

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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November 17, 1995

Professor Monroe Freedman
Hofstra University School of Law
121 Hofstra University
Hempstead, New York 11550-1090

RE: BNN: A & E Investigative Documentary
Independent Evaluation

Dear Professor Freedman:

As discussed this morning, I enclose--by way of a summary of our Article 78 proceeding against the New York State Commission on Judicial Conduct--a copy of my Letter to the Editor, published in the August 14, 1995 issue of the New York Law Journal. Not only does it sum up the significance of our ground-breaking litigation against the Commission--but it challenges the public and legal community to confirm--by review of the court papers:

"...that the commission protects judges from the consequences of their judicial misconduct--and, in turn, is protected by them."

Also enclosed is a copy of the "Questions to be Answered" by the independent evaluator, which we had prepared for BNN and which I understood had been faxed to you, together with an Inventory itemizing the court papers and correspondence related to the litigation which BNN sent you.

Plainly, only through an independent evaluation can BNN verify that the lower court's decision dismissing the case is factually fabricated and legally indefensible and that, as a matter of law, we were entitled to summary judgment against the Commission. Such adjudication, however, would have exposed--once and for all--the Commission's scandalous subversion of its mandate to police the judiciary.

Because you have courageously gone on-record about dishonest decision-writing by judges, we not only believed you were a "natural" for BNN's independent evaluation of this case, but that you would be excited by the incredible irony of what it shows: the New York State Commission on Judicial Conduct not only defending itself through litigation misconduct, but as the

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contented beneficiary of dishonest judicial decision-writing.

If you could possibly spare the time, we would be more than ready to provide you with a critique of the lower court's decision to expedite your review.

However, if you are not available to independently evaluate this dynamite public interest case, we hope you would be good enough to assist BNN in locating someone else who could properly serve as its "legal expert" for that purpose.

Yours for a quality judiciary,



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

Enclosures:

- (a) New York Law Journal, 8/14/95 Letter to the Editor
- (b) "Questions to be Answered"
- (c) CJA brochure, with NYT ad

cc: BNN/Robin Hutt, Producer
Alison Winkler, Associate Producer