

CENTER for JUDICIAL ACCOUNTABILITY, INC.

(914) 421-1200 • Fax (914) 684-6554

E-Mail: probono@delphi.com

Box 69, Gedney Station

White Plains, New York 10605

By Hand

April 7, 1995

Professor J. Carlisle, II
New York State Bar Association
Committee on Professional Discipline
c/o Pace University Law School
78 North Broadway
Preston Hall, #201
White Plains, New York 10603

Received for
Professor Carlisle
4/7/95

Carol Musant
Jennifer Chin for
Janet Johnson

Dear Professor Carlisle:

Following delivery of my February 3rd letter to you, I called Professor Janet Johnson's office to verify that the files from my mother's disciplinary proceedings, which I had hand-delivered to her last October, would be transmitted to you for your review. I was shocked to be informed that although the files had been proffered to you by Professor Johnson's office, you had refused to receive them.

Immediately thereafter, I spoke with your secretary. She assured me that she would telephone you and verify the situation. I requested that if you were not intending to review my mother's disciplinary files that you be good enough to confirm such fact in a letter and that you refer my mother's matter to another member of the New York State Bar Association's Committee on Professional Discipline for review.

I also requested that you provide me with the names of the other members of the Committee on Professional Discipline who, together with you, had been assigned the review of the "480 closed files" of the grievance committees--on which the Committee on Professional Discipline had based its recommendations.

Finally, I reiterated the query, set forth at page 2 of my February 3rd letter, as to how the "random" selection of those "480 closed [grievance] files" was made and by whom.

Nonetheless, in all this time, we have heard nothing from you--or from Frank Rosiny, Chairman of the Committee on Professional Discipline, to whom I sent a copy of my February 3rd letter. This is absolutely extraordinary inasmuch as my letter, in addition to proffering my mother's disciplinary files as proof that her "interim" suspension and the disciplinary proceedings against her are fraudulent and that New York's attorney disciplinary system permits "a monstrous perversion of constitutional rights", requiring immediate "major and structural changes", suggested that the Committee's study was "rigged", inter alia, by its members who are grievance committee counsel.

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On the subject of the flagrant unconstitutionality of Judiciary Law §90, my letter provided the citation for Mildner v. Gulotta, 405 F. Supp. 182 (1975), and referred to Judge Jack Weinstein's scholarly dissent. I am unable to conceive how any attorney in this state, let alone the New York State Bar Association, can be complacent in the face of such frightening case--actually the consolidation of three frightening cases of attorneys disciplined under Judiciary Law §90.

The significance of Mildner and the unconstitutionality of Judiciary Law §90 is detailed in my mother's cert petition to the U.S. Supreme Court, a copy of which is enclosed.

That cert petition should be read by every member of the New York State Bar Association's Committee on Professional Discipline. Such reading should rightly begin with you--not only because you are a member of the Committee on Professional Discipline, with a responsibility to do so--but because, in our telephone conversation last January, you professed to "like" both my mother (suspended under Judiciary Law §90) and my father (disbarred thereunder).

Please let us know what arrangements you and Chairman Rosiny will make to put this matter before the members of the New York State Bar Association's Committee on Professional Discipline. To that end, this letter constitutes our formal request that the issues raised by the cert petition be placed on the agenda of the Committee's next meeting.

Needless to say, we are ready to supply my mother's complete disciplinary files so that the Committee may see for itself prima facie evidence of the heinous fraud committed by one of its own members, Gary Casella, chief counsel of the Grievance Committee for the Ninth Judicial District.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc.

cc: Frank Rosiny, Chairman
NYSBA Committee on Professional Discipline
Professor Janet Johnson, Chair
Grievance Committee for the Ninth Judicial District

Enclosure