

CENTER for
JUDICIAL
ACCOUNTABILITY



Box 69, Gedney Station • White Plains, New York 10605-0069
TEL: 914/997-8105 • FAX: 914/684-6554

FAX COVER SHEET

10/3/94

1:30 p.m.

DATE

TIME

THE NEW YORK TIMES
ATT: Joseph P. Fried

TO:

718-858-2497 (tele: 718-625-5733)

FAX NUMBER:

This fax consists of a total of 16 pages, including this cover-sheet. If you do not receive the indicated number of pages, or if there is a question as to the transmittal, please call (914) 997-8105.

Elena Ruth Sassower, Coordinator

FROM:

Dear Mr. Fried:

Thanks for your review. This is a dynamite story about the most fundamental of conflict of interest--judges deciding their own cause--and doing so in the context of an Article 78 proceeding, which is designed to provide independent review of government misconduct.

By Order dated September 29, 1994, the Court of Appeals has refused review--whether as of right or as of leave--of the Appellate Division, Second Department's self-interested decision in its own favor. It thus makes plain that, notwithstanding its promulgation of the Rules Governing Judicial Conduct, it will not undertake enforcement thereof--at least against high-ranking judges of the Appellate Division, Second Department.

By that standard, what can we expect of the Commission on Judicial Conduct--which is known for its failure to take action against the most heinous and documented complaints of judicial misconduct.

Also enclosed is the Times' September 17, 1994 editorial "New York's Mystery General" and my September 25th letter in response, as yet unpublished.