

# CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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*Elena Ruth Sassower, Coordinator*

## BY EXPRESS MAIL

June 17, 2001

Senate Judiciary Committee  
The Capitol, Room 413  
Albany, New York 12247

ATT: James J. Lack, Chairman

RE: Opposition to Senate Confirmation of Judge William A. Wetzel for Reappointment to the Court of Claims, based on documentary proof of his judicial misconduct in the public interest law suit, *Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc., acting pro bono publico against Commission on Judicial Conduct (S.Ct/NY Co. #99-108551)* – and Request to Testify in Opposition at the Senate Confirmation Hearing, based on Direct, First-Hand Experience

Dear Chairman Lack:

This letter reiterates CJA's strenuous opposition to confirmation of Judge William A. Wetzel's reappointment to the Court of Claims and my request to testify at the Senate Judiciary Committee's confirmation hearing, presently scheduled for Wednesday, June 20<sup>th</sup>, at 10 a.m.

Inasmuch as Governor Pataki maintained Judge Wetzel as a "hold over" on the bench for nearly two full years *after* his original Court of Claims term had expired on June 30, 1999<sup>1</sup>, the Senate Judiciary Committee should be in no rush to confirm

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<sup>1</sup> See page 246 of my enclosed Appendix to my Appellant's Brief, consisting of the Governor's June 12, 1995 certificate nominating Judge Wetzel to "a term expiring on June 30, 1999", as well as pages 281-290, consisting of my December 2, 1999 letter to the Governor, addressed to his counsel, James McGuire. The final paragraph of that letter read,

"Finally, CJA believes the public has a right to know why the Governor has maintained Justice Wetzel as a 'hold over'..., rather than either reappointing

Judge Wetzel, who will continue to sit on the bench in the interim. Surely, the incontrovertible documentary proof herein presented that Judge Wetzel is unfit for judicial office and that his "highly qualified" rating from the State Judicial Committee is a demonstrable fraud upon the public, warrants postponement of the scheduled hearing not only as to Judge Wetzel, but as to the Governor's other appointees – all of whom, according to the Governor's June 14th press release (Exhibit "A-1") were purportedly found "highly qualified to continue serving on the Court of Claims" by the State Judicial Screening Committee.

On Friday, June 15<sup>th</sup>, I notified your staff of CJA's opposition and my request to testify. This was immediately upon reading the front-page notice in that day's New York Law Journal of the Governor's reappointment of Judge Wetzel (Exhibit "A-2"). By 10:55 a.m., I had already telephoned the Senate Judiciary Committee (518-455-2071), leaving a message with Gina for the Committee's Clerk, Susan Zimmer. At 12:05 p.m., I telephoned again and spoke with Ms. Zimmer.

CJA's strenuous opposition to Judge Wetzel is based on my *direct, first-hand experience* with him as an Acting Supreme Court Justice. This, as the *pro se* petitioner in the above-entitled lawsuit, which I brought *pro bono* to protect the public interest. Such lawsuit not only exposes the corruption of the New York State Commission on Judicial Conduct, but provides a "window" into the corruption of the New York State Commission on Judicial Nomination and the so-called "merit selection" process of judicial appointment to the New York Court of Appeals, in the context of the 1998 nomination, appointment, and confirmation of then Appellate Division, Second Department Justice Albert Rosenblatt to that Court.

Judge Wetzel's decision in *E.R. Sassower v. Commission* jettisoned ALL adjudicative and due process standards and, in EVERY material respect, falsified, fabricated, and distorted the factual record of the proceeding<sup>2</sup>. As the decision is

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him to the Court of Claims or appointing a successor. Please advise as to the reason, as well as the number and identities of other Court of Claims judges who the Governor is maintaining on the bench as 'hold overs'." [A-283]

CJA received no response to that December 2, 1999 letter. Moreover, upon subsequent inquiries to the Office of Court Administration, CJA learned that the OCA had repeatedly notified the Governor that the Court of Claims terms of Judge Wetzel and some half dozen other judges had expired, but that the Governor took no corrective action.

