

CENTER for JUDICIAL ACCOUNTABILITY, INC.*

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December 20, 2012

New York State Senate
State Capitol
Albany, New York

ATT: Francis W. Patience, Secretary of the Senate

RE: (1) Senate Violation of its Rule XIV, §1(a)
(2) FOIL Request: Video &/or Transcripts of the Senate's Opening Floor Proceedings for its 2010 and 2011 Sessions, etc.

Dear Secretary Patience:

This follows up CJA's December 3, 2012 and December 18, 2012 letters to you, stating:

“Please note there are a myriad of respects in which the Senate's website is non-compliant with Senate Rule XIV, entitled ‘Freedom of Information’, whose §1(a) states:

‘Publication of records relating to Senate legislative and administrative records. Recognizing that legislative records available by request under the ‘freedom of information law’ are of important public interest, the Senate shall make available through a searchable and sortable database on the Senate website: records of committees, agendas, votes, minutes, reports, attendance, fiscal notes, and records of the chamber including, active lists, votes, transcripts, calendars, the Senate payroll report and expenditure reports.’”

In preparation for this year's opening session of the Senate – which, pursuant to Article VI, §4 of the New York State Constitution, will be on Wednesday, January 9, 2013 – I am searching to find videos

* **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.

of prior opening sessions. The Senate's website, which posts videos of Senate floor proceedings for 2009-2012, is missing the Senate's opening sessions for 2010 and 2011. Why is that?

In the absence of videos for the 2010 opening session (Wednesday, January 6, 2010) and for the 2011 opening session (Wednesday, January 5, 2011), please advise where I might find the transcripts. Indeed, as I am unable to find the transcripts for the 2009 opening session (Wednesday, January 7, 2009) and for the 2012 opening session (Wednesday, January 4, 2012), please identify where they are located, as well.

As you know, FOIL requires your response "within five business days" of your receipt of this request (Public Officers Law §89.3). 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)