



**NEW YORK STATE**  
**Unified Court System**

OFFICE OF COURT ADMINISTRATION

LAWRENCE K. MARKS  
CHIEF ADMINISTRATIVE JUDGE

JOHN W. McCONNELL  
COUNSEL

March 4, 2016

Elena Ruth Sassower, Director  
Center for Judicial Accountability, Inc.  
P.O. Box 8101  
White Plains, New York 10602

Via email to: [elena@judgewatch.org](mailto:elena@judgewatch.org)

Dear Ms. Sassower:

This is in response to your Freedom of Information Law ("FOIL") request dated December 9, 2015, concerning the judicial salary increases recommended by the Commission on Judicial Compensation ("Commission") in its August 29, 2011 report.

Your request for "all publicly-available records identifying" budget amounts, "General State Charges," "costs," and "increases" for judicial salaries for four fiscal years is overly broad, does not reasonably identify specific records to permit a search, and would require interpretation, research, compilation of information, and creation of records. See Public Officers Law § 89(3).

To the extent you can compile related information, please refer to the following link regarding Judiciary budgets and General State Charges:  
<http://www.nycourts.gov/admin/financialops/budgets.shtml>

You may wish to contact the Comptroller's Office in the event that agency maintains any responsive related records subject to public disclosure.

Very truly yours,

Shawn Kerby  
Assistant Deputy Counsel

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December 9, 2015

Shawn Kerby, Records Access Officer & Assistant Deputy Counsel  
Office of Court Administration  
25 Beaver Street, 11th Floor  
New York, New York 10004

RE: FOIL/Records Request: The Dollar Amounts of the Judicial Salary Increases Recommended by the Commission on Judicial Compensation's August 29, 2011 Report – and "General State Charges" Resulting Therefrom

The first page of the Executive Summary of the Judiciary's "operating budget" for fiscal year 2016-2017 states that in the past six years, the Judiciary has "absorbed hundreds of millions of dollars in higher costs.<sup>fm1</sup>". The annotating footnote 1 identifies these to include "judicial salary adjustments implemented pursuant to the recommendations of the 2011 Special Commission on Judicial Compensation."

By the euphemism "judicial salary adjustments", the Judiciary means judicial salary increases – and their costs were borne by the taxpayers – just as the costs of additional "General State Charges" resulting therefrom.

The Judiciary's "operating budget" for fiscal year 2016-2017 does not furnish the dollar amounts of the judicial salary increases the Judiciary "absorbed" for fiscal years 2012-2013; 2013-2014; 2014-2015; 2015-2016, either as to those years individually or those years cumulatively. Nor does its separately-presented "General State Charges" identify dollar changes resulting from the judicial salary increases.

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 all publicly-available records identifying these dollar amounts in each of the four past fiscal years.

Public Officers Law §89.3 requires your response "within five business days" of receipt of this request – and I would appreciate if you e-mailed it to me at [elena@judgewatch.org](mailto:elena@judgewatch.org).

Thank you.

