Miner judgeship candidate
Interviewee for appeals court

By Shirley Armstrong
Staff writer

Federal Judge Roger J. Miner confirmed Monday he will be interviewed in Washington, D.C., Wednesday and Thursday as a candidate for one of two new seats on the Second Circuit, U.S. Court of Appeals.

Miner, who said he has been recommended for the post by Republican Sen. Alphonse D'Amato of New York and "others as well," said he has been invited by the U.S. attorney general's office for legal policy to be interviewed by the Department of Justice.

Miner, of Hudson, a former Columbia County district attorney and state Supreme Court justice, has, since joining the federal bench in the Northern District of New York, won a reputation as a hardworking jurist with instant recall of a wide knowledge of law, little patience for lawyers showing inefficiency or reliance upon legal gamesmanship, a tendency toward stiff sentences and a keen, often cutting, wit.

If appointed by President Reagan and approved by the U.S. Senate, Miner, 56, would be the first Albany-based judge ever named to the appeals court, which sits in New York City and hears cases from federal courts in New York, Connecticut and Vermont.

Miner said he understands other candidates are also being considered for the two positions.

His departure from the 32-county Northern District would leave another vacancy in an already understaffed bench, where a newly created fourth full-time judgeship has not yet been filled, though Thomas J. McDermott, a Broome County legislator, has been recommended for the $75,000-a-year lifetime position.

Furthermore, the Northern District, which extends north to Canada and west to Syracuse, including the Albany area, could have yet another vacancy. One Syracuse-based member, Judge Neal McGurn, has been mentioned as a possible appointee to a seat on the New York State Court of Appeals.

Active members of the federal bench in this district are Chief Judge Howard G. Munson, also of Syracuse, and Miner and McGurn. Judge James T. Foley of Troy, retired from active status and serving as senior judge, retains chambers in Albany and continues to preside over cases of his choosing.

Miner, a former president of the Columbia County Young Republican Club and former counsel to both the Association of New York State Republican Clubs and Columbia County Republican Committee, was elected district attorney in 1968. In 1976 he was elected to a 14-year term as a state Supreme Court justice. He was named to the federal judgeship in 1981, after a rigorous screening procedure.