

The Sun

**Axel is sworn in as newest member of District Court  
African-American group lobbies for appointment of black to still-open seat**

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February 5, 1997 Page(s): 5B  
Edition: HOWARD SUN  
Section: METRO  
Length: 826 words  
Record Number: BSUN495896

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With his wife and children at his side, Columbia attorney Neil Edward Axel was sworn in yesterday as Howard County's newest District Court judge -- amid lingering controversy over the racial makeup of the county bench.

With Axel's ascent to District Court, one of its four seats remains open. Leaders of a county coalition of black interest groups are lobbying for that seat to be filled by an African-American, specifically Howard Assistant Public Defender Alice Gail Clark.

The 13-member judicial nominating commission will meet today to interview the candidates for the remaining vacancy, prior to forwarding its recommendations to the governor, who makes the appointment.

There has never been a black District Court judge in Howard's history. The county's first black Circuit Court judge -- Donna Hill Staton -- was ousted from office last year in a bitter election that polarized the legal community.

Axel, who is white, is a highly regarded attorney, and black leaders have praised his being selected. But they stress that diversity is critical for the local judiciary. Axel, 47, served as co-chairman of the campaign of Hill Staton and Circuit Judge Diane O. Leasure.

Yesterday, the word diversity was not mentioned as Axel took the oath that will keep him in the seat for 10 years. But notably one of the key invited speakers was Hill Staton, who was recently appointed a deputy attorney general.

Hill Staton -- speaking to the 300-plus crowd -- spoke warmly of Axel.

"From all that I have observed of him, I believe him to be a man of intelligence, humor and compassion," Hill Staton said. "We will miss you as a lawyer, but we know that you are where you ought to be and we are better for it."

After slipping into his judicial robe, Axel told the crowd that he hopes to earn the respect of his colleagues and the citizens of Howard County.

He said he planned to approach his new career "with the same sense of honor and professionalism" that he has tried to attain in the last 20 years as an attorney.

Rev. Robert A. F. Turner, president of the African-American Coalition -- which represents 50 area groups -- said in an interview that the coalition has contacted the governor's office and written a letter to David Carney, head of the judicial nominating commission, endorsing public defender Clark.

"When we talked to the governor's representative, we stressed to him that we want an African-American appointed," Turner said.

His coalition's preference is Clark, but if another black is chosen, "that's OK, too. It's win-win for us" he said.

But the coalition's stated preference for Clark has elicited criticism from at least one other black applicant for the seat.

Walter S. Closson, an assistant state's attorney, said that the endorsement does not speak well of the other African-American candidates.

"I think they are going to shoot themselves in the foot with that," said Closson, who is not a member of the coalition. He said his feeling has always been that the more qualified

African-Americans in the pool of judicial applicants, the better.

But Sherman Howell, a coalition vice president, said groups that support all black candidates "look as if they have not done their homework. What if we sent a letter to the governor saying we support all of them -- c'mon?"

There are nine candidates for the District Court vacancy, which opened when District Judge Lenore R. Gelfman was elected to the Circuit Court in November.

Four of the applicants are African-American. The commission will forward a list of no more than seven names to the governor's office.

The governor can pick from that list or make a selection from names sent to him by the commission last September for the vacancy that Axel was chosen to fill. The governor also has the power -- but rarely exercises it -- to appoint a judge from neither list.

On the previous list from the judicial nominating commission there is one black woman, Assistant Attorney General Pamela Junette Brown. The others are a white woman and five white men, including an assistant's state's attorney and master-in-chancery.

When the Howard County Bar Association's judicial selection committee -- which essentially serves as a guide for bar members -- reviewed the applicants, Clark received nine votes of "highly recommend," more than any of the other nine applicants.

The other top-ranking applicants were Arbutus attorney James Brewer and Assistant State's Attorney Sue Ellen Hantman.

Pub Date: 2/05/97

Caption:  
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Caption: Neil Edward Axel: Columbia attorney moves to bench.

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