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FAX COVER SHEET

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DATE: 2/13/98 TIME: 2¹⁰ pm FAX #: 694-5018

TO: Ed Tapiaferri - Jannett

RE: O'Rourke waiver

FROM: ELENA RUTH SASSOWER, Coordinator

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As discussed previously
MESSAGE: Based on our conversation

on Monday, I actually thought
that maybe Jannett would
be the 1st to disclose to the
public that the O'Rourke
waiver is illegal.

Now, we can only hope that
Jannett will tap along after the
Daily News - which ^{has} leaked my letter to
the editor about the waiver in today's
paper.

CENTER for JUDICIAL ACCOUNTABILITY, INC. is a national, non-partisan, non-profit citizens' organization documenting how judges break the law and get away with it.

Friday, February 13, 1998

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DAILY NEWS

VOICE OF THE PEOPLE

O'Rourke's appointment was illegal

White Plains: We share your outrage that former Westchester County Executive Andrew O'Rourke, now a Court of Claims judge, is collecting an \$80,000 pension on top of his new \$113,000 salary, (Feb. 5 editorial, "O'Rourke's pork"). But it is not a loophole that allows this. Rather, the Office of Court Administration broke the law in approving O'Rourke.

The law is clear that for O'Rourke to be employed in public service as a retired person, his new employer had to make a written request showing that he met specific requirements. These include: that he is duly qualified; that there is a need for his services; that there are no other qualified people to perform the duties of such position, and that his employment is in the best interests of government service. The office could not approve the application unless these requirements had been met.

The office must respect the public's right to inspect O'Rourke's application and the other relevant documents. O'Rourke's appointment should be rescinded based on the requirements of the law, and there should be an investigation of the office for its blatant misrepresentation of the law to cover up its improper approval of the request.

Elena Ruth Sassower, Center for Judicial Accountability Inc.,