<sup>2</sup> For the most summarized version of Judge Wetzel's fraudulent decision, see pages 3-8 of my enclosed Appendix to my Appellant's Brief, consisting of my March 23, 2000 Pre-Argument Statement.

presently on appeal to the Appellate Division, First Department, a copy of the appellate papers is enclosed so that the Senate Judiciary Committee can verify for itself the gravity of Judge Wetzel's judicial misconduct – so egregious that the Commission's attorney, the New York State Attorney General, has had to engage in fraudulent appellate advocacy that, if committed by a private attorney, would be grounds for disbarment and criminal charges<sup>3</sup>.

As may be seen from my Appellant's Brief (at p. 4), I am not only asking the Appellate Division to reverse Judge Wetzel's decision. Rather, consistent with its mandatory disciplinary responsibilities under §100.3D of the Chief Administrator's Rules Governing Judicial Conduct and the standard of its own caselaw, the Appellate Division must take steps to secure Judge Wetzel's removal from the bench – which is what I am asking it to do.

Since there is NO reason why there should be a different standard in confirming judges than in disciplining them, it is important to identify the standard of the Appellate Division's caselaw:

*“A single decision or judicial action, correct or not, which is established to have been based on improper motives and not upon a desire to do justice or to properly perform the duties of his office, will justify removal...”* italics added by the Appellate Division, First Department in Matter of Capshaw, 258 A.D. 470, 485 (1<sup>st</sup> Dept 1940), quoting from Matter of Droege, 129 A.D. 866 (1<sup>st</sup> Dept. 1909).<sup>4</sup>

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<sup>3</sup> These appellate papers consist of: (1) my Appellant's Brief, dated December 22, 2000, and Appendix; and (2) Respondent's Brief, dated March 23, 2001. My soon-to-be submitted Reply Brief will incorporate my enclosed May 3, 2001 “Critique of Respondent's Brief”. Such “Critique” will, additionally, be annexed as Exhibit “A” to a motion to strike Respondent's Brief and for sanctions against, and disciplinary and criminal referral of, the New York State Attorney General and Commission.

<sup>4</sup> See, also, Matter of Bolte, 97 A.D. 551 (1<sup>st</sup> Dept. 1904), wherein the Appellate Division, First Department held: “A judicial officer may not be removed for merely making an erroneous decision or ruling, but he may be removed for *willfully* making a wrong decision or an erroneous ruling, or for a reckless exercise of his judicial functions without regard to the rights of litigants, or for manifesting friendship or favoritism toward one party or his attorney to the prejudice of another...” (at 568, emphasis in original). “Favoritism in the performance of judicial duties constitutes corruption as disastrous in its consequence as if the judicial officer received and was moved by a bribe.” (at 574).

The record in *E.R. Sassower v. Commission* readily establishes that there is NOTHING remotely "correct" about Judge Wetzel's appealed-from decision, which is the wilful manifestation of his disqualifying bias and self-interest. It is "a criminal act by him", designed to cover-up systemic governmental corruption, involving the judiciary and those upon whom "judges seeking reappointment and promotion to the State bench are most often dependent: the Governor and [yourself as] the Chairman of the State Senate Judiciary Committee"<sup>5</sup>.

The transcending importance of *E.R. Sassower v. Commission* to the People of this State – and its criminal ramifications upon the Governor and yourself are not new to you. They are clear from CJA's two document-supported reports on the Commission on Judicial Nomination's subversion of "merit selection" and the Bar Associations' complicity therewith, which you received under CJA's November 13, 2000 coverletter (Exhibit "B"). This, in the context of the Senate Judiciary Committee's subsequently-scheduled November 29, 2000 confirmation "hearing" on the Governor's appointment of Appellate Division, Third Department Justice Victoria Graffeo to the Court of Appeals – at which you barred me from giving testimony.

