

## CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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*Elena Ruth Sassower, Coordinator*

**BY CERTIFIED MAIL/RRR: Z-509-073-632**

March 30, 1999

Rosario Vizzie, Records Access Officer for the Governor  
Executive Chamber  
Room 228  
Albany, New York 12224

RE: The Governor's Disclosure Obligations under the Freedom on Information Law

Dear Mr. Vizzie:

The Center for Judicial Accountability, Inc. (CJA) is a non-partisan, non-partisan citizens' organization, focusing on issues of judicial selection and discipline. For your further information, our informational brochure is enclosed.

Annexed hereto as Exhibit "A" is a copy of CJA's March 12, 1999 letter to the New York State Commission on Judicial Nomination, to which you are an indicated recipient. As reflected therein (at p. 3), we invoke our rights under the Freedom of Information Law [F.O.I.L.] to the "financial statement" of now Court of Appeals Judge Albert Rosenblatt, which the Governor was required to "make available to the public", pursuant to Judiciary Law §63.4. The Governor has not provided us with that "financial statement", despite a February 5, 1999 letter request, pursuant thereto, sent to him, certified mail/return receipt (Exhibit "B").

This is not the first time that the Governor has ignored our requests for information to which the public is legally entitled. By letter dated June 2, 1997, faxed and sent certified/return receipt (Exhibit "C"), we sought the "written reports" of the qualifications of the Governor's judicial appointees to the lower state courts, prepared by his judicial screening committees. We pointed out that the Governor's *own* Executive Orders #10 and #11 *expressly* entitle the public to inspect those "written reports". Nevertheless, the Governor ignored that request -- much as he ignored our subsequent requests, pursuant to thereto, for access to those "written reports",

Consequently, much as we invoke F.O.I.L. to reinforce our access rights under Judiciary Law to the Judge Rosenblatt's "financial statement, we invoke F.O.I.L. to reinforce our rights under Executive Orders #10 and #11 to inspect the "written reports" of ALL the Governor's judicial appointees to the

March 30, 1999

lower state courts, from the inception of his administration in 1995 to the present.

Additionally, we invoke F.O.I.L. to obtain all publicly-accessible records responsive to the other *basic* information requested by our June 2, 1997 letter and subsequent correspondence -- access to which is not barred by Executive Orders #10 and #11. This includes: (1) written rules and procedures, if any, of the temporary judiciary screening committee; (2) a copy, in blank, of the questionnaire(s) that the temporary judicial screening committee required judicial candidates to complete, if any; (3) the "written notification", pursuant to ¶4 of Executive Order #11, from the chairpersons of the permanent judicial screening committees" to the chairman of the temporary judicial screening committee that the permanent committees were "fully operational"; (4) a copy of the "Uniform Rules of the Governor's Judicial Screening Committees" -- including the Appendices thereto consisting of copies, in blank, of the questionnaire(s) judicial candidates are required to complete; (5) records showing whether and when the county screening committees became "operational", including the names of the persons designated to each of the 62 county judicial screening committees by the chief executive officer of each county, as specified by ¶5 of Executive Order #10; (6) records showing the cost to the taxpayers of the Governor's judicial screening committees -- especially for "staff and resources" and "paid staff" required for their operations and investigative activity, as provided for by ¶7 of Executive Order #10. .

On a somewhat different subject, but also pursuant to F.O.I.L., we request a copy of the Governor's letter appointing Paul Shechtman to the Ethics Commission, in or about April 1997, and his letter appointing Mr. Shechtman as Chairman of his State Judicial Screening Committee, in or about December 1998.

If there are any fees for copying the records requested, please inform us before filling the request. As you know, F.O.I.L. requires your response within five business days of receipt of a request. If for any reason any portion of CJA's request is denied, please inform us of the reasons for the denial in writing and provide the name and address of the person or body to whom an appeal should be directed.

Thank you very much.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator  
Center for Judicial Accountability, Inc.

cc: Committee on Open Government

ATT: Robert J. Freeman, Executive Director

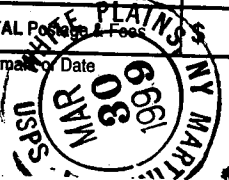
Z 509 073 632

US Postal Service  
**Receipt for Certified Mail**

No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to	Rosario Vizzola
Street & Number	Records Access Office
Room	Room 228 - Counsel
Post Office, State, & ZIP Code	Albany, NY 12224
Postage	\$ 1.43
Certified Fee	1.40
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	128
Return Receipt Showing to Whom, Date, & Addressee's Address	4.08
TOTAL Postage & Fees	
Postmark Date	

PS Form 3800, April 1995



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**SENDER:**

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- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
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I also wish to receive the following services (for an extra fee):

- 1.  Addressee's Address
- 2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
 Rosario Vizzola  
 Records Access Office  
 Executive Chamber  
 Room 228 - Office of Counsel  
 Albany, NY 12224

4a. Article Number  
 2-509-073-632

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
 3-4-99

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)  
 X [Signature]