

from our viewpoint...

## What makes a great judge?

Most mouths dropped a foot when President George Bush nominated his friend and counsel Harriet Meirs to be a Supreme Court Justice.

His nomination of Meirs to replace retiring judge Sandra Day O' Connor does preserve the gender balance, but without any judicial background Meirs may be the first outsider to be nominated to the highest court of the land.

Meirs is a corporate lawyer, and a longtime loyal friend of Bush, which makes many conservatives feel she will decide cases along the same ideological lines as President Bush would himself given the opportunity to appoint himself to the high court.

Her unknown quantity as a sitting judge gives others wild speculation about how she will address complex cases, and they are nervous because of that uncertainty.

We have no illusions that Meirs is anything but a person with true politically conservative leanings. That is a given, but what is interesting is that she would be the first justice who would not have a lot of legal baggage tied up in previous rulings from the bench.

To many there is a sense the legal system is a bit inbred now with all the requirements that anyone who is a judge must first be a lawyer. Having a fresh look at the judicial decisions by someone who has not made hundreds before could be a good thing both for the court and for the entire justice system.

Meirs is being touted by the Focus on the Family people as the kind of justice who would rule against abortion, and they are happy with that idea. No one has heard from the lady herself about her views on the issue, and after the recent confirmation of Chief Justice John Roberts without getting many answers there is little expectation we will learn a lot during her confirmation before the Senate.

Unless something of a big bomb appears before the hearings begin there is every likelihood she will be the new woman on the Supreme Court.

No matter how it goes there is little doubt the conservatives feel they have been somewhat betrayed because Bush has not nominated someone who they can brand with their litmus test on abortion rights.

The position of associate justice is a tough responsibility, and one that takes as much common sense as it takes legal understanding of the intent of the Constitution and the Founding Fathers.

We will watch as the interest groups pull at Meirs to try to tie her to a specific position on their litmus test. What we want is to know if she has the true ability to use her legal training and experiences plus common sense in forming decisions on the many cases that reach the supreme court.

The court has been under fire over the few past years, and Meirs will be a new breath of air in the middle of the musty air of the judicial club of judges. — *Tom Betz*

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## Update for those feline fanciers

Cats.

I haven't given any updates in quite a while, so all you feline fanciers gather 'round. The rest of you go read the sports section.

As most of you know, we have been taking two out of the four resident cats to Colorado with us.

April Alice sits quietly in her kennel for the nine to 10 hours it takes and only starts to get fidgety if nature is calling and we're still dawdling.

Molly Monster fights the whole process. She growls. She yawls. She meows quietly to herself after having a tranquilizer forced down her throat.

The other two — Rupert and Jezebel, youngest daughter's cats — are just happy to have the house to themselves while our two are gone.

Jez doesn't take any guff off of any of the others, and only Molly ever tries to cause her grief.

Rupert, however, is at the bottom of the scratching order. Everyone but Jez makes her hide under the furniture. She misses us when we're gone, but she sure doesn't miss the other cats.

Down in South Carolina, youngest daughter is now catless, having given away her last feline so



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• open season

that her boyfriend can visit her without resorting to innumerable allergy pills.

He never complained to her, but her sister, with whom he works, said that he always felt like he had a hangover on Monday after visiting his girlfriend and her three cats.

He did have to put up with one visitor this last week, however.

Oldest daughter and her husband, also the owners of three cats, went to Europe for two weeks.

Two of their cats they left at home with a friend to come in to check on them.

The third, however, had gotten into a fight a week before they were to leave. Louie ended up with an infection that required both oral and topical (on the skin) antibiotics.

## New York voters won't fall for Hillary's dodge

By Dick Morris

Former President Bill Clinton's thesis, articulated on "Meet the Press," is that "large" figures in their parties who are elected to lesser offices should not be asked to commit to serving out their full terms so that, when duty calls, they are free to answer.

It's advice he failed to heed for himself when he was governor of Arkansas. Then he just resorted to his frequent M.O. and lied, telling the voters that he was going to serve out his full term when he had no intention of doing so — if he could help it.

But Arkansas is not New York, and the relatively unknown Bill Clinton of 1990 is not the Hillary Clinton of 2005. Hillary must come squarely face to face with an unpleasant fact: If she won't commit to serving a full term in the Senate, she may not win re-election.

At first, it looked as if she could skate by without a full commitment since she faced relatively weak opposition. Ed Cox, Nixon's son-in-law, and John Spencer, former Yonkers mayor, were not the sort to confront Hillary with a potent challenge. But now that Jeanine Pirro has declared her candidacy, Hillary has a real fight on her hands.

Since Pirro is pro-choice, pro-gun control, pro-affirmative action, pro-gay civil unions and pro-immigration, Hillary cannot use any of her trusty hot-button issues to dismiss her. And, as a woman, Pirro is in an excellent position to challenge Hillary on all of her core issues.

Already, since Pirro announced — and despite her embarrassing 32 seconds of silence while she groped for her speech text — the Westchester Republican, a district attorney, has closed the gap with Hillary. The Democratic senator led Pirro by a gigantic 30-point margin, 61-31 percent, before Jeanine announced. But afterward Pirro trailed by only 55-34.

Most senators can escape having to declare that they will serve out a full term. But Hillary



**from other  
pens**

• commentary

can't because of the unique way she came to New York. Had the first lady decided to run for senator in Delaware or Indiana or some such state, voters would have assumed she just moved in to run. But she moved to New York and assured us all that she was vindicating a lifelong dream to move to the Big Apple. So many people have done so, and New Yorkers' egos are such, that they believed that Hillary had just felt the same magic gravitational pull the city seems to exert on people.

But now she is using New York state as a steppingstone. As Pirro said in her announcement (the part of the text she could find), "Hillary asked us to put out the welcome mat and we did so. But now she wants us to become a doormat, and that we will never do."

Polls show that 60 percent of New Yorkers do not want Hillary to run for president even as 55 percent say they will vote for her for the Senate. They know that a senator is AWOL

when she goes for the top prize.

Neither Kerry nor Lieberman nor Gephardt nor Edwards was seen much around the Capitol when their candidacies beckoned. Despite good attendance records beforehand, they rarely showed up for votes. As a presidential candidate, Hillary will be off in Iowa, New Hampshire, Florida and other states rather than in New York or Washington, working for the people she was elected to represent. It's just the nature of things.

Armed with the doubts of New Yorkers about Hillary's fealty and protected by her social liberalism, Pirro will make an effective challenger. She will almost certainly make the race closer than the 12 points that separated Hillary from her 2000 Republican challenger, Rep. Rick Lazio. Pirro will make her work hard and spend tens of millions of dollars.

And she might just beat Hillary. Which raises the question: Why is Hillary running for re-election to a job she wants to leave? New Yorkers will all be asking, so Hillary might want to ask herself.

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