As indicated by CJA's November 13, 2000 coverletter (Exhibit "B", p. 2), the first of those two document-supported reports was substantiated by two "free-standing File Folders", designated "A" and "B". File Folder "A" is relevant to the issue now before the Senate Judiciary Committee of Judge Wetzel's fitness to the bench. Its content consists, entirely, of correspondence relating to Judge Wetzel's misconduct in *E.R. Sassower v. Commission*. The most important of this correspondence is CJA's February 23, 2000 letter to Governor Pataki. The first sentence of that letter reads "The Center for Judicial Accountability, Inc. (CJA) strenuously opposes the Governor's consideration of Court of Claims Judge William A. Wetzel for reappointment to that or any other court" and continues by reciting what, six months later, my Appellant's Brief would chronicle: Judge Wetzel's fraudulent decision, as well as the misconduct of Supreme Court Justice Stephen G. Crane, then Administrative Judge of the Civil Term of the Manhattan Supreme Court, who, without notice or opportunity for me to be heard, had "steered" the case to Judge Wetzel and then allowed Judge Wetzel to demonstrate his disqualifying actual bias and self-interest. Based thereon, CJA's February 23, 2000 letter called upon the Governor to take steps to remove both Judge Wetzel and Justice Crane from the bench and to have them criminally prosecuted, including by appointment of a

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<sup>5</sup>

See, Appellant's Brief, p. 2. Also, 5-6, 17-19, 27.

special prosecutor or investigative commission. (See p. 2 and "Conclusion" at pp. 32-35). CJA received no response from the Governor, anyone on his behalf, or from the Governor's judicial screening committees.

Virtually all the other correspondence in File Folder "A" relates to CJA's vigorous attempts to secure disciplinary and criminal investigation, *independent of the Governor*, based on the recitation in the February 23, 2000 letter. This includes CJA's March 3, 2000 judicial misconduct complaint, filed with the Commission on Judicial Conduct – a copy of which was sent certified mail/return receipt to both Judge Wetzel and Justice Crane.

I understand from Ms. Zimmer that the materials transmitted to you under CJA's November 13, 2000 coverletter have been retained by the Senate Judiciary Committee as part of the record of Justice Graffeo's confirmation. I have requested Ms. Zimmer to access them so that they can be examined by the Senate Judiciary Committee in conjunction with this letter. Most specifically, the contents of File Folder "A", beginning with CJA's February 23, 2000 letter to the Governor.

As reflected by the February 23, 2000 letter, which was sent to the attention of Nan Weiner, Executive Director of the Governor's Judicial Screening Committees, it transmitted a copy of the substantiating lower court record in *E.R. Sassower v. Commission*. On Friday, June 15<sup>th</sup>, I left two voice mail messages for Ms. Weiner, one at 11:15 a.m. at her Albany office (518-474-1289) and the other at 11:50 a.m. at her New York office (212-681-4540), requesting that this copy of the record be promptly transmitted to the Senate Judiciary Committee to review in connection with Judge Wetzel's confirmation. Additionally, I requested that she transmit to the Senate Judiciary Committee the mountain of subsequent correspondence that CJA provided the Governor pertaining to Judge Wetzel's misconduct in *E.R. Sassower v. Commission* (Exhibit "C-2"- "C-5"). Included therewith are not only all the letters which are part of File Folder "A" – to which the Governor was an indicated recipient on virtually each and every one – but CJA's September 7, 1999 criminal complaint against the Governor, filed with the U.S. Attorney for the Eastern District of New York, and CJA's September 15, 1999 ethics complaint, filed with the New York State Ethics Commission. These are referred to at page 3 of CJA's February 23, 2000 letter as

"highlighting that [*E.R. Sassower v. Commission*] arose from events particularized in an earlier ethics complaint against the Governor, dated March 26, 1999. All these complaints involved the Governor's role in systemic governmental corruption. This included

his corruption of the judicial appointment process to the lower state courts and Court of Appeals, as well as his complicity in the corruption of the Commission on Judicial Conduct. We sent the Governor copies of each of these three complaints.”<sup>6</sup>

These ethics and criminal complaints, for which CJA sought investigation and prosecution, were subsequently supplemented to include Judge Wetzel’s corruption of the judicial process in *E.R. Sassower v. Commission* by his fraudulent decision – a fact reflected by CJA’s February 25, 2000 memorandum-notice – contained in File Folder “A” – as well as by the voluminous other correspondence the Governor received from CJA (Exhibits “C-2” – “C-5”).

