



There have been periodic efforts to eliminate the courtesy practice through a constitutional amendment requiring Senate action on nominations within a specific time period - 45 to 60 days is usually mentioned - and providing for automatic confirmation if it failed to do so.

The fate of all these suggestions has been a burial so deep in the basement that the Statehouse freight elevator doesn't descend that far.

While the proposals for a timetable have been directed at overcoming courtesy, it would also eliminate the lengthy delays in considering nominees in the absence of an invocation of courtesy, such as the one involved in the Wallace controversy and the recent two nominees who've been in limbo since the spring.

Senatorial courtesy is a bipartisan weapon which neither Democrat nor Republican is inclined to surrender. It is, they argue, the only significant tool at their disposal in dealing with the governor and extracting concessions from the chief executive.

Imposing a timetable would strengthen the governor's hand, allowing him or her to simply wait out the Senate until the specified time expired and the nominee approved.

At the same time, the Senate would gain credibility and stature by acting in the spirit of the "advice and consent" provision of the constitution and fulfilling what the public sees as legislators' sworn obligation - casting a vote for or against a gubernatorial nominee in the open and in full view of voters rather than hiding behind an unwritten and undemocratic tradition.

Whether it be associate justices of the Supreme Court, judges of the Superior Court, or any of the hundreds of gubernatorial nominees subject to Senate confirmation, the mandate on the Senate would be the same - if you don't approve of the individual, vote your belief and express the courage of your conviction.

A timetable is an opportunity for this Legislature - as there has been for legislatures past - to devise a system fair to the nominees, eliminate contrivances like senatorial courtesy, demonstrate greater openness in their actions, and enhance public trust.

Ah, but don't hold your breath.

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