



STATE OF NEW YORK
UNIFIED COURT SYSTEM
25 BEAVER STREET
NEW YORK, NEW YORK 10004
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ANN PFAU
Chief Administrative Judge

JOHN W. McCONNELL
Counsel

June 17, 2011

Elena Ruth Sassower, Director
Center for Judicial Accountability, Inc.
P.O. Box 3002
Southampton, New York 11969

Dear Ms. Sassower:

This is in response to your recent Freedom of Information Law ("FOIL") requests.

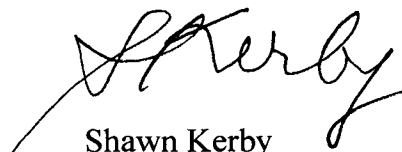
In response to your request for copies of records reflecting the "number and names of New York State judges who have resigned from office on grounds of insufficient compensation – particularly during the last ten years," please be advised that we have no existing record that lists such judges. We do not maintain our records in a manner that would permit us to respond to your request, and FOIL does not require that we compile information to create a record for you. See Public Officers Law § 89(3). Your request would require us to research various records regarding judges who retired or resigned, compile those files, read through the records contained in those files to determine whether any indicated the reasons for their retirement or resignations, and either compile the information for you or create a record listing such judges.

Moreover, even if you were to submit a FOIL request for a copy of a specific judge's letter of resignation, the disclosure of any existing responsive letter would be restricted partially. The non-factual portions, such as an opinion or subjective reason provided for a resignation or retirement, and any private or otherwise personal portions, would be redacted as they would not be subject to disclosure. See Public Officers Law §§ 87(2)(b), 87(2)(g), 89(2)(b). That you reference a particular newspaper article in which a specific judge volunteered his personal reasons for resigning from judicial office does not alter this FOIL analysis.

Enclosed please find a list of the law clerks and secretaries for the Appellate Term for the Ninth and Tenth Judicial Districts, and copies of the related title standards for Principal Law Clerk to Judge, Principal Secretary, and Secretary to Judge. I previously provided you with a copy of the title standard for "Appellate Court Attorney," which title does not appear on the staff for the Appellate Term for the Ninth and Tenth Judicial Districts. Rather, as you will see on the enclosed listing, that title appears for the Appellate Division, Second Department, and for one attorney who is in the Appellate Term for the Second Judicial District.

For your information, as a sample, I have enclosed a copy of the cover page, table of contents, and the appendix from the collective bargaining agreement that pertains to the Court Attorneys Association of the City of New York. The appendix lists some of the titles that are covered. Please be aware that there are other unions that represent some of these titles, depending on the court involved, and some unions have a public website that you can search for copies of their agreements.

Very truly yours,

A handwritten signature in black ink, appearing to read "S. Kerby", with a long, sweeping horizontal stroke extending to the left.

Shawn Kerby
Assistant Deputy Counsel

APPENDIX A

Assistant Appellate Court Attorney

2007 - 2011

COURT ATTORNEYS ASSOCIATION
OF THE CITY OF NEW YORK

and

STATE OF NEW YORK
UNITED COURT SYSTEM

between the

AGREEMENT

**COURT ATTORNEYS ASSOCIATION
OF THE CITY OF NEW YORK**

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APPENDIX A

Assistant Appellate Court Attorney
Assistant Court Attorney (NYC)
Associate Court Attorney
Associate Court Attorney (NYC)
Associate Court Attorney PT
Chief Court Attorney, Appellate Term, First Department
Chief Court Attorney
Chief Court Attorney*
Commercial Division, Law Clerk
Court Attorney
Court Attorney (NYC)
Court Attorney PT
Court Attorney-Referee
Deputy Chief Court Attorney
Legal Fellow
Principal Appellate Court Attorney
Principal Court Attorney
Principal Settlement Coordinator
Senior Appellate Court Attorney
Senior Court Attorney
Senior Court Attorney (NYC)
Senior Court Attorney (NYC) PT
Senior Court Attorney PT
Senior Settlement Coordinator
Settlement Coordinator

(Titles Covered Prior to Promulgation of Classification Plan)
April 1, 1979 through May 27, 1979

Chief Law Assistant
Special Referee
Supervising Special Referee
Law Assistant Trainee (Supreme, Surrogate's Court)
Law Assistant II (Supreme, Surrogate's Court)
Chief Law Assistant
Law Assistant II Appellate Term
Law Assistant Trainee 1st Dept.

