amateur radio, flower gardening with artificial lights.

Mailing address: Chief Judge Sherman G. Finesilver
 Room C-224, U. S. Courthouse
 1929 Stout Street
 Denver, Colorado 80294

Phone: (303) 837-4151

ERICKSON, William H. (*Associate Justice, Colorado Supreme Court*) Appointed by governor to term beginning Feb 1971. Retained 1974, term expires 1984. Born Denver Colorado May 11, 1924 to Arthur X. and Virginia Hurt Erickson. Married Doris Rogers Dec 24, 1945. Children Barbara Ann Nov 3, 1954, Virginia Lee Sept 17, 1957, Stephen Arthur Dec 30, 1960 and William Taylor July 12, 1968. Presbyterian. Educated at Colorado School of Mines P.E. 1947, University of Michigan 1949 and University of Virginia LL.B. 1950 J.D. 1950. Member Order of the Coif. Admitted to practice Colorado 1951, U.S. District Court for Colorado 1951, U.S. Courts of Appeals Tenth 1952, Ninth 1963 and Fourth 1966 Circuits and U.S. Supreme Court 1953. In legal practice at Denver 1951-70.

Author "The Supreme Court's Impact on Criminal Law in the 1971-72 Term of Court" 8 *International Society of Barristers Quarterly* 1, Jan 1973; "The Right of a Speedy Trial: Standards for Its Implementation" 10 *Houston L. Rev.* 2, Jan 1973; "The Finality of a Plea of Guilty" 48 *Notre Dame Lawyer* 835, 1973; "The History of the Tripod of Justice" 64 *Military L. Rev.* 1974; "An Overview of the ABA Standards" 12 *The American Criminal L. Rev.* 2, 1975; "Monitoring and Updating the ABA Standards: The Continuing Responsibility" 12 *The American Criminal L. Rev.* 3, 1975; "Outline of Significant Criminal Law Decisions of the United States Supreme Court, 1973-74 Term" 1 *The National Journal of Criminal Defense* 1, 1975; and "The Three-Legged Stool of Advocacy" *University of Colorado L. Rev.* 1976.

Fellow American College of Trial Lawyers (State Director 1970), International Academy of Trial Lawyers (Secretary-Treasurer 1969-70, Director 1968-71, Chairman Criminal Law Committee 1970-71, Special Counsel Criminal Law Committee 1975-76) and American Bar Foundation. Member Denver (President 1968-69, Board of Trustees 1959-63 and 1966-70), Colorado (Delegate to American Bar Association's House of Delegates 1974-76, Founder and Chairman 1970-71 Criminal Law Section, Chairman Bar-Press Committee 1970, Chairman Negligence Section 1961-62, Board of Governors 1965-67 and 1968-72, Vice Chairman Citizens Committee for Non-Political Selection and Removal of Judges 1966, Council of the Judiciary Section since 1974) and American (Board of Governors 1975-76, Section Delegate of the Criminal Justice Section to the House of Delegates 1972-74, Chairman Special Committee on the Administration of Criminal Justice 1973-78, Chairman Criminal Law Section and Council 1971-72, Chairman Committee on

Professional Ethics in Criminal Justice 1975-76, Vice Chairman Committee on Implementation of Standards for Criminal Justice 1970-76, Chairman Committee to Implement the Standards for Criminal Justice for the Tenth Circuit since 1969, Institute of Judicial Administration's Advisory Committee for the Promulgation of Juvenile Justice Standards since 1971) Bar Associations. Chairman Supreme Court's Task Force Colorado Commission on Criminal Justice Standards and Goals. Supreme Court Representative Committee to Study Jury Selection Methods and Uniform Instructions in Criminal Cases 1971-72. Supreme Court Representative Committee on Colorado Uniform Jury Instructions 1971-72. Member American Law Institute (Member Council since 1972), American Judicature Society (Board of Directors 1973-76), International Society of Barristers (President 1970-71, Board of Governors 1968-71, State Chairman 1969, Editor of the *Quarterly* 1968), National Association of Defense Lawyers in Criminal Cases (Director 1970-71), National Advisory Council Practising Law Institute 1969-72 and Scribes (Director and Vice President) 1974-76. Active in court reform. Named by President Richard M. Nixon as Chairman of the National Commission for the Review of Federal and State Laws Relating to Wiretapping and Electronic Surveillance 1974-76. Member committee that established the National College of District Attorneys. Speaker and lecturer at numerous universities, bar associations and legal conferences. Received Award of Merit from Colorado Bar Association Committee for Continuing Legal Education 1968 and Gold Medal Award from The Law-Science Academy 1969.

