

## CENTER for JUDICIAL ACCOUNTABILITY, INC.

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February 17, 2017

TO: Secretary of the Senate Francis Patience  
Robin Marilla, Assembly Records Access Officer  
Shawn Kerby, Office of Court Administration Records Access Officer

FROM: Elena Ruth Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)

RE: FOIL/RECORDS REQUEST: The \$2.4 million judicial salary increase reported by the Senate Majority's "White Book" and the Assembly Majority's "Yellow Book" as included in the Judiciary's budget for fiscal year 2017-2018

Nowhere mentioned by the Judiciary's two-part proposed budget for fiscal year 2017-2018 – or its single-budget bill – is the judicial salary increase, resulting from the December 24, 2015 report of the Commission on Legislative, Judicial, and Executive Compensation, that will take effect by “force of law” on April 1, 2017, unless overridden by the Legislature.

Nevertheless, the Senate Majority's “White Book” and the Assembly Majority's “Yellow Book” each identify that the Judiciary's budget includes a judicial salary increase – and its cost: “\$2.4 million”.

Thus, the Assembly Majority's “Yellow Book” states:

**“Judicial Compensation:** The proposed budget includes \$2.4 million to support a salary increase for State Supreme Court Judges recommended by the Commission on Legislative, Judicial and Executive Compensation. Per the Commission, salaries must be fixed at 95 percent of the salary of a Federal District Court Judge effective April 1, 2016, and 100 percent effective April 1, 2018, with the salaries of all other state judges adjusted accordingly.” (at p. 156, bold in original, underlining added).

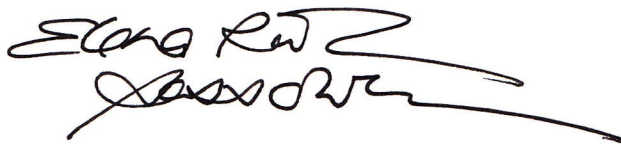
The Senate Majority's “White Book” states:

“... The increase in personal service is primarily driven by the Judiciary's plan to add 200 new Full Time Equivalent (FTE) positions, and incremental salary increases for Judges and other employees... Spending for Judicial salaries would increase by \$2.4 million, or 1 percent. ...” (at p. 86, underlining added).

Pursuant to Public Officers Law Article VI [Freedom of Information Law (F.O.I.L.)], Senate Rule XV, "Freedom of Information", Assembly Rule VIII, "Public Access to Records", and §124 of the Chief Administrator's Rules, this is to request the records – presumably from the Judiciary – upon which the Senate "White Book" and Assembly "Yellow Book" relied for their assertions that the Judiciary budget includes a judicial salary increase for fiscal year 2017-2018 totaling \$2.4 million and that said amount is 1 percent – including the certification of this itemized estimate.

To expedite my receipt, kindly e-mail your responses to me at [elena@judgewatch.org](mailto:elena@judgewatch.org).

Thank you.

A handwritten signature in black ink, appearing to read "Elena Ruiz". The signature is written in a cursive style with a long horizontal flourish extending to the right.