TITLE: PRINCIPAL LAW CLERK TO JUDGE**Effective Date:** 03/17/1989**Title Code Number:** 9443277**Salary Grade:** 31**Jurisdictional Classification:** EX-CONF**DISTINGUISHING FEATURES OF WORK:**

Principal Law Clerks to Judge are responsible for researching and analyzing uniquely intricate, complex and sensitive legal issues and questions for individual judges. They also provide other personal and confidential assistance to an individual judge or judges. Principal Law Clerks to Judge are appointed by judges of all Supreme Courts, the Court of Claims, and in the following courts in accordance with staffing needs: County Courts with two (2) or more full- time judges or with one (1) full-time judge and combined annual filings of indictments and Supreme Court civil actions exceeding 650; and Surrogate's Courts with ten (10) or more non- judicial employees (excluding Chief Clerks and Judges' personal appointees). Principal Law Clerks to Judge are personally appointed by the judge or judges for whom they work and serve at their pleasure.

TYPICAL DUTIES:

Researches and analyzes legal questions and issues and prepares memoranda with recommendations.

Drafts opinions, decisions, orders, jury charges, correspondence, and other written material.

Confers with lawyers on unusual or complex proceedings and reviews legal documents filed in connection with such proceedings.

Reviews and verifies citations.

Confers with and advises judge on legal issues.

Arranges judge's calendar and schedules meetings and conferences.

Conducts conferences with litigants and other parties to legal actions to clarify issues to be resolved or to settle cases.

The above statements are intended to describe the general nature and level of work being performed by persons assigned to this title. They do not include all job duties performed by employees in this title, and every position does not necessarily require these duties.

KNOWLEDGE, SKILLS, AND ABILITIES:

Ability to write clear and concise prose.

Knowledge of the laws and rules governing civil and criminal practice, the New York State and Federal Constitutions; legal terminology and forms.

Knowledge of trial and hearing procedures.

Ability to organize factual and legal data into clear and logical sequence.

Ability to handle sensitive matters on a confidential basis.

Ability to read and comprehend complex legal and other technical data.

Ability to analyze legal issues and identify relevant case opinions and facts.

Ability to communicate orally in a clear and succinct manner and to communicate technical language to laymen.

Ability to interpret laws, rules and regulations.

Ability to establish work priorities.

Ability to work independently.

Knowledge of interviewing techniques.

QUALIFICATIONS:

Admission to the New York State Bar;

and

Two (2) years of service in the Associate Law Clerk to Judge title;

or

Five (5) years of relevant legal experience after admission to the New York State Bar.

TITLE: PRINCIPAL SECRETARY TO JUDGE

Effective Date: 05/28/1979

Title Code Number: 9444305

Salary Grade: 19

Jurisdictional Classification: EX-CONF

DISTINGUISHING FEATURES OF WORK:

Principal Secretaries to Judges provide personal and confidential legal and administrative secretarial services and perform other related duties for Deputy Chief Administrative Judges, Administrative Judges in the Third through Ninth Judicial Districts, Administrative Judges of Nassau and Suffolk Counties, and Administrative Judges of the Court of Claims and the Supreme, Civil, Criminal, and Family Courts in the City of New York.

TYPICAL DUTIES:

Takes and transcribes dictation of orders, memoranda, opinions, decisions, correspondence, administrative reports and directives, and other materials.

Transcribes tapes from dictating equipment.

Types legal documents and other materials from handwritten drafts.

Proofreads typed material for accuracy and corrects punctuation, spelling, and grammar.

Verifies legal citations and references.

Composes correspondence for the judge's review and signature.

Reads newspaper articles and other literature and clips relevant articles and decisions.

Maintains appointment calendar, arranges meetings, and schedules cases and conferences.

Organizes and maintains administrative and personal records, legal files, and files on calendars and motions.

Operates a variety of office machinery including photocopier, typewriter, calculator, and dictating equipment.

Screens visitors and telephone calls and answers inquiries or refers them to other personnel.

Makes travel and lodging arrangements and processes vouchers for reimbursement of expenses.

Confers with judges, administrative, and court personnel at the judge's request.

Distributes administrative memoranda prepared by Administrative Judges and circulates briefs to Associate Justices of the Appellate Divisions.

Manages the operation of chambers in the judge's absence.

Takes notes and minutes at conferences and meetings.

