

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Coordinator

BY FAX: 212-416-8068 (2 pages)

BY MAIL

March 22, 2000

New York State Attorney General
120 Broadway
New York, New York 10271

ATT: Terryl Brown, Records Access Officer

RE: Your March 13, 2000 letter

Dear Mr. Brown:

As your know, CJA's hand-delivered February 25, 2000 letter to you complained of "the Attorney General's *partial response* to CJA's October 15, 1999 F.O.I.L. request (Ref. # 99-149) and *non-response* to CJA's December 6, 1999 F.O.I.L. request".

Your March 13, 2000 letter responds to ONLY two-thirds of our December 6, 1999 F.O.I.L. request (Ref. # 99-197) and NOT AT ALL to our October 15, 1999 F.O.I.L. request. The respects in which that earlier F.O.I.L. request (#99-149) are unresponded-to are identified in the first page and a half of CJA's February 25, 2000 letter, to which CJA requests your response.

As to CJA's December 6, 1999 F.O.I.L. request (Ref. #99-197), you have failed to respond to the third of our three requests therein, which is for publicly-available documents as to:

"the Attorney General's procedures for ensuring the workproduct of assistant attorneys general assigned to defense of Article 78 proceedings and, in particular, those against the NYS Commission on Judicial Conduct"

So that there is no ambiguity, CJA is not requesting procedures "pursuant to CPLR 7804(c)..." -- which is the first of CJA's three December 6, 1999 F.O.I.L. requests -- but procedures pertaining to oversight/supervision of Assistant Attorneys General working in the Litigation Division and, in particular, Section "D", whether or not relating to Article 78 proceedings. This should include any documents relating to procedures for addressing conflict of interest. As part thereof, please provide any publicly-available documents pertaining to jurisdiction, structure, and operations of the Attorney General's "Employee Conduct Committee".

Please also advise as to whether there are any publicly-available documents showing:

- (1) whether and for what periods Assistant Attorney General Michael Kennedy was part of Section "D";
- (2) whether any other Sections of the Litigation Bureau represent State Court Judges and the Office of Court Administration; and
- (3) whether any other Sections of the Litigation Bureau represent the Commission on Judicial Conduct

A prompt response would be appreciated.

Thank you.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc. (CJA)