This mountain of correspondence, in the possession of the Governor, should now be transmitted to the Senate Judiciary Committee. It is *prima facie* proof of what the Senate Judiciary Committee – but not the public -- already well knows: that the Governor’s behind-closed-doors “judicial screening process” is a hoax. Not the least reason is because the Governor, acting through Ms. Weiner and his cohorts on the judicial screening committees, manipulate the judicial screening committees’ “highly qualified” ratings of the judicial candidates they purport to review.

The Governor’s most important cohort on the State Judicial Screening Committee is its Chairman, Paul Shechtman, who the Governor not only appointed to that position, but to the chairmanship of the New York State Ethics Commission. As the New York State Ethics Commission has ethics jurisdiction over the Governor, the appointment of Mr. Shechtman to that chairmanship has enabled the Governor to insulate himself from investigation of ethics complaints based on his manipulation of judicial appointments. This is particularized by both CJA’s March 26, 1999 ethics complaint and September 7, 1999 criminal complaint. The State Ethics Commission, as likewise the U.S. Attorney for the Eastern District of New York, have been “sitting on” these complaints, as well as CJA’s supplements to them based on Justice Wetzel’s fraudulent judicial decision in *E.R. Sassower v. Commission*.

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<sup>6</sup> These three complaints are all part of the record in *E.R. Sassower v. Commission*. CJA’s March 26, 1999 ethics complaint is Exhibit “E” to my July 28, 1999 omnibus motion, with the September 15, 1999 supplement to that ethics complaint annexed as Exhibit “G” to my September 24, 1999 reply affidavit in further support of my omnibus motion. CJA’s September 7, 1999 criminal complaint is Exhibit “H” to my September 24, 1999 reply affidavit. [NOTE: CJA’s March 26, 1999 ethics complaint and September 15, 1999 supplement are also annexed as Exhibits “A-2” and “B”, respectively to CJA’s October 16, 2000 report, transmitted to you under CJA’s November 13, 2000 coverletter.]

Inasmuch as the State Ethics Commission also has ethics jurisdiction over the Commission on Judicial Conduct, as well as over the Attorney General, it was a proposed intervenor in *E.R. Sassower v. Commission* [A-16-17]. To substantiate the necessity of its intervention and, additionally, to substantiate CJA's ethics complaints based on *E.R. Sassower v. Commission*, the Ethics Commission was provided with a full copy of the lower court record, along with copies of CJA's mountain of correspondence relating thereto, as, for example, CJA's February 23, 2000 letter to the Governor and all the correspondence in File Folder "A". Indeed, the Ethics Commission even has a copy of the appellate papers in *E.R. Sassower v. Commission*. This may be seen from CJA's March 27, 2001 letter to the Ethics Commission (Exhibit "D", p. 4), which expressly requested that the following two issues be placed on the agenda of the Commission's April 3, 2001 meeting:

"(1) Inaction on CJA's ethics complaints – born of the Ethics Commissioners' disqualifying conflicts of interest; (2) Request for intervention in the appeal of the Article 78 proceeding, *Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc., acting pro bono publico, against Commission on Judicial Conduct of the State of New York* (NY Co. #99-108551), now pending in the Appellate Division, First Department"

Consequently, even if Ms. Weiner withheld from the State Judicial Screening Committee CJA's February 23, 2000 letter to the Governor and the substantiating lower court record of Judge Wetzel's misconduct in *E.R. Sassower v. Commission*, transmitted with it, Mr. Shechtman, as Chairman of the Ethics Commission, had independent knowledge of these dispositive documents – and more: the appellate record not in possession of the Governor's office.

By copy of this letter to both Ms. Weiner and Chairman Shechtman, CJA calls upon them to identify *whether*, in fact, they ever apprised the State Judicial Screening Committee's membership of CJA's February 23, 2000 letter opposing consideration of Judge Wetzel – and *whether* they themselves examined the lower court record in *E.R. Sassower v. Commission* or arranged for it to be examined as part of the "thorough inquiry" and "thorough investigation" which the State Judicial Screening Committee is required to do of each candidate, pursuant to Executive Order 10.1, ¶2c, as well as the "Uniform Rules for N.Y.S. Judicial Screening Committees"<sup>7</sup>, Section VIII, ¶4.

