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January 13, 2004

Chairman John A. DeFrancisco
New York State Senate Judiciary Committee
307 Legislative Office Building
Albany, New York 12247

ATT: Carole Luther, Chief of Staff

RE: Request for stenographic transcript of the Senate Judiciary
Committee's January 12, 2004 "hearing" to confirm
Robert S. Smith to the New York Court of Appeals

Dear Ms. Luther:


Please advise as to the Senate Judiciary Committee's procedures with respect to the stenographic transcripts of its "hearings" to confirm nominees to the New York Court of Appeals.

Are witnesses who request a copy of the transcript required to pay \$.25 per page – the "going rate" under F.O.I.L. -- or are they entitled to a copy free of charge, in recognition of the public service they rendered the Committee by their testimony? At very least, are witnesses given the "courtesy" of the pages of the transcript that constitute their testimony and interaction with Committee members?

Pursuant to such Committee procedures and, alternatively, pursuant to F.O.I.L., I hereby request a copy of the stenographic transcript of the Committee's January 12, 2004 "hearing" to confirm Robert S. Smith to the Court of Appeals, at which I was a witness.

Thank you.

Yours for a quality judiciary,


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