

Center for Judicial Accountability

From: Center for Judicial Accountability <elena@judgewatch.org>
Sent: Friday, February 28, 2014 10:21 AM
To: 'jdefranc@nysenate.gov'; 'lkrueger@senate.state.ny.us'; 'FarrelH@assembly.state.ny.us'; Bob Oaks, Ranking Member Assembly Ways & Means Committee
Cc: luther@nysenate.gov; John A. DeFrancisco (pohlid@nysenate.gov); usher@nysenate.gov; cburke@nysenate.gov; Herman Farrell Jr. (freemanc@assembly.state.ny.us)
Subject: Request that CJA's February 21, 2014 letter, with enclosures, be posted as "Miscellaneous Testimony" on the Senate Finance Committee website
Attachments: 2-21-14-ltr-to-fiscal-committee-chairs-ranking-members.pdf; 2-21-14-enclosure-questions-for-prudenti.pdf

**TO: Senate Finance Committee Chairman DeFrancisco and Ranking Member Krueger
Assembly Ways and Means Committee Chairman Farrell and Ranking Member Oaks**

This is to advise that I have received no response from you to our February 21st letter, addressed to you. Have you responded? Are you planning to respond?

I note that the Senate Finance Committee's website, <http://www.nysenate.gov/committee/finance>, posted, on February 13th, "Miscellaneous Testimonies" <http://www.nysenate.gov/testimony/joint-legislative-public-hearing-2014-2015-executive-budget-proposal-miscellaneous-testimo> – these being written submissions furnished in connection with your "Joint Legislative Budget Hearing(s) On 2014-2015 Executive Budget Proposal". Among these testimonies are written statements of the New York County Lawyers' Association and the New York State Bar Association in support of the Judiciary's budget – the latter also identifying (at pp. 5-6) and supporting the third phase of the judicial salary increases whose cost it identifies as "\$8.5 million".

How is it that none of our letters to you in opposition to the Judiciary's budget and the third phase of the judicial salary increase were included as "Miscellaneous Testimonies" – and that, when you decided to exclude me from the list of witnesses who would be permitted to give live testimony at the February 5, 2014 "public protection" budget hearing, you did not at least offer me the opportunity of furnishing a written statement for inclusion in the record?

As our February 21st letter comprehensively summarizes the situation, request is hereby made that you post it – and its five substantiating enclosures – as a "Miscellaneous Testimony" on the Senate ~~Judiciary~~ *Finance* Committee's website.

For that purpose, herewith transmitted, again, is our February 21st letter – and its most important enclosure: our Questions for Chief Administrative Judge Prudenti. Please note that the Questions have been revised to correct the error in Question #1 as to the date of Chief Administrative Judge Prudenti's memoranda transmitting the Judiciary's budget. The date is November 29, 2013, not November 27, 2013. Also, Question #4 is now separated into two questions – resulting in a change in the numbering of all subsequent questions. The only other substantive change is to the former Question #13 (now Question #14), which now adds a new paragraph C – reflecting the former footnote #2, now eliminated, and the following paragraph D.

So as not to exceed capacity, I will send the other four enclosures to our February 21st letter in immediately-following e-mails.

Of course, our webpage for the February 21st letter: <http://www.judgewatch.org/web-pages/searching-nys/budget-2014-2015/feb-21-ltr.htm> posts everything-- including the further referred-to substantiating proof.

Thank you.

Elena Sassower, Director
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