



June 20, 2017

Commission on Judicial Conduct
Attention: Joseph W. Belluck, Chair
61 Broadway
Suite 1200
New York, NY 10006
Email: jbelluck@belluckfox.com and cjc@cjc.ny.gov

Re: Interview Request

Dear Mr Belluck:

I write in response to an email sent by your office's representative, Ms Harrison, dated June 15, 2017. This serves as a response to that letter, and a renewed request for an interview with you.

First, I would like to clarify a number of mis-statements in Ms Harrison's email. The complaint to the CJC which I filed on October 26, 2016 – and attach again here -- did not concern the **decision** of any judge in my own, now-settled and finalized custody matter. Yet Ms Harrison stated that the CJC's reason for denying my interview request was that:

It appears that you recently made complaints of misconduct against two Family Court Judges, alleging among other things that they ruled against you in custody and visitation matters... Under the circumstances, [CJC Administrator] Mr. Tembeckjian does not consider an interview to be appropriate

This reasoning has no basis. As I clearly stated at the top of the 10/26/2016 complaint:

This complaint is not intended to affect the outcome of a pending case before these judges, but rather to reveal a pattern and practice of multiple violations of the canons of judicial ethics. Inter alia, this complaint reveals an arbitrage that involves punishing non-consenting litigants by entering long-term temporary orders and then scheduling trials in the distant future, as well as systemic bias and misconduct which is causing huge harm to children and their parents. The aim of this complaint is to prevent the recurrence of occurrences described herein.

The 10/26/2016 complaint, which I attach again for your convenience, documented clear examples of misconduct by Kings County family court judge Dean T. Kusakabe, and supervising judge Amanda White. These numerous violations of judicial canons were witnessed by both myself, and by numerous other citizens, involved in totally separate cases.

My complaint included detailed, factually grounded, and facially meritorious allegations about Judge Kusakabe's misconduct. My complaint aimed to correct the errors of an untrained,

incompetent, and reckless judge (Kusakabe), to encourage the CJC to monitor a negligent supervising judge (White) and to ensure due process for other New York citizens faced with the monstrous maze that family court has become. Your office improperly neglected to take any action on a series of facially meritorious violations.

As with every complaint we know about that has been registered by a non-attorney litigant – especially a pro se litigant --the CJC dismissed my complaint. You conducted no preliminary enquiry. You commenced no investigation. And you provided no explanation as to the legal grounds for dismissing the complaint. All your office did was to send a form letter, signed by your long-tenured clerk, Jean Savanyu, rejecting the complaint. It is this pattern and practice – and the multiple allegations of dereliction of duty by the CJC -- that we are investigating.

I do not believe it appropriate to deny our interview request simply because I have filed a complaint to your office. However, if you would like to set a ground-rule for our interview that we do not refer to my particular case, I am happy to agree to that.

New York State needs an honest, ethical, integrity driven and independent body to oversee judges, and eliminate the bad apples. Is the CJC able to fulfill these duties, as required by your oath of office? How do you intend to do this? Does the CJC have the necessary funding?

To answer these and many other questions, I am offering the CJC a chance to voice its vision of the future, and to answer criticisms of its record, prior to publication of the article on *HuffPost*, and on other media and social media outlets. There is growing public concern that, as recently retired Appellate Division Justice David Saxe recently told the ‘New York Post’: “*Our state court system in New York is absolutely insane. It has enabled political people to control the courts, and they don’t want to give it up — so it’s very hard to get legitimate change that would be beneficial to the public.*”¹ As Chair of the CJC, you are in a unique position to reassure the New York public about what is being done to address this.

The CJC stated in its 2017 annual report that: “*It has been a fundamental premise of the American system of justice, since the founding of the republic, that the rights of citizens are protected by conducting the business of the courts in public.*” In this spirit of public openness, I repeat my request for a face-to face interview with yourself, or a senior representative from your office. Will you please grant this request?

Yours very truly



Sebastian Doggart

¹ <http://nypost.com/2017/06/07/how-the-politically-connected-control-the-new-york-court-system/>