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<sup>7</sup> The Governor's Executive Order creating his judicial screening committees expressly allows the Committee to make disclosure to the Senate in connection with its confirmation function [See Executive Order No. 10.1, ¶2d]. Likewise, his "Uniform Rules for N.Y.S. Judicial Screening Committees" [See Rule XIV "Confidentiality"].

It must be noted that not three months ago, by letter dated March 30, 2001 (Exhibit "E-1"), CJA impliedly asked Ms. Weiner whether CJA's document-supported February 23, 2000 letter had been presented to the judicial screening committee reviewing Justice Crane's qualifications<sup>8</sup>. This, in light of public announcement in the Law Journal that the Governor had promoted Justice Crane to the Appellate Division, Second Department – a position for which the Senate has no "advice and consent" role of confirmation. According to the Governor's March 15, 2001 press release (Exhibit "E-2", p. 2), Justice Crane was found to be "highly qualified" by the Second Department Judicial Screening Committee. Ms. Weiner did not respond to that letter, sent to her certified mail/return receipt.

As part of that March 30, 2001 letter to Ms. Weiner (Exhibit "E-1"), CJA reiterated its long-standing request for "copies of the questionnaire forms which judicial candidates are required to complete for the Governor's judicial screening committees", identifying that the Governor's undated "Uniform Rules for N.Y.S. Judicial Screening Committees" designated these forms as Appendices "A", "B", and "C"<sup>9</sup>. Not only has CJA been unable to obtain these from Ms. Weiner, but also from Rosario Vizzie, the Governor's Assistant Counsel who functions as his Records Access Officer. CJA requested these forms from him as far back as March 30, 1999 [A-284-286], reiterating that request by letter dated March 30, 2001 (Exhibit "F"). On both occasions, CJA identified that the questionnaire forms are part of an Appendix to the "Uniform Rules". The response, just received, includes the current "Uniform Rules" indicating that the questionnaire forms are part of the Appendix, but which, in fact, were not attached or otherwise enclosed.

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<sup>8</sup> Pursuant to Executive Order No. 10.1, ¶4, candidates seeking to fill vacancies for justice or additional justice of the Appellate Divisions are "screened" by one of four departmental judicial screening committees. The chairman and two other members of each of these four departmental judicial screening committee are appointed by the Governor to the 13-member State Judicial Screening Committee, whose additional 13<sup>th</sup> member is appointed by the Governor [¶3]

<sup>9</sup> Tellingly, among these long-standing requests was that in CJA's February 24, 2000 faxed letter to Ms. Weiner (Exhibit "C-1"), which, in addition to notifying Ms. Weiner that CJA's February 23, 2000 letter to the Governor was *en route*, stated:

"On a separate but related subject, CJA requests a copy of the questionnaires that candidates for judicial appointment are required to complete for the Governor's various judicial screening committees. I note this was long ago requested by us, including by our December 12, 1999 letter to you, requesting a copy of the three Appendices to the Uniform Rules of Governor Pataki's Judicial Screening Committees, which include those questionnaires..."



Nevertheless, one does not need the questionnaire forms to know that they routinely ask applicants whether they have been the subject of complaints of professional misconduct<sup>10</sup>. A prime example, of course, is the questionnaire form of the Commission on Judicial Nomination – a fact highlighted, *inter alia*, in *E. R. Sassower v. Commission* [Br. 5; A-74]. Another example is the questionnaire used in 1991 by Governor Cuomo's Second Department Judicial Screening Committee. Its question #23 was:

“List all complaints or charges concerning you which were made at any time or lodged by anyone to, before or with any disciplinary or regulatory body or agency or grievance committee or other similar group. Please furnish full details, including ultimate disposition of the complaint or charge, if note. (Please note that your execution of the consent form attached to this questionnaire constitutes a waiver of your right of confidentiality with respect to any records concerning any such complaint or charge)<sup>11</sup>”

As Justice Crane and Judge Wetzel were each provided with copies of CJA's March 3, 2000 judicial misconduct complaint against them, they, presumably, would have had to disclose it in response to any similar question on the questionnaire they were required to complete. Otherwise, as these questionnaire are generally under penalties of perjury, they perjured themselves<sup>12</sup>.

