

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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MARGARITA LÓPEZ TORRES, et al.	:	
Plaintiffs,	:	INDEX NO.
- against -	:	CV 04-1129 (JG)
NEW YORK STATE BOARD OF ELECTIONS, et al.	:	
Defendants.	:	
	:	
	:	
----- X	:	

**DECLARATION OF ALICE SCHLESINGER RELATING TO
MOTION FOR PRELIMINARY INJUNCTIVE RELIEF**

ALICE SCHLESINGER declares as follows:

1. I am a Supreme Court Justice, First Judicial District, of the State Supreme Court, New York County. I was first elected to the New York City Civil Court in 1984, and then re-elected in 1994. I was appointed to sit, by designation, as acting Supreme Court Justice in 1991, and was elected to the Supreme Court, New York County in November 1999. My current term expires in 2010.

2. Prior to becoming a judge, I practiced in the criminal defense division of the Legal Aid Society for sixteen years. I spent the first ten years of my career with the Legal Aid Society in Manhattan, and the last six years as a supervising attorney in the Bronx. I also taught at New York University's Criminal Law Clinic.

3. I sought election to the New York City Civil Court in 1984, and was elected that year. The campaign to obtain the nomination via a primary contest was extremely costly and burdensome. Even twenty years ago, during my campaign for New York City Civil Court Judge, I expended approximately \$30,000 to \$35,000, much of which came from my personal funds.

4. After several years as a Civil Court Judge and an Acting Supreme Court Justice, I decided to seek election to the New York Supreme Court in 1995. The first step in this process was to appear before an Independent Screening Panel. The rules of the panel provide that it report out not more than three of the most highly qualified candidates for each vacancy. While I did come out of the panel successfully in 1995, I did not obtain the Democratic Party's nomination.

5. In 1997 I again came out of the panel successfully, and sought the nomination at the Supreme Court nominating convention. My name was put up for nomination that year. My opponent at the 1997 nominating convention was Judge Joan Madden, now a colleague on the Supreme Court. Judge Madden prevailed by a vote of 78 to 49 delegates.

6. I again appeared before the Screening Panel in 1998, where I did not come out successfully. I appeared before the panel again in 1999.

7. After being favorably reported out by that panel, I contacted those prospective delegates who would be voting at the 1999 convention. When I contacted prospective delegates, I informed them of my intent to seek nomination and sought their support. I never sponsored any candidates of my own to run for judicial delegate, but rather got to know potential delegates, and in turn sought their support.

8. Determining who the primary candidates for delegate will be each year is a straightforward process. There are many people who run for delegate each year, and who have been re-elected numerous times. Furthermore, the names of those individuals seeking election as judicial delegates, and who is opposed and unopposed, are matters of public record filed with the Board of Elections.

9. In addition to contacting likely delegates, I visited various political clubs throughout Manhattan, which comprises the First Judicial District, in order to meet the membership. As with the prospective delegates, I informed the members of each club I visited of my intent to seek election to the Supreme Court in 1999. As I got to know the club members I sought their support. My determination and concentrated efforts were successful, as I secured the support of many club members and prospective delegates.

10. Therefore I sought the Supreme Court nomination at the convention in 1999. This time I came into the convention with the support of approximately twenty-seven delegates. I ultimately obtained the Democratic Party's nomination for Supreme Court through my own efforts. I did not have the support of the Democratic County Chairman until after it became clear that I had considerable support among the delegates. Thereafter I was elected to a full term in the general election, which term I presently hold.

11. Throughout my candidacy I employed no paid staff. The total cost of my candidacy was approximately \$2000. The main costs were for tickets to dinners and other functions, as well as mailings to likely delegates.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York

August 24, 2004

A handwritten signature in cursive script, appearing to read "Alice Schlesinger", written in black ink.

JUSTICE ALICE SCHLESINGER