

CENTER for JUDICIAL ACCOUNTABILITY, INC.*

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June 10, 2011

Shawn Kerby, Records Access Officer & Assistant Deputy Counsel
Office of Court Administration
25 Beaver Street, 11th Floor
New York, New York 10004

RE: Request for Records of Judicial Resignations Based on Insufficient Compensation Pursuant to §124 of the Rules of the Chief Administrator & F.O.I.L.

Dear Ms. Kerby:

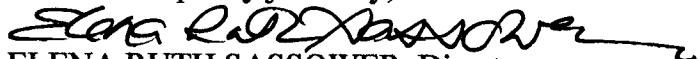
Pursuant to §124 of the Chief Administrator's Rules and Public Officers Law, Article VI [Freedom of Information Law (F.O.I.L.)], this is to request copies of all publicly-available records in the possession of the Office of Court Administration as to the number and names of New York State judges who have resigned from office on grounds of insufficient compensation – particularly during the last ten years.

As illustrative, enclosed is an item from the front page of the August 4, 2009 New York Law Journal entitled “*Second Department Judge Quits Over Lack of a Raise*”, reporting that then Appellate Division, Second Department Justice Robert A. Spolzino had issued a statement that he was resigning because state judges had not received a pay raise in more than a decade. A copy of such statement – and other similar statements and/or letters in the possession of the Office of Court Administration – is requested.

Pursuant to §124.6 of the Chief Administrator's Rules and Public Officers Law §89.3, your response is required “within five business days” of your receipt of this request. I would appreciate if you e-mailed it to me at elena@judgewatch.org.

Thank you.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Director

Center for Judicial Accountability, Inc. (CJA)

Enclosure

* **Center for Judicial Accountability, Inc. (CJA)** is a national, non-partisan, non-profit citizens' organization, working to ensure that the processes of judicial selection and discipline are effective and meaningful.

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NEWS IN BRIEF

Second Department Judge Quits Over Lack of a Raise

Appellate Division, Second Department Justice Robert A. Spolzino, citing the fact that state judges have not received a raise in more than a decade, will rejoin the law firm he left when he became a Supreme Court justice in 2001. At the end of September, Justice Spolzino, who has been on the Second Department since 2004, again will become a partner at Wilson, Elser, Moskowitz, Edelman & Dicker, a 750-lawyer firm, where he will litigate and expand the firm's commercial and appellate practices. In a statement issued yesterday, Justice Spolzino said he would never have left a "job I love so much if it were not for the judicial salary situation in New York." Eight years ago, Justice Spolzino recalled, he and his family realized that joining the bench would entail a financial sacrifice, but with no raise since then "I can no longer ask them to do that." At the Appellate Division, Justice Spolzino earns \$144,000. At Wilson Elser, where he will work in the White Plains office, he said, "I will be paid an amount appropriate for someone with 25 years of legal experience."

—Daniel Wise