

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) [elena@judgewidth.org]
Sent: Tuesday, September 14, 2010 12:07 PM
To: 'adam.skaggs@nyu.edu'
Subject: Collaboration with Brennan Center in Advancing Recusal Reform
Attachments: 9-14-10-notice-motion.doc; 9-14-10-aff.doc

From: Center for Judicial Accountability, Inc. (CJA) [mailto:elena@judgewidth.org]
Sent: Tuesday, September 14, 2010 11:02 AM
To: 'adam.scaggs@nyu.edu'; 'maria.dasilva@nyu.edu'
Subject: Collaboration with Brennan Center in Advancing Recusal Reform

Dear Adam,

Thank you for re-sending your August 19th e-mail. Much as it recollects, it appears that the Brennan Center is “not only rejecting all three of my proposals for advancing recusal reform, but collaboration with CJA”, which was the first inquiry of my August 19th e-mail to you. Why is this so? – and what alternative approaches is the Brennan Center employing to advance recusal reform in New York State? Who are your governmental, organizational, academic, and media partners in New York, with whom you are working to craft and enact appropriate legislative and rule changes? I note that the Brennan Center website still has NOTHING on recusal reform efforts in New York State in its chart “updated 7/20/2010”.

You have also not answered my question as to “the names of your colleagues who shared in the review” of the draft motion I e-mailed you on August 10th and of the primary source materials I gave you after our meeting on July 27th. Please advise as to their names, without delay, so that I may contact them directly. Meantime, attached is a slightly revised draft of my motion, which I had planned to serve tomorrow, but which I will delay serving in the hope the Brennan Center will at least afford me the benefit of its guidance and scholarship, in the absence of *amicus curiae* support.

In the event I do not hear from you by the end of the day tomorrow, I will telephone Brennan Center Executive Director Michael Waldman, to whom I request that you forward this e-mail and the primary source materials I left you in support of CJA’s three proposals for advancing the Brennan Center’s recusal reform recommendations:

“(1) developing record-based scholarship, particularly of cases involving motions to disqualify judges for ACTUAL, rather than apparent, bias;

(2) establishing a recusal advisory committee – the Brennan Center’s only recommendation that can be citizen-activated: ‘Outside observers need not sit idly by as judges consider the [other 9] reforms’;

(3) engaging in *amicus curiae* advocacy”.

Thank you.

Elena Sassower, Director
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