

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

**From:** Center for Judicial Accountability, Inc. (CJA) [elena@judgewidth.org]  
**Sent:** Monday, June 13, 2011 12:29 PM  
**To:** 'Joel Stashenko (joel.stashenko@alm.com)'; 'Joel Stashenko (jstashenko@alm.com)'  
**Cc:** 'dwise@alm.com'; 'kfischer@lam.com'  
**Subject:** NY's Judicial Compensation Commission: not yet operational or accessible to the public on day 73 of its maximum 150-day statutorily-limited existence  
**Contacts:** Joel Stashenko  
**Attachments:** 5-23-11-ltr-appting-authorities.pdf; 5-23-11-ltr-to-cc.pdf; 6-10-11-foil-resignations.pdf

Dear Joel,

Following up my phone conversation with you this morning, I look forward to your "behind-the-scenes"/investigative story about Governor Cuomo's three appointments to the Commission on Judicial Compensation – reported on the front-page of today's New York Law Journal as the lead "News in Brief" under the title, "*Cuomo Appointments Finalize Judicial Pay Panel*", **as if there is NOTHING usual about them**. As you know, they follow upon CJA's May 23, 2011 letter to the Governor, Legislative Leaders, and Chief Judge Lippman, identifying his failure to make his appointments to the Commission which – under the law passed last year by a lame-duck legislature, at the instance of a lame-duck governor – operates under statutorily-fixed time parameters: a maximum of 150 days from April 1<sup>st</sup>. **Governor Cuomo's appointments were on the 70<sup>th</sup> day of the Commission's statutorily-prescribed existence.**

When does the Commission on Judicial Compensation plan to have its first meeting? And what will be its protocol for securing information and documentation from the public? Will it be holding "public hearings", as it is statutorily-empowered to do – and as CJA requested by its May 23<sup>rd</sup> letter?

Attached, for the third time, is CJA's May 23<sup>rd</sup> letter – as its serious and substantial content deserve to be presented to the legal community, which the Law Journal purports to serve – and to the general public. This includes CJA's position that:

"There must be NO increase in judicial compensation UNTIL there is an official investigation of the testimony and documentation that the public provided and proffered to the Senate Judiciary Committee in connection with its 2009 hearings [on the Commission on Judicial Conduct & the court-controlled attorney disciplinary system] and UNTIL there is a publicly-rendered report with factual findings with respect thereto." (at p. 3, capitalization in the original).

I look forward to assisting you – and other Law Journal reporters – with this important story – involving, in financial terms alone, potentially millions, if not billions, of taxpayer dollars. In addition to my e-mail address, [elena@judgewidth.org](mailto:elena@judgewidth.org), I can best be reached at 718-708-5303 or, by cell, 646-220-7987.

Finally, as discussed, attached is CJA's June 10<sup>th</sup> FOIL request to the Office of Court Administration, requesting records of judicial resignations based on insufficient compensation, quoting from – and annexing – the August 4, 2009 front-page "News in Brief" item by Daniel Wise "*Second Department Judge Quits Over Lack of a Raise*". Such is consistent with CJA's commitment to ensuring that the Commission on Judicial Compensation's "findings, conclusions, determinations, and recommendations" are informed by EVIDENCE.

6/13/2011

Thank you.

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