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6 pages

TO: Jack Newfield
FROM: Elena Ruth Sassower, Coordinator
DATE: April 26, 1996
RE: Your April 25th column

It is absolutely inconceivable to us why you have not taken advantage of the wealth of documentary materials we have about subjects you are writing about.

Faxed herewith is a copy of our February 20, 1996 hand-delivered letter to Mayor Giuliani. It not only gives a "plug" to your "Ten Worst Judges" series, but describes the deficiencies in screening of the Mayors' advisory committees on the judiciary (at pp. 1-2) and the dismissal, without investigation of facially-meritorious complaints by the New York State Commission on Judicial Conduct (pp. 2-4). Those subjects are each touched upon in your April 25th column.

After more than twenty years of "Ten Worst Judges", its time to stop taking "pot shots" at the Commission on Judicial Conduct--and get serious. Put aside your personal friendships with Victor Kovner, Gerald Stern, etc. and allow us to finally demonstrate to you that the Commission on Judicial Conduct is not just dysfunctional, but corrupt. Such demonstration would enable you to follow through with the April 24th Post editorial:

"...the scandal behind the scandal here may well be the panel itself."

There should be no mistake about it, the Commission could not have survived our Article 78 challenge, but for the fact that the case was dumped by a legally insupportable and factually fabricated decision of Supreme Court Justice Herman Cahn--a judge you placed on your "Diligent 21" Honor Roll as not just hard-working, but providing "due process and equal justice to those who come before [him]." (Post, April 22nd). Surely, in making such inclusion, you overlooked our published Letter to the Editor, "Commission Abandons Investigative Mandate", which appeared in the New York Law Journal on August 14, 1995. A copy is enclosed.

Let us stop working at cross purposes. Only if we work together can we achieve vital reform of the politically-contaminated judicial selection and disciplinary processes. Or don't you want to protect the People of this State from incompetent, abusive, and corrupt judges?

Please call so that we can make up for lost time.

Elena