Finally, it must be emphasized that among the other information which CJA's March 30, 2001 letter to Ms. Weiner requested (Exhibit “E-1”), but to which she

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<sup>10</sup> As illustrative, the “Uniform Judicial Questionnaire”, used by the Association of the Bar of the City of New York for judicial screening; the American Bar Association's questionnaire for federal judicial candidates; the U.S. Senate Judiciary Committee's questionnaire for federal judicial nominees.

<sup>11</sup> In pertinent part, the consent form reads, “I hereby consent that any information about me, known to any...commission on judicial conduct, prosecutor's office, ...investigation department or bureau, or any other disciplinary or regulatory body or agency, be supplied to the New York State Judicial Screening Committee...”

<sup>12</sup> Based on the record in *E. R. Sassower v. Commission* [A-256, A-266-279], as well as CJA's February 23, 2000 letter (at pp. 29-30; Exhibit “J” thereto), a copy of which Judge Wetzel received, he would also have had to disclose such other judicial misconduct complaints against him, filed with the Commission, of which he had notice. At minimum, these would include the May 21, 1999 judicial misconduct complaint of Clay Tiffany, and the series of three judicial misconduct complaints, dated May 27, 1999, June 25, 1999, and July 23, 1999 of Kamou Bey.

has not responded -- was a copy of the "written report" of Justice Crane's qualifications, prepared by the judicial screening committee. Pointing out that Executive Order No. 10.1, ¶2d requires such "written report" to be "available for public inspection" "upon the announcement by the Governor of [the] appointment", the letter noted that despite CJA's repeated requests, over many years, for access to such reports of the Governor's judicial appointees "not a single judicial screening committee report for any of the Governor's hundreds of judicial appointees ha[d] been produced".

This has now changed with Mr. Vizzie's response to CJA's March 30, 2001 F.O.I.L. request for the "written reports" of the qualifications of all judicial appointees "to date". In addition to the current "Uniform Rules", which he provided CJA, upon payment of a \$19 fee for 76 pages -- and which contained no questionnaire forms, he furnished 53 "written reports", in separate clumps for 1999<sup>13</sup>, 2000, and 2001. These were, purportedly from the State Judicial Screening Committee and four Department Judicial Screening Committees, none signed by the Chairmen of those Committees, or file-stamped to reflect receipt by either Ms. Weiner as Executive Director of the Judicial Screening Committees or by the Governor's office. All appear to be in an identical typeface. In essentially identical fashion, each report states that the candidate appeared before the Committee on the same date as the report and that, after evaluation of his "intellect, judgment, temperament, character, and experience", was found "highly qualified". This is followed by a recitation of resume-type information, formatted in paragraphs. None of the "written reports" provide *any* qualitative assessment of the applicants. Thus, there are no citation to their significant cases, either as judges or lawyers that exemplify their intellect, perspicacity, and courage, no track record of affirmances or reversals, and no reference to whether they have an unblemished record, free of professional or judicial misconduct complaints.

Illustrative is the only "written report" for Justice Crane that Mr. Vizzie furnished (Exhibit "F-7") -- a report purportedly from the Second Department Judicial Screening Committee, dated December 15, 1999. Ironically, this was the very period in which Justice Crane was engaging in his most knowing and deliberate misconduct in *E. R. Sassower v. Commission* [Br. 29-30, 34 A-291].

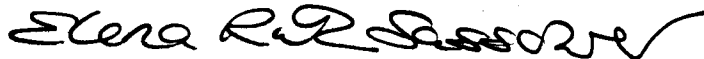
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<sup>13</sup> The earliest "written report" is April 5, 1999 -- a date following CJA's March 26, 1999 ethics complaint and its description (at pp. 15-20) of the fraudulent ratings of the Governor's judicial screening committees -- including the admission of a spokesman for the Governor, in connection with CJA's request for the State Judicial Screening Committee's "written report" on Andrew O'Rourke's qualifications, that he didn't think there was such a report.

