

High court: N.Y. conventions pass muster

by UPI

WASHINGTON - The U.S. Supreme Court ruled Wednesday New York political parties may continue to use conventions to select local nominees, including judges. Since 1921, New York election law has required the parties to select nominees by conventions composed of delegates elected by party members. To run for delegate, an individual must submit a petition with 500 signatures, and the convention nominees appear automatically on the ballot. The nominees include prospective State Supreme Court justices, a judgeship filled by election in each of the state's judicial districts under the state Constitution. A group of failed judicial candidates, one of whom said she was not supported because she refused to comply with patronage requests, filed suit seeking a declaration that the convention system violated the First Amendment of the U.S. Constitution -- keeping the failed candidates off the ballot -- and an injunction ordering a primary election to select State Supreme Court nominees. The lower courts agreed with the failed candidates, but the U.S. Supreme Court disagreed. In the opinion of the high court joined or concurred in by all the other justices, Justice Antonin Scalia reversed. "New York state has thrice (in 1846, 1911, and 1921) displayed a willingness to reconsider its method of selecting Supreme Court Justices," Scalia wrote. "If it wishes to return to the primary system that it discarded in 1921, it is free to do so; but the First Amendment does not compel that."

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