

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Monday, November 26, 2012 1:16 PM
To: jtiern@law.columbia.edu; chapnick@law.columbia.edu; rb34@columbia.edu
Cc: gcaplan@pacific.edu; rhode@stanford.edu
Subject: Time is of the Essence: Building Scholarship & Request for Pro Bono Assistance
Attachments: 11-5-12-ltr-to-columbia-law-school.pdf

Dear Director Tierney, Dean Chapnick, & Director Briffault,

I have not received any response to my November 5th letter – hand-delivered to you on that date and then e-mailed to you on November 7th, including by the below to Professors Caplan and Rhode.

Have you responded? If we could schedule a meeting for next Monday, December 3rd, that would be ideal.

Thank you.

Elena Sassower, Director
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From: CJA - ELENA [<mailto:elena@judgewatch.org>]
Sent: Wednesday, November 07, 2012 3:35 PM
To: 'gcaplan@pacific.edu'; 'rhode@stanford.edu'
Cc: jtiern@law.columbia.edu; chapnick@law.columbia.edu; rb34@columbia.edu
Subject: Following through with Your Law Review Articles: Assessing the Job Performance and Ethics of Our Most Important Lawyers- Attorneys General & Judges

Dear Professors Caplan and Rhode,

I am Director and Cofounder of the non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA), with a 20-year treasure trove of primary-source, documentary evidence germane to your respective law review articles, "*Legal Autopsies: Assessing the Performance of Lawyers and Judges...*" ([Albany Law Review](#)), calling for examination of performance of lawyers and judges based on case file records, and "*Legal Ethics in an Adversary System: The Persistent Questions*" ([Hofstra Law Review](#)), which pertinently states:

"Finally, law schools need to be more accountable for their own efforts, or lack of efforts, concerning professional responsibility. ...troubling gaps are apparent in research priorities. On key questions involving professional roles, rules, and regulation, our knowledge base is shamefully thin. We are awash in theory and starved for facts. Too much professional responsibility scholarship is data-free doctrinal analysis, the functional equivalent of 'geology without the rocks.'^{fn}"

My attached November 5th letter to Columbia Law School quotes (at pp. 5-6) your above law review articles in proposing scholarship consistent therewith. It proposes assessing the job performance of New York's most important lawyer – the New York State Attorney General – based on a landmark case, now unfolding, whose threshold issue – and

the basis upon which he is a named defendant -- is his willful violation not only of legal ethics, but of his constitutional and statutory duties -- replicating a pattern and practice of such misconduct by predecessor New York State Attorneys General, *all verifiable -- and readily-so -- from case records.*

Such records offer a new perspective -- completely unexamined -- as to why New York government is dysfunctional and corrupt, namely, it is because New York's Attorney General is functioning NOT as a safeguard of governmental integrity and constitutional governance -- as he was intended to be -- but as a perpetuator of governmental corruption and abuse.

I would appreciate your comments on the proposal, which I respectfully ask that you share with the letter's Columbia Law School recipients: James Tierney, Director of its National State Attorneys General Program; Ellen Chapnick, Dean of its Social Justice Initiatives; and Richard Briffault, Director of its Legislative Drafting Research Fund -- each cc'd on this e-mail.

Of course, I would also be pleased to assist you and your law school students in pursuing the proposed record-based scholarship -- or similar scholarship. Comparable situations prevail in other states with their attorneys general -- and on the federal level, as record-based research would reveal.

Thank you.

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