

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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October 6, 2015

Shawn Kerby, Records Access Officer & Assistant Deputy Counsel
Office of Court Administration

RE: Records Request: Appellate Division Rules of Attorney Discipline – and the Action/Inaction of the Chief Administrator and Administrative Board of the Unified Court System with Respect Thereto

Dear Ms. Kerby:

Pursuant to §124 of the Chief Administrator's Rules and Public Officers Law, Article VI [Freedom of Information Law (F.O.I.L.)], this is to request:

- (1) all publicly-available records pertaining to the process by which the four Appellate Divisions promulgate and amend their rules, particularly their rules for attorney discipline. As illustrative and, in particular, please furnish all publicly-available records pertaining to the process by which the four Appellate Divisions each promulgated interim suspension rules in response to the Court of Appeals' decision in *Matter of Padilla and Gray*, 67 N.Y.2d 440 (1986) – 22 NYCRR §§603.4[e], 691.4[1], 806.4[f], 1022.20[e] – and then amended or failed to amend them in response to the Court of Appeals' decision in *Matter of Russakoff*, 79 N.Y. 2d 520 (1992);
- (2) all publicly-available records pertaining to the actions and inactions of the Chief Administrator and the Administrative Board of the Unified Court System with respect to attorney discipline, including with respect to the Appellate Divisions' four sets of attorney disciplinary rules, and, specifically, their aforesaid interim suspension rules.

Pursuant to §124.6 of the Chief Administrator's Rules and Public Officers Law §89.3, your response is required "within five business days" of your receipt of this request. I would appreciate if you e-mailed it to me at elena@judgewatch.org.

Thank you.

Yours for a quality judiciary,



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