Office: State Capitol Building, Room 303, Denver 80203.

Telephone: (303) 892-2418.

DISTRICT OF MASSACHUSETTS

There are two new positions in the U.S. District Court for the District of Massachusetts. A committee of Republican party leaders, Representative Conti, and the President's supporters in Massachusetts has submitted the names of three individuals for consideration for these vacancies: Judge James P. Lynch, Jr., Mark L. Wolf, and Judge William G. Young.

The Justice Department recommends that we initiate the background investigations on Mark L. Wolf and Judge William G. Young as the candidates for nomination to fill these vacancies. Although Judge Lynch is perhaps the best qualified of the three candidates, his age, 62, makes it unlikely that he would serve on the Federal bench for a substantial length of time; moreover, he is registered as an Independent.

Mark L. Wolf, 38, is Assistant United States Attorney for the District of Massachusetts, where he is reported to have done an outstanding job over the past three years as Chief of the Public Corruption Unit, supervising and developing the prosecution of all public corruption cases brought in the district. Under his direction, Federal prosecutors in Boston have an unbeaten record of 37 convictions in public corruption cases, and United States Attorney William F. Weld has nominated him for the Attorney General's Award for Exceptional Service. Wolf apparently enjoys strong support from the Jewish community in Massachusetts and throughout the nation. Justice has been unable independently to discern his philosophy on matters outside the sphere of law enforcement, although the committee in Massachusetts is satisfied that he is on board with the Administration's philosophy. Some have expressed concern about his lack of trial experience. However, his ten years as a litigator have included substantial grand jury work, a number of evidentiary hearings, three state non-jury trials and one jury trial, and the trial of the recent case against Mayor Kevin White's chief fundraiser.

Judge William G. Young, 43, is a former Chief Counsel to Republican Governor Sargent and has served on the Superior Court in Boston since 1978. Prior to his appointment to the court, he spent three years as a partner in a large Boston law firm. Justice reports that Judge Young is reputed to be "very impressive intellectually" and that he is considered one of the ablest trial judges in the state. Justice also states that his judicial philosophy appears to be consistent with the President's.

Resume of
Judge James P. Lynch, Jr.



Chief Justice James P. Lynch, Jr.
Superior Court - 11th Floor
New Court House
Boston, MA 02108
617-725-8130

Year of Admission to the Bar: 1949

Year Appointed Judge: 1972, Appointed Chief Justice, 1978

Date of Birth: November 7, 1921

Law School: Boston College. Yr. of Grad. 1949. Honors: Cum laude

College: Holy Cross. Yr. of Grad. 1943. Honors: Cum laude

Previous Employment: 1960 to Appt. to Bench: Nutter, McClennen and Fish, Boston. Assoc., 1960-1963; partner, 1963-1972.

1955 to 1960: Ropes, Gray, Coolidge and Rugg, Boston - associate.

1953 to 1955: Assistant U.S. Attorney, District of Mass.

1950 to 1953: Ropes, Gray, Best, Coolidge and Rugg - associate.

1949 to 1950: Law clerk, U.S. District Court, Mass.

Military: 1943 to 1946: Lt., USNR.

Clubs and Organizations: Lecturer in Law, Harvard Law School (trial practice) 1966-present; Lecturer in Law (evidence), B.C. Law School, 1956-1957; Judicial Fellow, American College of Trial Lawyers; Member, American, Mass., Boston and Norfolk County Bar Assns.; Trustee, M.C.L.E. - N.E.L.I. Member (and Former Chairman), Standing Advisory Committee, Mass. Rules of Civil Procedure; Fellow, American Bar Foundation; Former President, Boston Bar Assn. (1972).



