

Center for Judicial Accountability

From: Center for Judicial Accountability <elena@judgewatch.org>
Sent: Monday, June 29, 2015 7:30 AM
To: 'AttorneyDiscipline@nycourts.gov'
Subject: Request to Testify at the Aug. 11, 2015 Public Hearing of the Commission on Statewide Attorney Discipline

I am delighted that the Commission on Statewide Attorney Discipline has recognized that it cannot “conduct a comprehensive review of the state’s attorney disciplinary system”, as announced in the Unified Court System’s March 30, 2015 press release, without reaching out to those having direct first, hand-experience, either as complainants or as attorneys who have been the subject of this state’s attorney disciplinary proceedings.

I take it that the belated decision to hold public hearings – and, apparently, to scrap the announced “August 1, 2015” date for the Commission’s delivery of its “report with its findings and recommendations to Judge Lippman” – was prompted in no small part by my several phone calls to the Unified System’s press office, beginning on May 28th – and including a brief phone conversation with Co-Chair Barry Cozier on June 11th, asking for contact info for the Commission, inquiring as to the Commission’s protocol for conducting its “comprehensive review” and, specifically, whether it would be holding public hearings. I stated this to Matthew Kiernan on June 16th, upon his telling me that Chief Administrative Judge Prudenti -- the Commission’s chair -- was “considering” public hearings and that a website would be rolled out.

Both to Co-Chair Cozier and to Mr. Kiernan, I discussed the Senate Judiciary Committee’s 2009 public hearings on New York attorney discipline and the Commission on Judicial Conduct, held by its then chair, Senator John Sampson – hearings aborted after the second, **without** investigation, **without** findings, and **without** any committee report. Indeed, I alerted Mr. Kiernan to the fact that CJA’s website, www.judgewatch.org, posts both the videos and transcripts of the Senate Judiciary Committee’s June 8, 2009 and September 24, 2009 hearings, as well as the extensive written statement I had drafted for its aborted December 16, 2009 hearing. These are accessible *via* the top panel “Latest News” – as they have been since 2009. Here it is directly: <http://www.judgewatch.org/web-pages/judicial-discipline/nys/nys-sjc-hearing.htm>.

My December 16, 2009 draft statement, with its emphasis on casefile evidence – and specifying four specific cases – is no less germane and methodologically-sound today than six years ago – and I hereby furnish it and the mountain of casefile and other primary source evidence to which it refers as the requisite “prepared statement or a detailed outline of the proposed testimony”. Such evidence, establishes RESOUNDINGLY and scandalously, that New York’s attorney disciplinary system is corrupt, unconstitutional, and utilized by the court system to retaliate against judicial whistle-blowing attorneys, while “protecting” unethical and corrupt attorneys and the bar associations.

The hearing at which I am requesting to testify is the August 11, 2015 hearing, at the New York County Lawyers’ Association, in New York City, for the indicated 10 minutes.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
914-421-1200