

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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December 31, 1997

Gary Brown, Executive Director
Fund for Modern Courts
19 West 44th Street, Suite 1200
New York, New York 10036

RE: Protecting the Public from Deficient Judicial Screening Processes and
Vindicating its Rights to Basic Information

Dear Gary:

Following up our lengthy phone conversation, herewith transmitted are CJA's three letters: (1) our December 23rd letter to James McGuire; (2) our December 26th letter to Andrew O'Rourke; and (3) our December 29th letter to the members of the State Judicial Screening Committee. "Hard copies" with exhibits will be mailed to you, although I have included herewith our 11/2/92 ltr to Ed Tagliaferri.

You indicated that you do have our June 2, 1997 letter and June 12, 1997 coverletter. Please read them. With all respect, inasmuch as you accused us of not opposing any judicial nominees until Andrew O'Rourke, I can only assume that you didn't read those extremely memorable letters the first time. Please also pull out the 1992 critique we did on Andrew O'Rourke and the federal judicial screening process. In view of your admission -- at the very end of our conversation -- that you had read it, you should appreciate how dispositive it is of the fact that there does exist "objective means to determine qualifications" -- notwithstanding your vigorous attempts to convince me of the contrary.

The Fund has an important opportunity to advance its advocacy of "merit selection" by highlighting how the present system is being manipulated and controlled by the Governor. At very least, we ask that the Fund come forth with a letter to the Governor and press statement about the public's rights under the Governor's Executive Orders, most particularly its right of inspection of the committee reports. Based on our aforesaid letters and the Critique, it should also support a freeze on Andrew O'Rourke's confirmation until there is some verification of compliance by the State Judicial Screening Committee with the Executive Order and "Uniform Rules". Time is of the essence.

Yours for a quality judiciary,



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