*United States Attorney
District of Massachusetts*

1107 J.W. McCormack Post Office and Courthouse
Boston, Massachusetts 02109

July 20, 1984

AIR EXPRESS

Jay B. Stephens
Deputy Associate Attorney General
Department of Justice
10th & Constitution Ave. N.W.
Washington D.C. 20530

Dear Jay:

As I understand Bill Weld has discussed with you, I am interested in being appointed to the United States District Court for the District of Massachusetts and am writing to describe why I believe my appointment would be desirable. In summary, I believe I am professionally well qualified; my appointment would be recognized as evidence of the President's commitment to public integrity because of the highly publicized success of the public corruption unit which I head; and my appointment would have an impressive effect on the Jewish community of which I am an active member. I believe I can get others, in this area and nationally, to confirm these points for you, but would prefer not to trigger that process without an indication that my nomination is something the Department would seriously consider. I would, therefore, like to speak to you after you have considered the following.

With regard to my professional background, I graduated with honors from both Yale College in 1968 and the Harvard Law School in 1971. After practicing law for three years in Washington D.C., I joined the Department of Justice in 1974 as a Special Assistant to Deputy Attorney General Laurence Silberman. From 1975 to 1977, I was a Special Assistant to Attorney General Edward Levi. In 1977, I returned to my home town of Boston, where I became a partner in the firm of Sullivan & Worcester, specializing in civil litigation. In 1978, I was appointed by the Supreme Judicial Court of Massachusetts

7/23/84
(JBS)

to work with Robert Meserve, a former President of the American Bar Association, to investigate and prosecute the Chief Judge of our state trial court. In 1982, I was elected to the board of the Boston Bar Association.

My active Republican political involvement began when I worked at the Republican National Committee in 1967. It was suspended in 1981 when I joined this office as Deputy U.S. Attorney and Chief of the Public Corruption Unit, after being a finalist for the appointment to be U.S. Attorney.

Since joining this office, I have devoted myself primarily to the investigation and prosecution of public corruption. As described in detail in Bill Weld's nomination of me for the Attorney General's Award for Exceptional Service (a copy of which is enclosed), under my direction we have won 37 consecutive public corruption cases without a loss. The most recent victory was my prosecution of former Boston Mayor Kevin White's chief fundraiser on money laundering charges. He was the ninth Boston official we have convicted. This has had dramatic, positive political effects in Boston. It has also resulted in considerable favorable media attention, here and nationally, for this office and the Department generally and for me particularly; the enclosed article and editorial from the June 24, 1984 Boston Herald exemplify this.

The administration's commitment to our public corruption effort was recognized by the Attorney General as recently as this week in the enclosed letter to Bill Weld. I am confident that my nomination to the District Court would be widely regarded as evidence of the President's commitment to the fight against public corruption and to recognizing and rewarding integrity in government.

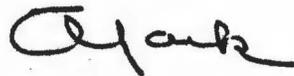
I also believe that my nomination would be appreciated by the Jewish community. As an officer and member of the Administrative Committee of the Jewish Community Council of Greater Boston, an umbrella group which includes the presidents of more than thirty major Jewish organizations such as the American Jewish Committee, the American Jewish Congress and the B'nai Brith Anti-Defamation League, I am visibly involved in a broad spectrum of Jewish communal affairs. As a member of the Board of the American Jewish Committee (New England Region), I have led trips to Israel, Egypt and Jordan for Jewish and non-Jewish community leaders, including newspaper editors, television broadcasters, and public officials; on one trip Andy Natsios, the Massachusetts Republican Party Chairman, got to know George Kariotis, who was then a Cabinet Secretary in the Democratic state administration, and who has since switched parties and become the Republican Finance Chairman. I have also written

articles concerning Israel published in both the Boston Globe and Boston Herald. I believe, therefore, that my nomination would be clearly seen as encouraging to the Jewish community, and to others who are potentially supportive but may question the openness of this administration to those who are not part of the stereotypical Republican constituency.

