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Kaye Gets Confirmed, But With Opposition

March 6, 2007 at 4:46 pm by James M. Odato

Chief Judge Judith Kaye was confirmed by the Gop-controlled state Senate today to return for another 22 months as New York's top judge.

She will have to leave the bench when she turns 70 in 2008 - the mandatory retirement age for judges under state law.

Two Senate Republicans said they could not endorse Kaye for chief judge considering some of her rulings during her 14-year stint. Sen. Steve Saland and Sen. George Maziarz complained about opinions that they said did not support legislative actions.

Saland described her (negatively) as an activist judge whose opinions on the Campaign For Fiscal Equity case (for more funding of New York City schools) and others were in contrast with the will of the Legislature. He gave a speech about her failure to honor the constitutional separation of powers.

Maziarz said he is siding with crime victims in voting against Kaye. She helped strike down the death penalty as unconstitutional, he said, giving murderers the right to life sentences without parole.

Most of the other senators who spoke on the floor strongly praised Kaye. Sen. John Bonacic said it's a shame she will have to step down in less than two years, and that the next president should appoint her to a federal court.

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Wednesday, March 7,



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