

From: FOIL <FOIL@nycourts.gov>
Sent: Tuesday, November 9, 2021 3:59 PM
To: Center for Judicial Accountability, Inc. (CJA)
Subject: **RE: Sept. 28, 2021 FOIL/records request, arising from unresponded-to Aug. 27, 2021 complaints to OCA Inspector General Spatz, vs 1st & 3rd Dept. Appellate Division Attorney Grievance Committee Chief Attorneys Dopico & Duffy**

Dear Elena Sassower,

This is in response to your FOIL request below, seeking 3 categories of documents:

- (1) your written guidelines and procedural rules for handling complaints received from members of the public, including any requirement that complaints be assigned numbers for accountability purposes;
- (2) annual reports you have rendered each year since 2012 – or statistical summaries – reflecting your dispositions of complaints received from members of the public;
- (3) your written requests to the Unified Court System for appropriations to fund its office of Inspector General, each year since 2007 – and reflecting your salary and that of Deputy Inspector General Carol Hamm.

Please be advised that we have no documents responsive to categories 1 and 2. Concerning category 3, please clarify whether you seek the IG budget requests for 2007 to present, or the salary information for the Inspector General and Dep. Inspector General. Please be advised that the IG budget requests do not include the salary information you have requested, however, we can provide a payroll history for both individuals in lieu thereof.

I look forward to your response and my apologies for the delay.

Kind regards,

Michael Siudzinski
Assistant Deputy Counsel
Interim FOIL Officer

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, November 4, 2021 3:36 PM
To: FOIL <FOIL@nycourts.gov>
Cc: Shawn Kerby <skerby@nycourts.gov>; IG <ig@nycourts.gov>; AD1-AGC <AD1-AGC@nycourts.gov>; AD1-AGC-newcomplaints <AD1-AGC-newcomplaints@nycourts.gov>; Celina Nelson <cmnelson@nycourts.gov>

Subject: **Sept. 28, 2021 FOIL/records request, arising from unresponded-to Aug. 27, 2021 complaints to OCA Inspector General Spatz, vs 1st & 3rd Dept. Appellate Division Attorney Grievance Committee Chief Attorneys Dopico & Duffy**

TO: Unified Court System FOIL/Records Access Officer

According to an [e-mail just received from former FOIL/Records Access Officer Shawn Kerby](#), my below September 28, 2021 FOIL/records request, that had been sent to her on that date with the above three attachments, should be directed to you.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200
elena@judgewatch.org

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, September 28, 2021 9:32 AM
To: 'ig@nycourts.gov' <ig@nycourts.gov>
Cc: 'skerby@nycourts.gov' <skerby@nycourts.gov>

Subject: UPDATE & RECORDS REQUEST -- CJA's unresponded-to Aug. 27, 2021 complaints vs 1st & 3rd Dept. Appellate Division Attorney Grievance Committee Chief Attorneys Dopico & Duffy

TO: Unified Court System Inspector General Sherrill Spatz, ESQ.

A month has passed since I sent you my below August 27, 2021 e-mail with the two above-attached complaints against First Department Attorney Grievance Committee Chief Attorney Jorge Dopico and against Third Department Attorney Grievance Committee Chief Attorney Monica Duffy. I have received no acknowledgment of receipt and, contrary to the instructions at the top of your complaint forms, I have not been “contacted by a member of [your] staff responsible for investigating [these] complaint[s]”.

On September 1st, I called your office (646-386-3500), inquiring about when I would be receiving an acknowledgment and your protocol for complaints. Court Analyst Eva Moy picked up the phone (3:50 p.m.), told me it was not necessary to re-send the complaints, and assured me my message would be passed on to you.

Did you get that message – and what have you done, during the past month, to investigate my August 27th complaints?

By way of update, when I filed my complaint against Chief Attorney Duffy, I was unaware that two days earlier, on August 25th, she had sent me two letters. One was entitled “[Notice of Declination to Investigate a Complaint](#)” and purported that the Third Department Attorney Grievance Committee was “unable to assist [me]” with regard to three of four complained-against attorneys. The [other](#) informed that the fourth attorney was within the jurisdiction of the Second Department Attorney Grievance Committee for the Tenth Judicial District, to which my complaint had been transferred.

It was only on September 17th, upon doing a search of my inbox, preliminary to writing you, that I discovered these two letters and, additionally, a [September 15, 2021 letter of Tenth Judicial District Attorney Grievance Committee Staff Attorney Rachel Merker](#) purporting that that Committee was “unable to assist [me]” with respect to the transferred complaint.

I responded to these by a [September 20, 2021 letter to the Chair of the Third Department Attorney Grievance Committee](#) and by a [September 24, 2021 letter to Tenth Judicial District Attorney Grievance Committee Chief Counsel Catherine Sheridan](#).

In keeping with the Unified Court System’s “[Mission Statement](#)” of “operating with integrity and transparency”, posted on your [homepage](#), kindly furnish me with:

- (1) your written guidelines and procedural rules for handling complaints received from members of the public, including any requirement that complaints be assigned numbers for accountability purposes;
- (2) annual reports you have rendered each year since 2012 – or statistical summaries – reflecting your dispositions of complaints received from members of the public;
- (3) your written requests to the Unified Court System for appropriations to fund its office of Inspector General, each year since 2007 – and reflecting your salary and that of Deputy Inspector General Carol Hamm.

By copy of this e-mail to OCA Records Access Officer Shawn Kerby, I request same pursuant to §124 of the Chief Administrator’s Rules [FOIL] – and herewith furnish, as illustrative of the kind of written guidelines and procedural rules for complaints that I am here seeking, the New York City Department of Investigation’s Manual, Section 200, entitled “Complaint Intake; Opening and Tracking Procedures”.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, August 27, 2021 4:28 PM
To: 'ig@nycourts.gov' <ig@nycourts.gov>

Subject: Complaints vs 1st & 3rd Dept. Appellate Division Attorney Grievance Committee Chief Attorneys Jorge Dopico & Monica Duffy

[TO: Unified Court System Inspector General Sherrill Spatz, ESQ.](#)

Following up the message I left with Marilyn earlier this afternoon, attached are my completed complaint forms for FULLY-DOCUMENTED complaints against First Department Attorney Grievance

Committee Chief Attorney Jorge Dopico & Third Department Attorney Grievance Committee Chief Attorney Monica Duffy.

The EVIDENTIARY webpage for the complaint against Chief Attorney Dopico is here:

<http://www.judgewatch.org/web-pages/searching-nys/attorney-discipline/feb-11-21-complaint-1st-dept.htm>.

The EVIDENTIARY webpage for the complaint against Chief Attorney Duffy is here:

<http://www.judgewatch.org/web-pages/searching-nys/attorney-discipline/feb-11-21-complaint-3rd-dept.htm>.

I look forward to being “contacted by a member of [your] staff responsible for investigating [my] complaint”, [as indicated at the top of your complaint form](#) – and soon.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
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