

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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June 13, 1996

Assembly Judiciary Committee  
L.O.B. Room 831  
Empire State Plaza  
New York, New York 12248

ATT: Anthony Profaci, Associate Counsel

RE: Senate-Assembly Bill #117

Dear Anthony:

We support the above-numbered Bill not because it proposes to provide for publication in the City Record of names of "approved" candidates for Housing Court judgeships--which publication, in and of itself, is essentially meaningless--but because of its noble purpose.

That purpose, "to give greater access to the public of lists of possible housing judges in the State of New York", is reiterated in three different places in the Bill's Memorandum in Support--not only under the heading entitled "Purpose", but under the headings entitled "Effects of Present Law which This Bill Would Alter" and "Justification".

We do not know anyone, lawyers included, who reads the "City Record" and, certainly not "the public at large".

Plainly, lawyers, who are in the category of "interested parties", referred to in the Bill's "Justification" section, are more likely to read the New York Law Journal than the City Record.

Since you faxed the Bill to us yesterday, we have been endeavoring to ascertain whether the Law Journal picks up items from the City Record for inclusion in the paper, including its front-page "Today's News: Update". We'll let you know as soon as the Journal returns our telephone messages. If the Journal does rely on the City Record, then perhaps the Bill would serve to afford notice to lawyers--albeit still not to "the public at large".

We are gratified by the report in today's Law Journal that Chairwoman Weinstein is considering a bill to "provide greater public access for the screening process for appointed

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judgeships, perhaps including disclosure of applicants' names and backgrounds, as well as public access to misconduct proceedings." We trust that such position has been influenced by the steady stream of documentary materials we have been providing her on these subjects.

We must say that we find most troubling that the above-numbered simple Bill--which provides for the most minimal publication of the names of candidates for Housing Court judgeships--should have such a tortuous "Legislative History". According to the Supporting Memorandum, this is now the fourth attempt at passage--the first beginning in 1993. We would appreciate copies of the three prior bills.

Interestingly, and we do not know if there is any connection with the first bill, proposed in 1993, but in 1992, the Law Journal ran an item in its "Today's News: Update" announcing the names of first-time Housing Court candidates, which it attributed to "sources". In pertinent part, the item read:

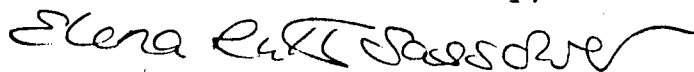
"The Housing Court Advisory Council has forwarded the names of six candidates to Civil Court administrators to fill two vacancies in the Housing Court, sources reported. The six candidates are..."

The full notice from November 23, 1992 is annexed, as are a sampling of other notices from the Law Journal's "Today's News: Update" reflecting that when it comes to reappointment of Housing Court judges, the Advisory Council publishes the names of the sitting judges and explicitly announces that it is "seeking comment".

We have many easy, straight-forward solutions to enable lawyers and "the public at large" to come forward with essential information bearing upon judicial qualifications. At present, what we often get are mediocrities, who become judges without anyone knowing about it beforehand--or with time enough to take action.

We look forward to working together with the Assembly Judiciary Committee to incorporate these practical solutions in future Bills.

Yours for a quality judiciary,



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

Enclosure