It must be noted that this December 15, 1999 "written report" could not properly be the basis for the Governor's designation of Justice Crane to the Appellate Division, Second Department. This, because pursuant to Section XIII of the "Uniform Rules for N.Y.S. Judicial Screening Committees", the period of a candidate's "eligibility" following recommendation by the Committee is "12 months" (emphasis in the original). Justice Crane's designation by the Governor on March 15, 2001 (Exhibit "E-2") was 15 months after the Second Department Screening Committee's December 15, 1999 report (Exhibit "F-7").

As for the "written report" for Judge Wetzel on which his original appointment to the bench on June 15, 1995 was based, the record in *E. R. Sassower v. Commission* shows CJA's December 2, 1999 request to the Governor for such report [A-281-283]. To date, the Governor has not produced that report. By copy of this letter to the Governor, CJA reiterates its right to that 1995 report of Judge Wetzel's qualifications, as well as to the most recent report of Judge Wetzel's qualifications on which the Governor has now based his reappointment of this demonstrably unfit judge. CJA's entitlement to these reports is pursuant to the Governor's own Executive Orders and the Freedom of Information Law.

Yours for a quality judiciary,



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

Enclosures

cc: Governor George Pataki  
Nan Weiner, Executive Director, State Judicial Screening Committees  
Paul Shechtman, Chairman, State Judicial Screening Committee  
Attorney General Eliot Spitzer  
Evan Davis, President, Association of the Bar of the City of New York  
Steven Krane, President, New York State Bar Association  
Fund for Modern Courts

**INVENTORY OF EXHIBITS TO CJA's JUNE 17, 2001 LETTER  
TO THE SENATE JUDICIARY COMMITTEE**

- Exhibit "A-1": Governor Pataki's June 14, 2001 press release, "Governor Pataki Announces Court of Claims Nominations"
- "A-2": Front-page announcement in the June 15, 2001 New York Law Journal
- Exhibit "B": CJA's November 13, 2000 letter to Senate Judiciary Committee Chairman James J. Lack
- Exhibit "C-1": CJA's February 24, 2000 letter to Governor Pataki, ATT: Nan Weiner, Executive Director, NYS Judicial Screening Committees
- "C-2": CJA's March 7, 2000 letter to Governor Pataki, ATT: Nan Weiner
- "C-3": CJA's March 17, 2000 memorandum, sent to Governor Pataki; ATT: James McGuire, Counsel to the Governor
- "C-4": CJA's April 24, 2000 memorandum to Governor Pataki, *et al.*, sent to the attention of James McGuire
- "C-5": CJA's October 24, 2000 letter to Governor Pataki, ATT: James McGuire
- Exhibit "D": CJA's March 27, 2001 letter to the NYS Ethics Commission
- Exhibit "E-1": CJA's March 30, 2001 letter to Nan Weiner
- "E-2": Governor Pataki's March 15, 2001 press announcement, "Governor Pataki Announces Appellate Division Designations"
- Exhibit "F-1": CJA's March 30, 2001 letter to Rosario Vizzie, Records Access Officer to the Governor
- "F-2": Rosario Vizzie's April 5, 2001 letter to CJA

- "F-3":** Rosario Vizzie's May 4, 2001 letter to CJA
- "F-4":** Rosario Vizzie's May 17, 2001 letter to CJA
- "F-5":** CJA's June 4, 2001 letter to Rosario Vizzie
- "F-6":** Rosario Vizzie's June 11, 2001 letter to CJA
- "F-7":** December 15, 1999 "Appointment Report" of the Second Department Judicial Screening Committee for Justice Stephen Crane

TRANSMISSION VERIFICATION REPORT

TIME : 06/18/2001 11:49 \*  
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FAX : 9144284994  
TEL : 9144211200

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DURATION	00:07:00
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