

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Coordinator

BY PRIORITY MAIL

CERTIFIED/RRR: 7099-3400-0001-2733-3562

November 13, 2000

Lenore Kramer, President
New York State Trial Lawyers Association
c/o Kramer & DeVries
350 Broadway
New York, New York 10013

RE: CJA's November 13, 2000 report, "The Complicitous Role of the Bar Associations in the Corruption of 'Merit Selection' Appointment to the New York Court of Appeals"

Dear President Kramer:

Enclosed is CJA's above-entitled November 13, 2000 report, which is being filed with the First Department Disciplinary Committee as a formal complaint of professional misconduct against the New York State Trial Lawyers Association and its culpable members and staff. Please bring it to the *immediate* attention of all those who participated in the State Trial Lawyers' rigged and fraudulent bar ratings of the candidates recommended by the Commission on Judicial Nomination's October 4, 2000 report.

As set forth at page 3 of CJA's November 13, 2000 report, the State Trial Lawyers can mitigate the disciplinary consequences of the misconduct of its culpable lawyers and staff. However, for this to be most meaningful, it must be done as soon as possible, preferably in advance of the Senate Judiciary Committee hearing on Justice Graffeo's confirmation or, at latest, at the confirmation hearing. At such time, the State Trial Lawyers must publicly address the serious issues presented by CJA's October 16, 2000 report as to the Commission on Judicial Nomination's subversion of "merit selection" principles. The first of these issues is whether the Commission's October 4, 2000 report conforms with the requirement of Judiciary Law §63.3 that it contain "*findings* relating to the character, temperament, professional aptitude, experience, qualifications and fitness for office of *each candidate* who is recommended to the governor"¹ and, if not, whether the Senate

¹ Emphasis added.

may lawfully proceed with confirmation, over public objection as presented by CJA's October 16, 2000 report.

Inasmuch as the State Trial Lawyers returned CJA's October 16, 2000 report as no longer needed, a superseding copy² is enclosed, albeit without appended exhibits and free-standing File Folders "A" and "B". These will be furnished upon request.

Yours for a quality judiciary,

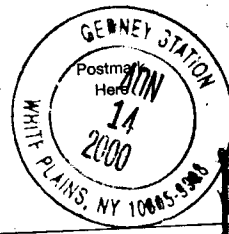
Elena Ruth Sassower

ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc. (CJA)

Enclosures

cc: First Department Disciplinary Committee
Institute on Professionalism in the Law
Chief Judge Kaye's Committee to Promote Public Trust and Confidence
in the Legal System

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY		Postal Service CERTIFIED MAIL RECEIPT <i>(Certified Mail Only; No Insurance Coverage Provided)</i>											
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Received by (Please Print Clearly) <i>FRAN VITELLO</i></p> <p>B. Date of Delivery <i>11/14</i></p> <p>C. Signature <i>FRAN VITELLO</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>		<p>To: <i>President Lenore Kramer</i></p> <table border="1"> <tr><td>Postage</td><td>\$ <i>3.20</i></td></tr> <tr><td>Certified Fee</td><td><i>1.40</i></td></tr> <tr><td>Postage Receipt Fee (if Required)</td><td><i>1.25</i></td></tr> <tr><td>Registered Delivery Fee (if Required)</td><td></td></tr> <tr><td>Postage & Fees</td><td>\$ <i>5.85</i></td></tr> </table>		Postage	\$ <i>3.20</i>	Certified Fee	<i>1.40</i>	Postage Receipt Fee (if Required)	<i>1.25</i>	Registered Delivery Fee (if Required)		Postage & Fees	\$ <i>5.85</i>
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Postage & Fees	\$ <i>5.85</i>														
<p>Article Addressed to:</p> <p><i>President Lenore Kramer NYS Trial Lawyers Association 40 Kramer + DeVries 350 Broadway NY, NY 10013</i></p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>		<p>Postage & Fees</p> <p>Please Print Clearly (to be completed by mailer)</p> <p><i>NYS Trial Lawyers Assoc.</i></p> <p>Agent No., or PO Box No. <i>Kramer + DeVries 350 Broadway</i></p> <p>State, ZIP+4 <i>NY NY 10013</i></p>											
<p>Article Number (Copy from service label)</p> <p><i>7099 3400 0001 2733 3562</i></p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>		<p>Form 3800, July 1999</p> <p>See Reverse for Instructions</p>											



² See CJA's October 18th fax advising of superseding October 16, 2000 report.

102595-00-M-0952