

Subj:	Developing a Legislative/Advocacy Agenda
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TO: Association of the Bar of the City of New York
 ATT: Alan Rothstein, General Counsel
 Jayne Biegelsen, Legislative Director

Fund for Modern Courts
 ATT: Ken Jockers, Executive Director
 Lisa Crawford, Administrative Assistant

FROM: Center for Judicial Accountability, Inc.
 Elena Ruth Sassower, Coordinator

RE: Developing a Legislative/Advocacy Agenda for 2003

DATE: January 23, 2003

As discussed, enclosed is the written statement I tried to present at yesterday's Senate Judiciary Committee "hearing" on Susan Read's confirmation to the Court of Appeals. I did not get past the beginning of the third paragraph before my presentation was halted by Senate Judiciary Committee Chairman DeFrancisco, who threatened to have the officers present physically remove me. Indeed, they came toward me.

I will mail you a copy of the appendix documents supporting my statement so that you can better appreciate yesterday's vicious assault on proper procedure and legitimate citizen opposition. Without further delay, steps must be taken to develop an agenda for legislative action. Indeed, following yesterday's "hearing", I visited the office of Chairman DeFrancisco, as well as of Helene Weinstein, Chairwoman of the Assembly Judiciary Committee, to specifically request a meeting.

I have already left a copy of my statement and appendix at the New York State Bar Association for its counsel, Kathleen Mulligan Baxter, with whom I had a productive phone conversation on Tuesday. She seemed receptive to my suggestion about developing legislation that would begin to "regulate" the presently unregulated confirmation process -- which is "lawless" in that very sense of the word.

I also left a copy of my statement and appendix at NYPIRG -- and have had productive conversations with Blair Horner, its legislative director, and Russ Haven, its legal counsel, about developing a legislative strategy.

Please advise when we can meet together to discuss the serious and substantial issues relating to "merit selection" to our State's highest court and the supposedly merits-based appointments process to our lower state courts. As the evidence shows, the situation is dire.

Thanks.

Elena Ruth Sassower

Also transmitted

- NYT 12/30/82 article on "merit selection" process to Ct of Appeals*
- 1989 report of NYS Comptroller Regan on NYS Commission on Judicial Conduct "Not Accountable to the Public"*