

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Coordinator

BY FAX: 518-486-9693 (2 pages)

June 21, 2001

Nan Weiner, Executive Director
Governor Pataki's Judicial Screening Committees
The Capitol
Albany, New York 12224

RE: Request for clarification and for the "written reports" of the qualifications of Court of Claims Judge William A. Wetzel

Dear Ms. Weiner:

This follows up our brief conversation in your office yesterday, June 20th shortly before the Senate Judiciary Committee's "meeting" confirming Court of Claims Judge William Wetzel, as well as our exchange of words thereafter in Room 124 of the Capitol, where the Committee was holding its 10:00 "meeting".

As you know, I came to your office at about 9:20 a.m. to deliver for you and the Governor a "hard copy" of CJA's June 17th letter to the Senate Judiciary Committee – a fax of which I had sent you under CJA's June 18th coverletter. In this, our first in-person conversation, I asked you the two-fold question highlighted in boldfaced type on page 7 of CJA's June 17th letter – and reiterated by CJA's June 18th, *to wit*, whether you had ever apprised the members of the State Judicial Screening Committee of CJA's February 23, 2000 letter opposing consideration of Judge Wetzel and whether you yourself had ever examined, or arranged to have examined, the lower court record in *Elena Ruth Sassower v. Commission*, sent you with the February 23, 2000 letter.

You refused to answer on confidentiality grounds, except to say that you had spoken to the Senate Judiciary Committee. So there is no ambiguity, please clarify that it was in response to the specific question at page 7 of CJA's June 17th letter that you spoke to the Committee.

You also cited confidentiality in refusing to answer my question as to what, if anything you had transmitted to the Senate Judiciary Committee in response to my requests that

you provide it with the copy of the lower court in *E.R. Sassower v. Commission* and CJA's massive correspondence to the Governor based thereon. As I stated to you, the Committee's Clerk, Susan Zimmer, had told me that the Committee had not received any of these evidentiary materials. This, as of late Tuesday afternoon, June 19th.

Thereafter, in the Senate Judiciary Committee's meeting room, before the start of the "meeting", I asked you for a copy of the Judicial Screening Committee's "written report" on Judge Wetzel's qualifications underlying his reappointment by the Governor, as well as the "written report" underlying his original 1995 appointment. These requests were directed to the Governor at page 11 of CJA's June 17th letter and reiterated in CJA's June 18th coverletter to you. I do not recall your precise words, but you did not provide either "report" to me. I believe you stated you would subsequently respond. This is to remind you that your response to CJA's request for these two "written reports" of Judge Wetzel's qualifications is expected as soon as possible -- as the "reports" are supposed to be available upon the Governor's announcement of the appointments.

Yours for a quality judiciary,



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

TRANSMISSION VERIFICATION REPORT

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