Finally, I have been the subject of a successful background investigation by the FBI. In addition, former ABA President Bob Meserve, who is now working in our office as a Special Assistant, has told me that he is confident the ABA would quickly find me qualified for appointment to the District Court. Thus, I believe that if selected, I could be nominated and confirmed promptly.

As I will be out of the office most of the week of July 23, 1984, I will call you for guidance regarding this matter. Thank you for your interest and consideration.

Sincerely yours,



Mark L. Wolf
Deputy United States Attorney

Resume of
Judge William G. Young



Judge William G. Young
Superior Court
Boston, MA 02108
617-725-8130

Year of Admission to the Bar: 1967
Year Appointed Judge: 1978
Date of Birth: September 23, 1940
Law School: Harvard Law School
College: Harvard College
Previous Employment: 1975-1978, Partner in Bingham, Dana
& Gould 1972-1974 Chief Counsel to Governor Sargent.
1970-1972 Special Assistant Attorney General.
Military: U.S. Army, 1962-1964 (active duty)
Clubs and Organizations: Member, American Law Institute,
Massachusetts Bar Association, Boston Bar Association

DISTRICT OF NEW JERSEY

At our last meeting, Joseph H. Rodriguez was identified as a likely candidate for appointment to one of the 3 new positions on this court. Rodriguez currently serves in Governor Kean's Cabinet as Public Advocate/Public Defender for the State of New Jersey.

The Department of Justice has interviewed Rodriguez and made a number of calls concerning his suitability for appointment to the Federal bench. Justice reports he is well regarded by the bar in New Jersey, where he is known as "honest, moderate in philosophy, and one of the best trial lawyers in the state." Justice also reports that its interview with Rodriguez confirmed that he is an intelligent individual with a judicial temperament and moderate philosophy.

Rodriguez is a highly visible leader of the New Jersey Hispanic community who has used his position to be a force for moderation in community relations. He is a Democrat, but has received appointments from two Republican governors and has retained his Democratic registration at Governor Kean's request.

JOSEPH H. RODRIGUEZ
19 Harrowgate Drive
Cherry Hill, New Jersey 08003
(609) 424-5422

Profession:

Presently serving as Public Advocate,
State of New Jersey (Cabinet Post) and
Public Defender, State of New Jersey
CN 850, Trenton, New Jersey 08625
(609) 292-1889

Certified Trial Attorney, State of New Jersey
Admitted to New Jersey, United States Federal
District Court and Supreme Court of the
United States

Former partner in law firm of Brown, Connery,
Kulp, Wille, Purnell & Greene, Camden, New Jersey

Former Govern-
ment Positions:

Chairman, State Commission of Investigation
1974-1979 (five year term)

Chairman, State Board of Higher Education
State of New Jersey, 1972-1974

Professional
Activities:

American College of Trial Lawyers
Fellow of American Bar Foundation
International Society of Barristers
American Bar Association

New Jersey State Bar Association
President 1978-1979

Disciplinary Review Board, Supreme Court of New Jersey
Civil Practice Committee, Supreme Court of New Jersey
American Trial Lawyers Association

Trial Attorneys of New Jersey

Recipient of Trial Bar Award, October 1981

Camden County Bar Association

Board of Managers 1969-1972

Chairman, Committee on Future Needs of Courts,
1969-1970

Camden Regional Legal Services, Inc.

President, Board of Trustees 1969-1971

Board of Directors, Audubon Savings & Loan Association

Civic
Activities:

Board of Trustees, Temple University

Executive Committee, Cooper Medical Center,
Second Century Fund Campaign

Member and Judge Advocate, American Legion Post 262,
Audubon, New Jersey

Chairman, Juvenile Conference Committee of Haddonfield,
New Jersey 1971-1975

Member of Board of Directors, Camden Day Nursery
First Vice President 1968-1971

Board of Directors, Camden Housing Improvement Project, 1967-1974
Advisor and Honorary Member of Spanish Civic Social Club, Camden, New Jersey
Board of Trustees, Family Counselling Service, 1969-1971

Educational Activities:

Instructor, Rutgers University School of Law, 1972-1981
Lecturer, Professional Trial Lawyers Seminar, 1969-1982
Instructor, Trial Clinic Section of the Skills Training Course sponsored by Institute for Continuing Legal Education, Rutgers University 1961, 1973; 1981
LaSalle College Alumni Association
Chancellor, Rutgers University Law School Alumni Association, South Jersey Division, 1964-1965

Honorary Degrees:

Honorary Doctor of Laws Degree:
Seton Hall University, South Orange, NJ, 1976
Rutgers University, New Brunswick, NJ, 1974
St. Peter's College, Jersey City, NJ, 1972

Commencement Addresses:

Kean College, Union, NJ, 1982
Salem County College, Salem, NJ 1975
Richard Stockton State College, Pomona, NJ, 1973
Rutgers University, Camden, NJ, 1973
Trenton State College, Trenton, NJ 1971

Personal Background:

Born December 12, 1930, Camden, New Jersey
Son of Carmen (born Caguas, Puerto Rico) and Mario Rodriguez, Sr. (born Havana, Cuba) both deceased
Brothers: Mario, Jr., Robert, Albert
Sister: Carmen, deceased

Marital Status and Family:

Married to the former Barbara J. Marriner, of Audubon, New Jersey
Four daughters: Lisa, born 8/8/55; Barbara, born 12/26/62; Joanne, born 12/15/63; Kristin, born 7/25/66.

Educational Background:

Graduate of Camden Catholic High School, 1949
LaSalle College, 1955 (A.B)
Alpha Epsilon Honor Society, LaSalle College
Rutgers University Law School, 1958 (L.L.B.)
Juris Doctor, 1968

Military Service:

U.S. Army, 1950-1952
Sergeant, Military Police

SOUTHERN DISTRICT OF FLORIDA

Senator Hawkins has recommended U.S. Magistrate Charlene H. Sorrentino, trial lawyer Patricia C. Fawsett, and U.S. Attorney Stanley Marcus for the three omnibus vacancies on the Southern District of Florida. In addition, Assistant Attorney General Stephen S. Trott has recommended U.S. Magistrate Patricia J. Kyle. This committee has previously considered Dick Hauser favorably for one of these positions.

Magistrate Sorrentino, 42, has served as a Federal magistrate in Miami since 1975. She worked as an Assistant Federal Public Defender from 1971 to 1975, and clerked for former Chief Judge Charles B. Fulton of the Southern District of Florida from 1967 to 1971. Justice reports Magistrate Sorrentino is generally bright and is viewed as having done a competent job as a magistrate. She is, however, perceived by many of her colleagues as having an anti-government, pro-defense attitude in criminal cases. Indeed, some Government prosecutors have described her as willing to make every judgement call in favor of the defendant. Justice will report further on these matters at Thursday's meeting.

Justice reports that Magistrate Patricia J. Kyle, 40, appears relatively conservative and tough on law enforcement issues. She is also regarded as a better writer and legal scholar than Sorrentino, and as having impeccable Republican credentials. Justice will be prepared to report Magistrate Kyle's qualifications Thursday.

U.S. Attorney Stanley Marcus, 38, is regarded as an excellent U.S. Attorney who has done an exemplary job handling the heavy criminal caseload in the Southern District of Florida. Most consider him temperamentally suited to the bench, but some have expressed concern that the bar would look with disfavor on the appointment of an individual who came to Florida only when recruited as U.S. Attorney and who is not a member of the Florida bar. Justice reports that his philosophy on issues other than law enforcement is not known.

Patricia C. Fawsett, 41, is a trial lawyer with the Orlando firm of Akerman, Senterfitt and Eidson. She has practiced with that firm since her graduation from law school in 1973, and her practice has been concentrated in the field of commercial litigation. She is a past president of the Orange County Bar Association. Calls by Justice indicate that Ms. Fawsett is an excellent litigator with strong advocacy skills and the ability to "get things done." One lawyer characterized her as one of the best trial attorneys in Orlando. Most characterized Ms. Fawsett as a moderate Republican, but none knew her philosophy on specific issues. Justice will report further at the Thursday meeting.

