

CENTER for JUDICIAL ACCOUNTABILITY, INC.

Post Office Box 8101
White Plains, New York 10602

Tel. (914)421-1200

E-Mail: cja@judgewatch.org
Website: www.judgewatch.org

BY E-MAIL: skerby@nycourts.gov

February 5, 2016

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

RE: FOIL/Records Request: Chief Administrative Judge approvals of increases, decreases, and interchanges in fiscal year 2015-2016, as authorized by §2 of Legislative/Judiciary Budget Bill #S.2001-a/A.3001-a

Dear Records Access Officer Kerby,

The Judiciary's "single budget bills" – embodied, *verbatim*, in the Governor's Legislative/Judiciary budget bills – consist of two sections: §2 containing a schedule of appropriations and §3 containing a schedule of reappropriations.


The text in §2, directly beneath the word "Schedule", is as follows:

"Notwithstanding any provision of law, the amount appropriated for any program within a major purpose within this schedule may be increased or decreased in any amount by interchange with any other program in any other major purpose, or any appropriation in section three of this act, with the approval of the chief administrator of the courts."

Missing from the Judiciary's budget request for fiscal year 2016-2017 is any disclosure of what increases, decreases, and interchanges in fiscal year 2015-2016 were made, pursuant to this provision. Consequently, pursuant to §124 of the Chief Administrator's Rules and Public Officers Law, Article VI [Freedom of Information Law (F.O.I.L.)], request is herein made to inspect and copy records of all approvals by Chief Administrative Judge Prudenti and Chief Administrative Judge Marks in fiscal year 2015-2016, authorizing such increases, decreases, and interchanges.

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

Thank you.

A handwritten signature in blue ink, appearing to read "Elena R. Kerby" followed by a long horizontal flourish.