

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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White Plains, New York 10605

By Priority Mail

May 18, 1995

Patricia Gorman, Counsel
Assembly Judiciary Committee
L.O.B. Room 831
Empire State Plaza
Albany, New York 12248

RE: Unconstitutionality of New York's Attorney
Disciplinary Law

Unconstitutionality of 22 NYCRR §7000.3 of the
Rules of the Commission on Judicial Conduct of
the State of New York

Dear Ms. Gorman:

Enclosed herewith is a copy of my most recent letter on the subject of the thoroughly inadequate and constitutionally infirm uniform rules for attorney discipline of the New York State Bar Association's Committee on Professional Discipline.

Also enclosed is a copy of our recently-commenced Article 78 proceeding against the Commission on Judicial Conduct of the State of New York. As you can see, notwithstanding the statutory mandate under Judiciary Law §44.1 requiring the Commission on Judicial Conduct to investigate every complaint of judicial misconduct except those it determines to be facially without merit, the Commission has converted its mandatory investigative duty into a discretionary one by promulgation of rules (22 NYCRR §7000.3) patently inconsistent with such aforesaid statutory mandate.


Consequently, for the past decade and a half, the Commission has been enabled to summarily dismiss thousands of complaints, without investigation and without any finding that the complaints so dismissed are frivolous on their face.

Because of the immediate threat to the public interest represented by the Commission's statutorily violative rules, we request as immediate a meeting as possible with Chairwoman Weinstein. Such request is additional to the meeting requested by us as long ago as last year--a fact referred to in my April 7th letter.

May 18, 1995

Looking forward to speaking with you at your first opportunity.

Yours for a quality judiciary,



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

Enclosures: 5/16/95 ltr to Richard E. Grayson, Esq.,
with enclosures
Article 78 proceeding:
Sassower v. Commission on Judicial Conduct
of the State of New York
Notice of Right to Seek Intervention
Notice of Petition
Verified Petition