

## Center for Judicial Accountability, Inc. (CJA)

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**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>  
**Sent:** Friday, February 15, 2013 1:30 PM  
**To:** 'joelstashenko@aol.com'  
**Cc:** 'jcaher@alm.com'; 'kfischer@alm.com'  
**Subject:** Reporting on CJA's challenge to the judicial pay raises -- and the Judiciary's budget

Dear Joel,

Following up our phone conversation a short time ago, there's a big story for The Law Journal to report about my testimony in opposition to the judicial pay raises – and beyond that, to the constitutionality of the Judiciary's budget, which I presented at the February 6<sup>th</sup> Senate and Assembly joint budget hearing on "Public Protection". Since you stated to me that you had NOT viewed my testimony, here's the direct link to the webpage of CJA's website posting the video of the February 6<sup>th</sup> hearing: <http://www.judgewatch.org/web-pages/judicial-compensation/legislative-oversight-judicial-raises.htm>. The documents substantiating my testimony are posted beneath the video. This includes the decision in the judges' judicial compensation lawsuit, *Pines v. NYS* – which I quoted at the hearing – as well as CJA's dispositive October 27, 2011 Opposition Report, which you stated to me you had NOT read – and which John also stated to me he had NOT read when I spoke with him on February 5th.

I am still waiting to hear from John as to where he got the dollar amount for the judicial pay raises, which I believe he reported in early December in his first story about the Judiciary's budget, sent by the Judiciary to the Governor and Legislature on November 30, 2012. In any event, the dollar amount he reported in his January 23, 2013 story "*Governor Applauds Judiciary's No-Growth Budget as 'Well Done'*" was \$8.2 million. As stated in my testimony, I was unable to find in the Judiciary's budget any dollar amount for the judicial pay raises or for "compensation and non-salary benefits to judges and justices", exclusive of salary, the Judiciary has refused to identify where it appears, and the Legislature must reject the Judiciary's budget for lack of requisite itemization and specificity. Indeed, as I stated in my testimony, the Judiciary's budget is unconstitutional by reason thereof. Surely, if you and John were to question the legislators about the Judiciary's budget, you will see what was evident from their questioning at the hearing: that the Judiciary's budget does NOT permit them to meaningfully review its dollar appropriations.

For your convenience, below is my February 5<sup>th</sup> e-mail to John, which I had also sent to you.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
[www.judgewatch.org](http://www.judgewatch.org)  
914-455-4373

cc: John Caher  
Kris Fischer

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**From:** Center for Judicial Accountability, Inc. (CJA) [<mailto:elena@judgewatch.org>]  
**Sent:** Tuesday, February 05, 2013 4:51 PM  
**To:** 'jcaher@alm.com'

**Cc:** 'joelstashenko@aol.com'

**Subject:** CJA Testifying Tomorrow in Opposition to the Judiciary Budget

Dear John,

Following up our phone conversation a short time ago, here's the direct link to CJA's webpage "Securing Legislative Oversight and Override of the 2<sup>nd</sup> & 3<sup>rd</sup> Phases of the Judicial Pay Raises...", <http://www.judgewatch.org/web-pages/judicial-compensation/legislative-oversight-judicial-raises.htm>, posting our correspondence from last week to today pertaining to the Legislature's Joint Hearing on "Public Protection", at which I will be testifying in opposition to the judicial pay raises.

As our posted correspondence with the Judiciary and Division of Budget reflects, I was unable to locate the dollar amount of the 2<sup>nd</sup> phase of the judicial pay raises in the Judiciary's budget. Am I correct, however, that back in December, you wrote an article about the Judiciary's budget which cited a dollar amount. If so, where did you get it?

There's a big story to report on the judicial pay raises and the Judiciary's budget. Hopefully, you'll be listening to my testimony...

I can be reached, by cell, at 646-220-7987.

Elena Sassower, Director  
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cc: Joel Stashenko