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# Christie, Shunning Precedent, Drops Justice From Court

By RICHARD PÉREZ-PEÑA

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Once again showing that he means to shake up Trenton, Gov. [Christopher J. Christie](#) declined on Monday to reappoint a sitting justice to the New Jersey Supreme Court, instead appointing someone who he said would show the restraint that was missing from the court.

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Tim Larsen/Office of the Governor, via Bloomberg

Anne M. Patterson was nominated on Monday to the New Jersey Supreme Court, to replace Justice John E. Wallace Jr.

The justice, John E. Wallace Jr., became the first one to seek reappointment and be refused by a New Jersey governor since the current State Constitution was adopted 63 years ago.

Justice Wallace's departure also means that for the first time in 16 years, [the court](#) will not have a black justice. If confirmed by the State Senate, Mr. Christie's appointment of Anne M. Patterson, a Morris County lawyer, will give the court its first female majority.

Speaking to reporters in Trenton, Mr. Christie had only kind words for Justice Wallace, but he described the historically liberal court as "out of control" over the last three decades, usurping the roles of the governor and the Legislature in setting social and tax policies.

Mr. Christie, a Republican, campaigned last year as a conservative bent on changing the state's back-scratching, free-spending political culture, and as governor he has not shied away from fights. In particular, he has proposed deep budget cuts, clashed with the teachers' union and with much success [encouraged voters to reject local school budgets](#) and the related property tax increases.

"I think the governor clearly saw this court appointment as another way to indicate that Trenton is going to be changing," said Ingrid W. Reed, director of the New Jersey Project at the Eagleton Institute of Politics at [Rutgers University](#).

Mr. Christie did not cite specific actions of the Supreme Court that he disliked, but conservatives have bitterly criticized some of the court's most important decisions. Chief among those were rulings that required more state financing for low-income school districts, mandated

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construction of affordable housing, struck down a state law requiring parental notification for minors seeking abortions and allowed Democrats to make an 11th-hour candidate substitution in a hotly contested race for the Senate.

But Justice Wallace joined the court in 2003, after those decisions had been made. He declined on Monday to comment on the governor's choice not to keep him on the court. But the chief justice, [Stuart Rabner](#) — a friend of Mr. Christie's — issued a rare statement venturing into politics, saying, "I am disappointed by that decision" and praising Justice Wallace.

The State Senate president, Stephen M. Sweeney, a Democrat from Gloucester County, accused the governor of deciding "that rank politics and ideology trump practical experience," but he did not say whether he would try to block the appointment.

Legal scholars said there was little indication what kind of jurist Ms. Patterson, 51, would turn out to be; she has not been a judge, or active in politics. Since 1992, she has practiced at the firm Riker, Danzig, Scherer Hyland & Peretti in Morristown, and the [firm's Web site describes her](#) as a litigator with a specialty in product liability cases. She graduated from [Dartmouth College](#) and [Cornell University](#) Law School.

Under New Jersey's Constitution, a Supreme Court justice is at first appointed for seven years. If a governor decides to keep the justice on after that term has expired, the reappointment is good until the justice turns 70, and must retire — whether that means 20 more years, or 20 more days. In the case of Justice Wallace, who is 68, it would have meant less than two years.

Mr. Christie will have a chance to reshape the court. In his four-year term, five of its seven members (including Justice Wallace) will reach either mandatory retirement or the end of their initial seven-year appointments.

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