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3 QUESTIONNAIRE

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FEDERAL JUDICIARY ADVISORY PANEL FOR
FLORIDA: PERSONAL DATA QUESTIONNAIRE
FOR LAWYERS (PAGE 1, PARTIAL)

Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

B-3 Release would violate a Federal statute [(b)(3) of the FOIA]

B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]

B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]

B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]

B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]

B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

E.O. 13233

C. Closed in accordance with restrictions contained in donor's deed of gift.

FEDERAL JUDICIAL ADVISORY PANEL FOR FLORIDA
PERSONAL DATA QUESTIONNAIRE
FOR LAWYERS

1. Full name and social security number.

Charlene Hermann Sorrentino
Maiden Name: Emma Charlene Hermann
Social Security Number: _____

b(6)

2. Office and home addresses, zip codes, telephone numbers and area codes.

Office: United States District Court
300 N.E. 1st Avenue
P.O. Box 011429
Miami, Florida 33101-1429
305-350-4794
Home: 733 Biltmore Court
Coral Gables, Florida 33134
305-442-2439

3. Date and place of birth.

██████████ ██████████ ██████████ ██████████

4. Are you a naturalized citizen? If so, give date and place of naturalization.

No.

5. Family status:

a) Are you married? If so, state the date of marriage and your spouse's full name including maiden name if applicable.

Yes; May 16, 1970, to Daniel Anthony Sorrentino.

b) Have you been divorced? If so, give particulars, including the date, the court, and the case number.

No.

c) Names of your children, with age, address and present occupation of each.

We have no children.

6. Have you had any military service? If so, give dates, branch of service, rank or rate, serial number and present status.

No military service.

7. University of Florida, Gainesville, 1960-63, awarded Bachelor of Arts Degree December, 1963.

University of Florida, College of Law, fall semester, 1964, transferred to University of Miami School of Law 1965, received Juris Doctor Degree, Cum Laude, June, 1967.

8. All Florida Courts, November 10, 1967
United States District Court, So. Dist. of FL, December 1, 1967
Admitted to newly established Trial Bar of The District Court June 7, 1982
United States Court of Appeals for the Fifth Circuit, September 28, 1971
United States Court of Appeals for the Eleventh Circuit, May 3, 1982
United States Supreme Court, January 24, 1972

9. Law Clerk to Chief Judge Charles B. Fulton of the Southern District of Florida from August 14, 1967, to June 28, 1971, at which time appointed Assistant Federal Public Defender; Became Chief Assistant Federal Public Defender January 21, 1975. The office of the Federal Public Defender is at 14 N.E. 1st Avenue, Miami, Florida 33132, 305-350-4391. Appointed United States Magistrate for the Southern District of Florida September 12, 1975, and holding that position at the present time.

10. September 12, 1975 to present: United States Magistrates are authorized by statute to perform virtually all of the duties of a United States District Judge, with the exception of the conduct of felony criminal trials, which require an Article III Judge. We do handle all pretrial stages of felony criminal cases.

January 21, 1975 - September 11, 1975: As Chief Assistant Federal Public Defender I had extensive administrative responsibility for a large staff of attorneys, investigators and secretaries, and handled a full load of criminal cases as well.

June 28, 1971 - January 20, 1975: As Assistant Federal Public Defender I was in court on a daily basis, handling hundreds of federal criminal cases at both the trial and appellate levels.

September 1, 1968 - June 27, 1971: As Senior Law Clerk to Chief Judge Charles B. Fulton of the Southern District, I was actively involved in each facet of the work of the District Court. I became particularly familiar with the civil trial practice of the Court, since I participated in the motion and pretrial stages of each case, drafted jury charges, was present throughout all civil trials, and drafted opinions in non-jury cases.

August 15, 1967 - August 31, 1968: As Junior Law Clerk to Chief Judge Fulton I performed essentially the same work as Senior Law Clerk, but with closer supervision.

11. a. I have been in Court almost daily since I began employment with this Court August 14, 1967.

11. b. Federal courts 100%

11. c. Civil 40%
Criminal 60%

11. d. I do not presently try cases as counsel, of course, but do preside in court on a daily basis.