Places law library books on shelves, inserts supplements, and maintains record cards on books.

Monitors the submission of reports from courts or court agencies.

Extracts information from office records and prepares or assists in the preparation of informational, statistical, and administrative reports.

The above statements are intended to describe the general nature and level of work being performed by persons assigned to this title. They do not include all job duties performed by employees in this title, and every position does not necessarily require these duties.

KNOWLEDGE, SKILLS, AND ABILITIES:

Ability to take and transcribe dictation of legal material at the rate of one hundred-twenty (120) words per minute.

Ability to type finished material at the rate of sixty (60) words per minute.

Ability to understand and follow oral and written instructions.

Ability to use correct English grammar, spelling, and punctuation at a level equivalent to a twelfth grade education.

Ability to read and comprehend at a level equivalent to a twelfth grade education.

Knowledge of legal terminology.

Knowledge of established format for preparing legal documents and forms.

Ability to communicate in a clear and succinct manner.

Ability to use legal and other office reference materials to verify citations and facts.

Knowledge of court procedures and practices.

Knowledge of clerical and office procedures.

Ability to exercise independent judgment and to work without close supervision.

Ability to operate dictating equipment and other office machinery.

Ability to organize factual material into clear and logical sequences.

Ability to exercise tact and patience.

Ability to handle sensitive matters on a confidential basis.

Arithmetic ability at the eighth grade level.

Ability to establish work priorities.

QUALIFICATIONS:

High school diploma or the equivalent and four (4) years of legal secretarial experience requiring stenography;

or

Satisfactory completion of a certified business or commercial course beyond the high school level including course work in legal stenography and three (3) years of legal secretarial experience requiring stenography;

or

An equivalent combination of education and experience.

TITLE: SECRETARY TO JUDGE**Effective Date:** 09/16/1999**Title Code Number:** 9444476**Salary Grade:** 17**Jurisdictional Classification:** EX-CONF**DISTINGUISHING FEATURES OF WORK:**

Secretaries to Judges provide personal and confidential legal secretarial services and perform other related duties for judges who serve in the Supreme Court, Court of Claims, City, Family, County, Surrogate's and District Courts. Secretaries to Judge may also perform clerical and reporting duties in a courtroom or court office. In courts where the Secretary to Judge provides personal and confidential legal secretarial services for more than one judge, the appointing authority is the Chief Administrative Judge.

TYPICAL DUTIES:

Makes use of various types of electronic data, word processing, and information processing equipment to check, obtain, originate, modify, or delete information for a variety of court or administrative records.

Prepares orders, memoranda, opinions, decisions, correspondence, reports, and other legal materials.

Transcribes tapes from dictating equipment.

Keyboards legal documents and other materials from handwritten drafts.

Verifies legal citations and references.

Proofreads material for accuracy and correct punctuation, spelling, and grammar.

Composes correspondence for the judge's review and signature.

Reads newspaper articles and other literature and clips relevant articles and decisions.

Maintains appointment calendar, arranges meetings, and schedules cases and conferences.

Organizes and maintains office and personal records, legal research files, and files on calendars, motions, and requests for transcripts.

Screens visitors and telephone calls and answers inquiries or refers them to other personnel.

Makes travel and lodging arrangements and processes vouchers for reimbursement of expenses.

Takes and transcribes testimony or prepares summaries of proceedings.

Places law library books on shelves, inserts supplements, maintains record cards on books, and prepares vouchers for payment of legal and other materials.

Accepts and processes pistol permit applications.

Accepts fees, fines, and other monies and records, issues receipts, and records transactions.

Prepares individual assignment system calendars, schedules cases, and maintains related documents, files, and case management records.

Annotates court calendars and docket books.

Operates a variety of office machinery.

May take and transcribe dictation or transcribe electronically recorded dictation.

The above statements are intended to describe the general nature and level of work being performed by persons assigned to this title. They do not include all job duties performed by employees in this title, and every position does not necessarily require these duties.

KNOWLEDGE, SKILLS, AND ABILITIES:

Knowledge of legal terminology.

Knowledge of established format for preparing legal documents and forms.

Knowledge of court procedures and practices.

Knowledge of clerical procedures.

Ability to take and transcribe dictation of legal material at the rate of one hundred (100) words per minute.

Ability to type finished material at a rate of forty-five (45) words per minute.

Ability to understand and follow oral and written instructions.

