

He also created the JUST Program, which provides services to court and criminal justice agencies in Monroe County, to monitor pre-plea and pre-sentence defendants and to provide program alternatives to incarceration.

He has been a champion for victims of domestic violence. He was at the forefront of working to provide shelters for victims of domestic violence long before it became an issue that captured the attention of most of the rest of us.

After serving for 7 years on the trial court, he was appointed as a justice of the Appellate Division, New York State's intermediate court, and for the past 6 years, he has served as an associate judge of New York State's highest court and one of the most preeminent State court's in our Nation—the New York State Court of Appeals.

All that one has to do is to look at his record, talk to his colleagues, to know that this is a candidate for the Federal judiciary who will serve with the same distinction on the Second Circuit that he has brought to his experience on the New York courts.

Now, as we consider his confirmation, I cannot help but mention as well that this will be the first Western New Yorker to serve as an associate judge of the Second Circuit for 29 years, when we had our last appointment. And it is long overdue, as I am sure Congressman Reynolds would agree, that we have someone from the western part of our State serving on this preeminent and essential Court of Appeals.

So I not only endorse Judge Wesley whole-heartedly, but I endorse the bipartisan process that leads him to be nominated and thank the President for forwarding this nomination and certainly thank his long-time friend and champion, Congressman Reynolds. He will serve with distinction, and we are very proud to offer this nomination to the Committee.

Senator CHAMBLISS. Thank you for your comments and for being here.

Congressman Reynolds?

PRESENTATION OF RICHARD C. WESLEY, NOMINEE TO BE CIRCUIT JUDGE FOR THE SECOND CIRCUIT, BY HON. THOMAS REYNOLDS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Representative REYNOLDS. Mr. Chairman, it is with high honor and privilege to appear before you as the Chairman of our proceedings today, and Senator Schumer, members of the Judiciary Committee, thank you for the courtesy of allowing me to come here today. It is a great honor for me to be here on behalf of my good friend, Judge Richard Wesley.

Dick Wesley and I have been close friends for more than 20 years, and it is a pleasure to share with this Committee why I believe he is such a tremendous choice for the United States Circuit Judge for the Second Circuit.

Since his election to the New York State Supreme Court in 1986, Judge Wesley has earned the respect and praise of his colleagues and indeed, our entire State, for his temperament, intellect, and commitment to and the love of law.

Judge Wesley was appointed by then Governor Mario Cuomo to the Appellate Division of the Supreme Court in 1994 and to the

Court of Appeals by Governor Pataki in 1996. Despite their divergent political views, both Governors Cuomo and Pataki shared a common thread in their appointments to the New York courts—a desire to select only the best and the brightest that our State has to offer. Both chose Judge Richard Wesley.

Indeed, we are seeing that again today. Nominated to the Federal bench by President Bush, Judge Wesley enjoys the support of both of our Senators, Senator Schumer and Senator Clinton. That is because Judge Wesley's devotion to the law transcends partisanship.

Despite Judge Wesley's rise to the highest levels of the New York judiciary, he remains firmly grounded and deeply rooted in his community. The son of a truck driver and a nurse, Judge Wesley has never forgotten where he came from. And I note to this Committee that joining Judge Wesley today is his mother, Betty, his wife, Kathy, and their children.

Indeed, even though this is probably one of the biggest weeks of his career, Judge Wesley was at the local rotary club just a couple of days ago, speaking to them about what he cares so passionately about—the law. Active in his community, Judge Wesley spends evenings and weekends driving an ambulance in a volunteer ambulance corps. And that is an important part of who Judge Wesley is—a man who always remembers his roots and who has retained throughout his career the small-town values that he grew up with.

Senators I am grateful to you for your consideration of Judge Wesley as circuit court judge. By virtue of his experience and his background, his character, and his integrity, his knowledge of and devotion to the law, our Nation and our judiciary will be well-served by his appointment. I respectfully ask this Committee to support Judge Richard Wesley's nomination as United States Circuit Judge for the Second Circuit.

Thank you.

Senator CHAMBLISS. Thank you very much, Congressman Reynolds, for being here.

Judge Wesley, you not only have strong bipartisan support within the House and the Senate, but also, as my good friend, Senator Schumer mentioned, Bill Paxon, is here with his better half, Susan Molinari, to support you. They are great Americans also. We look forward to hearing from you.

Senator SCHUMER. Let me add my welcome to Susan; she was hiding, I guess. I did not see her. Great.

Senator CHAMBLISS. We are going to adjourn in order for us to vote, and we will come back and hear from our nominees.

[Recess.]

Senator CHAMBLISS. Senator Schumer is on his way back, but I am going to ahead and start for the sake of time.

Judge Wesley, if you will come up and take a seat, please. We are very pleased to have you here after those glowing recommendations; that says an awful lot about what you have accomplished over the last number of years practicing law and sitting on the bench, Judge. So we are certainly pleased to have you here today, and we are happy to hear any opening statement you would like to make.

Would you stand and raise your right hand, please?

Judge WESLEY. No problem, Mr. Chairman; glad to do it.

Senator CHAMBLISS. Do you solemnly swear that the testimony you are about to give before this hearing shall be the truth, the whole truth, and nothing but the truth, so help you, God?

Judge WESLEY. I do.

Senator CHAMBLISS. I should have sworn our friend Tom Reynolds. I have a few questions I would like to ask him.

[Laughter.]

Senator CHAMBLISS. Judge Wesley, we are pleased to have you here, and we welcome any statement that you would like to make.

**STATEMENT OF RICHARD C. WESLEY, NOMINEE TO BE
CIRCUIT JUDGE FOR THE SECOND CIRCUIT**

Judge WESLEY. I have no opening statement to make, other than perhaps to introduce my family to you, Mr. Chairman.

Seated directly behind me are my wife of soon to be 25 years, Kathy Wesley. Two over from her, the other woman long-term in my life, my 82-year-old mother, Beatrice Wesley, who continues to reside in the house that my father built for my brother, me, and her in 1949. To my wife's left, my daughter, Sarah Elizabeth Wesley, who is a Cornell University graduate and is about to enter the University of Buffalo Law School in the fall—I tried to get her to go 2 years ago, but she has a mind of her own. And at the end, my "baby," my son, Matthew Richard Wesley—I am fond of his middle name—who is currently now to be a senior at Cornell University, studying business.

[The biographical information of Judge Wesley follows:]