

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Coordinator

BY PRIORITY MAIL

May 30, 2001

Professor Arthur Kinoy
76 North Fullerton Avenue
Montclair, New Jersey 07042

RE: Finding People's Lawyers to champion the public interest in the *already-perfected* appeal, *Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc., acting pro bono publico, against Commission on Judicial Conduct of the State of New York (NY Co. #108551/99)*, to be argued in the Appellate Division, First Dept in the September 2001 Term

Dear Professor Kinoy:

Following up our telephone conversation this morning, enclosed is a copy of my hand-delivered May 10th letter to William Goodman, Legal Director of the Center for Constitutional Rights, to which you are an indicated recipient. This letter updated Mr. Goodman as to the "extraordinary" status of the above-entitled public interest appeal against the New York State Commission on Judicial Conduct, providing him with the substantiating documents.

Copies of these documents are enclosed for your review. These consist of:

- (1) the Stipulation between myself and the Commission's attorney, the New York State Attorney General, putting the appeal over to the September 2001 term
- (2) my April 18th and May 3rd letters to Attorney General Spitzer, as well as my May 3rd letter to Deputy Solicitor General Belohlavek;
- (3) the Attorney General's Respondent's Brief and my Critique thereof

Mr. Goodman's response to my document-supported May 10th letter was no response. I did follow it up with two phone calls for him. In the first, on May 11th, he picked up the phone, but told me that he was in a meeting and would call back. He never did. In the second, on May 22nd, I left a voice mail message on his machine, requesting that we set up a meeting at which you could be present, as well as other members of the civil liberties community. No call back.

As you know, when I telephoned you this morning, it was fresh from the trauma of having had Mr. Goodman slam the phone down on me. This, after he told me that the case was "too much effort" for the Center for Constitutional Rights to be involved in. To no avail, I pointed out that this was not so, that ALL the "heavy lifting" in this important public interest case had already been done by my Appellant's Brief, as well as by my exhaustive Critique of the Respondent's Brief showing that, from beginning to end, it was fashioned on wilful falsification, distortion, and misrepresentation of the facts and law and that the Attorney General's duty was to withdraw it, on pain of sanctions, and to join in the appeal.

I must tell you that following our conversation together, I again phoned Mr. Goodman because I was greatly concerned that he might discard the appellate materials and with them the underlying lower court file I had provided him when I met with him in his office on February 1st. This second phone conversation was even more shocking. After telling Mr. Goodman that I had just spoken with you, Mr. Goodman not only accused me of "bothering" you [or did he say "bugging" you?], but, in response to my attempt to better understand what about the *already-perfected* appeal was "too much effort", he told me that it would be necessary for him to verify my papers because he "do[es]n't trust what [I] do and what [I] say" and that I have "zero credibility". He refused to explain why this was so – where my papers, on their face, are so obviously meticulous and record-referenced – and where their accuracy has been wholly *uncontroverted* by the Attorney General. Indeed, as I pointed this out to Mr. Goodman, he again hung up on me. I then phoned him a third time, lest he not be clear that he was not to discard the appellate papers and underlying case file. While telling him that it was my expectation that that he would be at a meeting with yourself, Ron Kuby, Alan Dershowitz, the ACLU, the Brennan Center for Justice, he again hung up on me. This, as I was reciting the list of those I hoped would be present at such strategy session.

As discussed this morning, I believe that Mr. Goodman's indefensible conduct is the result of his personal and professional relationships with some of the powerful and important people, inside government and out, who are implicated by the systemic judicial and governmental corruption the case documents. I leave it to you, as a co-founder of the Center for Constitutional Rights, to ensure that the Center's noble public interest advocacy, using "law as a positive force for social change", is not so compromised – and that civic-minded citizens who are filling the breach left by Establishment and People's Lawyers alike, are not insulted and abused for their efforts.

Finally, enclosed is a copy of my May 16th letter to Mr. Kuby, to which you are also an indicated recipient. As discussed, I was so very gratified that Mr. Kuby, to whom I spoke this morning shortly before calling Mr. Goodman, told me I could send him the appellate papers and that I could call him, after two weeks' time, to discuss them.

Again, I thank you for your help in finding People's Lawyers to tackle the transcendent issues of judicial accountability and government integrity presented by the appeal of my public interest lawsuit against the New York State Commission on Judicial Conduct.

Yours for a quality judiciary,



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

Enclosures

cc: William Goodman, Legal Director
Center for Constitutional Rights