

Contempt proceedings begin anew against White Plains divorce lawyer

By Deborah Plines
Staff Writer

A prominent White Plains divorce lawyer who has delayed contempt proceedings against herself for six months returned to court yesterday to hear a judge's scoldings and another lawyer's estimate of damages he claims she cost a client.

"You have to face up to the music you started with your own orchestra," state Supreme Court Justice Samuel G. Fredman chided Doris Sassower at one point.

Fredman said he would not rule for at least another week on damages Sassower may be assessed for keeping a former client's file after a judge ordered her to give it up last year. Before ruling, he will accept final papers from Sassower on why she should not be found in contempt or sanctioned, Fredman said.

In a daylong hearing yesterday, Harvey Landau estimated his White Plains law firm spent \$9,042.25 to get the file of Evelyn Breslaw of New Rochelle from Sas-

sower, Breslaw's former attorney. He said the costs ran from April 11, 1989, when a judge ordered Sassower to turn over the file, until May 3, 1990.

They included calls, letters, legal papers and appearances made to secure the file and compensation for his work, Landau said.

Sassower, 57, a former president of the New York Women's Bar Association, gave Landau the file July 27 when the contempt action before Fredman began.

The action, which had one day of testimony in August, has been delayed three times since then by claims from Sassower of medical disability.

It resumed yesterday after Fredman ruled April 20 that Sassower is "capable" as evidenced by her handling of at least two other cases this year.

In cross-examining Landau, Sassower's lawyer, Eli Vigliano of Yonkers, focused most on trying to undermine the finding of contempt against Sassower. His questions, often prompted by whispers or legal pad notes from his client,

mostly were shot down by the judge. The judge called them irrelevant, saying the contempt already was established in his mind and the issue yesterday was damages.

"A trial, a hearing is a search for the truth," Sassower complained afterward. "Judge Fredman was not interested in the truth."

Sassower said she never was able to call her own witnesses to defend herself against the contempt, Vigliano's cross-examination was cut off by the judge, and she was not allowed to speak in court yesterday.

The judge refused as untimely or unfounded Sassower motions yesterday to excuse himself for bias or to dismiss the contempt on several procedural grounds.

Among them, Vigliano argued in a written motion, the contempt proceeding should have been separate from the Breslaw divorce action to entitle Sassower to a jury trial. Vigliano also wrote that the judge had failed to establish Breslaw's case was prejudiced by delays in the file transfer.