11. e. Primarily non-jury at present.

12. a. I was in court daily.

12. b. As an Assistant Federal Public Defender all of my cases were felony criminal trials, pleas, and appeals. I tried approximately 50% of the cases to a jury, and approximately 50% to the Court.

12. c. I was sole counsel in hundreds of felony criminal cases and several dozen appeals as an Assistant Federal Public Defender.

13. I have been a Magistrate for nearly eight years and have, of course, represented no clients during that time. All of the case files for my clients as an Assistant Federal Public Defender are the property of the government. They are stored in the federal Records Center in Georgia and unavailable to me. However, of the many hundreds of clients whom I represented, these stand out in my memory.

14. a. United States Magistrate for the Southern District of Florida from September 12, 1975, to the present. This position is appointed by the District Judges of this Court. A Magistrate is authorized by statute, 28 U.S.C. §636 and cases decided thereunder, to perform virtually all of the functions of a United States District Judge except the conduct of felony criminal trials, since the Constitution requires an Article III Judge for that function. The Magistrates do handle all pretrial stages of felony cases, (bonds, motions, evidentiary hearings, jury selections).

14. b. I have never held public office, other than as a Magistrate.

15. I was nominated by the Federal Judicial Nominating Commission of Florida for appointment as a United States District Judge on February 19, 1979, the last time a vacancy existed on this Court.

On September 21, 1982, I applied for appointment to the Florida Supreme Court.

16.

I graduated from the University of Florida in the winter term of 1963. The College of Law had no beginning freshman class until the next fall. I therefore taught mathematics and English at Fonce de Leon Junior High School, Coral Gables, during the spring of 1964, and history at Coral Gables Senior High during the summer of that year, while waiting to enter law school with the fall freshman class.

17.-23.

NO

24.-25.

~~NO~~

26.

National Council of United States Magistrates
Florida Bar Association
American Bar Association
Federal Bar Association
Dade County Bar Association
Florida Association of Women Lawyers
National Association of Women Judges
Dade County Chapter, Florida Association of Women Lawyers

28.

Received highest score on Florida Bar Examination and delivered acceptance speech on behalf of applicants at induction ceremony;
Received Juris Doctor Degree Cum Laude;
Full tuition scholarships in law school;
Editorial Board of the Law Review;
Phi Kappa Phi National Scholastic Honor Society;
Dean's List;
Moot Court Best Brief Award;
Outstanding Junior Award;
Book Awards in various courses.

This month (February, 1983) I received a plaque and letter of recognition from the Vice President's Task Force on Crime in South Florida in recognition of my work as a Magistrate in the hundreds of criminal cases generated by that group.

29.

The position of United States Magistrate is new, the first Magistrates having taken office in 1971. The jurisdiction has expanded broadly by statutory revisions in the last several years, as the District Courts have become more dependent on the Magistrate system to process burgeoning caseloads. In growing recognition of the scope of a Magistrate's responsibility and experience, sixteen Magistrates have been elevated to the federal District or Court of Appeals benches in recent years, and others have been appointed to state supreme courts. One was appointed to the United States Court of Claims.

LOCAL NEWS

Palm Beaches

Monday, July 9, 1984

The Evening Times

Death threats 'come with job' for magistrate

*'Marvelous sense of humor'
keeps her courtroom upbeat*

By Rick Lanning
Times Staff Writer

Patricia Kyle is virtually unflappable, whether the subject is death threats, argumentative attorneys, or a heavy caseload — something she faces daily in her job as Palm Beach County's only federal magistrate.

"Sure I get death threats," shrugs the 5-foot-6-inch, green-eyed Ms. Kyle.

"They come with the job."

She is more upset when she runs into discourtesy in the courtroom. To Ms. Kyle, attorneys should practice courtesy as a way of life. She believes defendants, witnesses and the court system are entitled to it.

"Courtesy translates to a lawyer's enlarged sense of dignity," she said. An attorney who appears before her regularly said, "She treats the worst of offenders with a smile and a demeanor that you don't often see in any courtroom."

