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Letter to RJM from E. Donald Shapiro

E. Donald Shapiro
New York Law School

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New York Law School

57 Worth Street
New York, New York
10013-2960



E. DONALD SHAPIRO
THE JOSEPH SOLOMON
DISTINGUISHED PROFESSOR OF LAW
(212) 431-2822
(212) 966-6393 Fax

RECEIVED

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ROGER J. MINER
U.S. CIRCUIT JUDGE
ALBANY NEW YORK

August 28, 1992

The Honorable Rodger J. Miner
United States Court of Appeals
for the Second Circuit
40 Foley Square
New York, New York 10007

Dear Rodger:

Congratulations in your attack on the process of selection for the federal bench.

It is about time that someone has guts enough to write the article that you did for the American University Law Review.

There is no question that the current system, both by Democrats and Republicans, is driven more by concerns of about ideology and confirmability, than merit. Both the President and Congress have completely abrogated their constitutional roles in the selection process to their staff, their most narrow minded ideologues.

Is is not amazing the type of articles that you and I can write now that we have reached a certain age and no longer give a damn? It is almost like being reborn as some of our friends would say.

With warmest personal regards and deepest affection.

Cordially yours,

Dictated BUT NOT SIGNED

E. Donald Shapiro
The Joseph Solomon
Distinguished Professor of
Law and Supernumerary Fellow
of St. Cross College at