Ability to use correct English grammar, spelling, and punctuation.

Ability to read and comprehend narrative and other material.

Ability to communicate in a clear and succinct manner.

Ability to use legal and other office reference materials to verify citations and facts.

Ability to read and interpret written instructions or procedures and apply them to the preparation or processing of documents.

Ability to establish work priorities.

Ability to perform arithmetic calculations used in preparing standardized statistical reports.

Ability to operate office equipment.

Ability to exercise tact and patience.

Ability to handle sensitive matters on a confidential basis.

Ability to exercise independent judgment and to work without close supervision.

QUALIFICATIONS:

High school diploma or the equivalent and two (2) years of legal secretarial experience;
or

An equivalent combination of education and experience.

Judges Name	Judges Title	Employee Name	Title
Nicolai, Francis A	Sup Ct Jus, Cert PJAT	Florio, Lisa M	Prin Lw Clk Jge
Nicolai, Francis A	Sup Ct Jus, Cert PJAT	Lopriore, Mary Anne T	Prin Secy Jge
Lacava, John R	Sup Ct Jus, Dst 9 AT	Mechmann, John R	Prin Lw Clk Jge
Lacava, John R	Sup Ct Jus, Dst 9 AT	Smith, Eva Nilsson	Secy Jge
Iannacci, Angela G	Sup Ct Jus, Cert- PJAT	Samenga, Mary B	Prin Lw Clk Jge
Iannacci, Angela G	Sup Ct Jus, Dst 10 AT	Yurack, Nancy E	Secy Jge
Tanenbaum, Melvyn	Sup Ct Jus, Cert AT	Coward, Kathryn L	Prin Lw Clk Jge
Tanenbaum, Melvyn	Sup Ct Jus, Cert AT	Grossman, Annamaria	Secy Jge
Molia, Denise F	Sup Ct Jus, Dst 10 AT	Brunjes, Gary M	Prin Lw Clk Jge
Molia, Denise F	Sup Ct Jus, Dst 10 AT	Vandewater, Frances P	Secy Jge

Payroll Agency	Location	Descr	Line	Name	Descr
05127	02-12080	AD 2nd Attorney for Child Offc	04360	Maureen Roaldsen	App Court Attorney
05127	02-12286	Appellate Division - 2nd Dept	04405	David Long	App Court Attorney
05127	02-12286	Appellate Division - 2nd Dept	04395	Jack Lockwood	App Court Attorney
05127	02-12286	Appellate Division - 2nd Dept	04367	Vanessa Pairis	App Court Attorney
05127	02-12286	Appellate Division - 2nd Dept	03347	Melissa Murphy	App Court Attorney
05127	02-12286	Appellate Division - 2nd Dept	04394	Timothy Wasiewski	App Court Attorney
05127	02-12286	Appellate Division - 2nd Dept	03356	Matthew Algeri	App Court Attorney
05127	02-12074	AD 2nd Appellate Term	03507	Danielle Frisa	App Court Attorney
05127	02-12286	Appellate Division - 2nd Dept	03282	Loretta Buckley	App Court Attorney
05127	02-12286	Appellate Division - 2nd Dept	03345	Robert Elting	App Court Attorney
05127	02-12286	Appellate Division - 2nd Dept	03135	Deborah Hill	App Court Attorney
05127	02-12286	Appellate Division - 2nd Dept	04403	Linda Acus	App Court Attorney
05127	02-12286	Appellate Division - 2nd Dept	03310	Jota Borgmann	App Court Attorney
05127	02-10358	Appellate Division - 2nd Dept	04374	Shannon Fishel	App Court Attorney
05127	02-10358	Appellate Division - 2nd Dept	03140	Heather Gushue	App Court Attorney
05127	02-12286	Appellate Division - 2nd Dept	04418	Tara West	App Court Attorney
05127	02-12286	Appellate Division - 2nd Dept	03364	Jannine Gordineer	App Court Attorney
05127	02-12286	Appellate Division - 2nd Dept	04402	Jeffrey Gasbarro	App Court Attorney
05127	02-12286	Appellate Division - 2nd Dept	03310	Bari Bugge	App Court Attorney
05127	02-12286	Appellate Division - 2nd Dept	04367	Crystal McMahan	App Court Attorney
05127	02-12286	Appellate Division - 2nd Dept	04418	Ben Sosne	App Court Attorney