This doesn't mean someone can take advantage of her, he added.

"If you get a couple of attorneys who are bickering when they should be practicing law, she'll put her foot down," the lawyer declared. "She may be easygoing in the courtroom, but she commands respect."

Four days a week she works out of her Fort Lauderdale office where she maintains a law library and two law clerks. Tuesdays, she commutes to West Palm Beach.

The job is demanding. Often she doesn't get home until 8 p.m. or later. Then it's potluck for her and her television-anchorman husband, Art Carlson of Channel 10 (WPLG-TV).

She explains her courtroom manner by saying a judge should be "willing to recognize everyone as an individual." It concerns her that defendants are often confused and frightened by the federal judicial process.

"I take great pains to explain what is happening and won't proceed unless I'm convinced the person understands the process fully," she said.

Ms. Kyle is a graduate of Stephens College and the University of Hawaii. She was graduated, cum laude, from the University of Miami School of Law in 1974, the same year she was admitted to the Florida Bar.

What is she like in a court setting? She has been known to bounce into the courtroom, carrying a cup of coffee, smiling and ready to trade quips with attorneys or security officers before she gets down to the serious business of holding a first appearance or setting a defendant's bond.

Asked how she can maintain her upbeat attitude while dealing with cocaine traffickers, alien smugglers and other felony suspects, she says, "I happen to be a very stable person with a marvelous sense of humor."

She adds, "A sense of one's own inadequacies and an ability to laugh at yourself is essential to this job. A person who has that is able to be human in any situation."

Her stepfather is Circuit Court Judge Stephen R. Booher of the 17th Judicial Circuit, Fort Lauderdale. Her mother, Jean Booher, is an attorney. A younger half-sister plans to take the law school admission test.

Now in her seventh year as a magistrate, Ms. Kyle is on call 24 hours a day. Her duties include setting bonds, holding arraignments, reviewing search warrants, signing complaints and accepting indictments from the grand jury.

She also hears all pretrial questions in criminal cases



PATRICIA KYLE
... Federal magistrate

AKERMAN, SENTERFITT & EIDSON

A Partnership including Professional Associations

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General Civil and Trial Practice. Insurance, Workers' Compensation, Probate, Real Property, Banking, Bankruptcy and Corporation Law, Taxation, Transportation, Administrative, Municipal and Public Authority Financing, Securities, Antitrust, Environmental, Labor and Employment Relations and Condominium Law.

MARY PATRICIA COMES FAWSETT, born Montreal, Canada, August 21, 1943; admitted to bar, 1973, Florida. *Education:* University of Florida (B.A., 1965; M.A.T., 1966; J.D., with high honors, 1973). Phi Beta Kappa; Order of the Coif. Executive Editor, University of Florida Law Review, 1972. Author: Comment, "Eminent Domain: Public Purpose and Conservation of Natural Resources," 385; Article, "Florida Adoption and Interstate Succession Laws: A Legal Paralogism," 603, 24 University of Florida Law Review, 1972. Trustee, Orange County Legal Aid Society, 1977-1981. Member, Civil Jury Instructions Committee, Supreme Court of Florida, 1982—. *Member:* Orange County (Member, 1973— and President, 1981-1982, Executive Council, 1977—) and American Bar Associations; The Florida Bar (Member, Sections on: Trial Lawyers; Environmental Law); Florida Trial Lawyers Association; Defense Research Institute.

STANLEY MARCUS

or March 27, 1946 Brooklyn, New York

Legal Residence: Michigan

Marital Status: Married Judith S. Rosenbaum
One child

Education: 1967 B.A. City University of New York
1971 J.D. Harvard Law School
1972 New York

Military Experience: 1968-74 U.S. Army Reserves
(active duty 1969-70)

Experience: 1971-73 Law Clerk to Hon. John R. Bartels
Eastern District of New York
1974-75 Associate, Botein, Hays, Sklar &
Herzberg
Brooklyn, New York
1975-78 Assistant United States Attorney
Eastern District of New York
1978-present Organized Crime and Racketeering
Section, Criminal Division,
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TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF FLORIDA