

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Coordinator

BY PRIORITY MAIL

CERTIFIED MAIL/RRR: 7000-1670-0007-0498-0607

October 19, 2001

Luke Bierman, Director
American Bar Association's Justice Center
541 North Fairbanks Court
Chicago, Illinois 60611

RE: Reconsideration by the ABA Standing Committee on Judicial Independence of CJA's request for its *amicus* and other assistance in the appeal of *Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc., acting pro bono publico v. Commission on Judicial Conduct of the State of New York* (NY Co. #108551/99; Appellate Division, First Department oral argument: November 21, 2001)

Dear Mr. Bierman:

I will shortly respond to your September 27th letter, purporting to reply to my September 26th letter.

Meantime, I reiterate my request that the members of the ABA Standing Committee on Judicial Independence *personally* review the appellate submissions in my above-entitled public interest lawsuit against the New York State Commission on Judicial Conduct. This must include my now fully submitted August 17th motion – expressly incorporated in my Reply Brief (at p. 5).

Such motion dramatically reinforces the necessity that the Committee reconsider its denial, *without reasons*, of my March 2nd request for its *amicus* and other assistance in the appeal – because it conclusively proves exactly what my March 2nd letter to you stated, “there is NO legitimate defense to this appeal”.

October 19, 2001

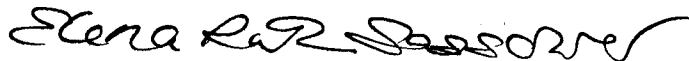
Moreover, inasmuch as the first branch of my August 17th motion relates to the Appellate Division, First Department's disqualification for "interest" and both actual and apparent bias, it provides the Committee with a further opportunity to wrestle with issues at the core of judicial independence – a fair and impartial tribunal.

The enclosed motion papers consist of:

- (1) my August 17th Motion, *inter alia*, for the Court's disqualification for interest and bias, and to sanction the State Attorney General and State Commission on Judicial Conduct;
- (2) Respondent's August 30th opposing papers, consisting of an "Affirmation" and Memorandum of Law of Assistant Solicitor General Carol Fischer;
- (3) My October 15th Reply Affidavit.

Also enclosed is a copy of the New York Law Journal's listing for the Appellate Division, First Department's calendar for November 21st, reflecting that the appeal has been scheduled for oral argument at 10 a.m. on that date.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc. (CJA)

Enclosures

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