Upstate Judge Is Named To U.S. Court of Appeals

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Roger J. Miner, a Federal district judge from upstate New York, was nominated yesterday by President Reagan for a seat on the United States Court of Appeals for the Second Circuit.

The President also nominated John M. Walker Jr., an assistant secretary of the Treasury, for Federal District Court in Manhattan. Both nominations require confirmation by the Senate.

There are three vacancies on the appellate court, which covers New York, Connecticut and Vermont. Bar associations have urged action to fill the seats.

Two of the openings were created last year when Congress authorized two judgeships to expand the appeals court to 13 members.

The third occurred last month when Judge Ellsworth A. Van Graafeland retired as an active member.

Altman Is Recommended

Senator Alfonse M. D'Amato, Republican of New York, has recommended Judge Francis X. Altman, a Federal district judge on Long Island, for appointment to the appeals court. The Senator's office said yesterday that the Justice Department was considering Judge Altman for one of the openings.

In February, when he formally recommended Judge Altman, Senator D'Amato also praised Judge Miner. Judge Miner, a 51-year-old Republican from Columbia County, has been a Federal judge in the Northern District of New York since 1981. His chambers are in Albany.

The judge was born on April 14, 1934, in the river community of Hudson, where he still lives. He attended Columbia College and graduated from the State University in Albany. He is a cum laude graduate of the New York Law School, where he was managing editor of the Law Review, and did graduate work at the Brooklyn Law School and the University of Virginia Law School.

Law Firm With Father

After serving as an Army lieutenant in Japan and Korea from 1956 to 1959, he entered law practice with his father, Abram Miner, in the firm of Miner & Miner in Hudson.

Judge Miner was appointed the Corporation Counsel for the City of Hudson in 1961, became an assistant district attorney of Columbia County in 1964 and served as the District Attorney from 1968 to 1975.

In 1976, he was elected to State Supreme Court for the Third Judicial District, and he remained a state judge until President Reagan appointed him to the Federal bench in 1981.

The judge, who frequently addresses civic groups, is also fond of playing the saxophone, the clarinet and the organ.

He and his wife, the former Jacqueline Mariani, have four sons, three of them now in college. Mrs. Miner was a candidate for the Republican nomination for the United States Senate in 1982.

President Reagan selects nominations for Federal appeals courts after the Justice Department considers recommendations by Senators and others.

The President usually makes his recommendations for the Federal District Courts on the recommendations of his party's Senators from the states where the openings exist.

Walker and Stanton

Senator D'Amato recommended the nominations of Mr. Walker and Louis L. Stanton Jr., a Wall Street lawyer, for the Southern District, which is based in Manhattan and also covers the Bronx and six counties north of the city. The President nominated Mr. Stanton two weeks ago.

Both Mr. Walker and Mr. Stanton are Yale graduates who became partners in the Wall Street law firm of Carter Ledyard & Milburn.

Mr. Walker, 44, who has been in his Treasury post since 1981, supervises law-enforcement activities for the department. He is a graduate of the University of Michigan Law School a former assistant United States Attorney in Manhattan. He joined Carter Ledyard in 1975. He is a cousin of Vice President Bush.

Mr. Stanton, 53, is a graduate of the University of Virginia Law School. He has been with Carter Ledyard since 1966, where he focuses on commercial and antitrust work.

Agreement With Moynihan

For openings on Federal District Courts in the state, Senator D'Amato maintains an agreement allocating one of every four recommendations to Senator Daniel Patrick Moynihan, the New York Democrat.

Senator Moynihan’s choice for one of the vacancies in the Southern District was William E. Hellerstein, who was head of criminal appeals for the Legal Aid Society. But the Administration did not approve the selection of Mr. Hellerstein because of opposition to his more liberal views.

In April, Senator Moynihan recommended Edward R. Korman for a new judgeship on the Federal District Court in the Eastern District, which covers Brooklyn, Queens, Long Island and Staten Island. Mr. Korman, 42, is a professor at Brooklyn Law School who was the United States Attorney in the district from 1978 to 1982.

Judge Altman, Senator D'Amato's recommendation for the appeals court, has served on the court for the Eastern District since 1982. The judge, who is 56, was previously on the State Supreme Court in Nassau County and was the administrator of the county's courts.