

## Center for Judicial Accountability

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**From:** Center for Judicial Accountability <elena@judgewatch.org>  
**Sent:** Monday, March 28, 2016 12:50 PM  
**To:** 'Newsroom@nysnys.com'; 'snyder@nysenate.gov'  
**Subject:** Press Release: Lawsuit Challenging NY's "Three-Men-in-a-Room" Budget Deal-Making (1st ever?!)  
**Attachments:** 3-28-16-press-release-letterhead.doc; 3-28-16-press-release.doc

Dear Teresa,

Following up our phone conversation this morning, I greatly appreciate your distribution of the attached, with I've furnished to you in word – and in two versions: one on the Center for Judicial Accountability's letterhead and one not. Kindly select which you deem more appropriate – and furnish to the members of the Legislative Correspondents' Association, etc.

Thank you.

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

# CENTER for JUDICIAL ACCOUNTABILITY, INC.\*

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Monday, March 28, 2016

## P R E S S   R E L E A S E

### Lawsuit Challenging New York's "Three-Men-In-A-Room" Budget Deal-Making (1st ever?!)

“[E]ven more opaque” this year than in previous years.

That is how yesterday's Wall Street Journal describes New York's behind-closed-doors “‘three men in a room’ process of negotiating the roughly \$154 billion budget” – with quotes from Senate Minority Leader Andrea Stewart-Cousins:

“This year's budget process has been nothing but a series of covert meetings and phone calls shielded from the press and public”

and from Senate Finance Committee Ranking Member Liz Krueger that:

“[the secrecy] has never been acceptable but never seems to change”.

(<http://www.wsj.com/articles/new-york-state-budget-set-to-omit-tighter-rules-on-ethics-1459127730>)  
– “New York State Budget Set to Omit Tighter Rules on Ethics”, Erica Orden, Mike Vilensky).

Apparently, no one has ever bought a court challenge to the constitutionality and lawfulness of “‘three men in a room’ budget deal-making, let alone its exclusion of legislators, the public, and the press – until now.

Last Wednesday, March 23rd, the non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA), filed lawsuit papers for a declaration that New York's three-men-in-a-room budget deal-making is unconstitutional and unlawful – as likewise the whole of the executive budget for fiscal year 2016-2017 resting thereon and upon a mountain of other constitutional, statutory and rule violations.

The court papers are posted on CJA's website, [www.judgewatch.org](http://www.judgewatch.org), accessible from the prominent homepage link: “CJA's Citizen-Taxpayer Action to End NYS' Corrupt Budget ‘Process’ & Unconstitutional ‘Three Men in a Room’ Governance”. The direct link to the webpage for the March 23rd order to show cause and verified second supplemental complaint is here: <http://www.judgewatch.org/web-pages/searching-nys/budget/3-23-16-osc-2nd-supp-complaint.htm>.

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\* Center for Judicial Accountability, Inc. (CJA) is a national, non-partisan, non-profit citizens' organization, working to ensure that the processes of judicial selection and discipline are effective and meaningful.

March 28, 2016 PRESS RELEASE, page 2:  
Lawsuit Challenging New York's "Three-Men-In-A-Room" Budget Deal-Making (1st ever?!)

The verified second supplemental complaint is a paper-trail of the corruption of the state budget process, focused on the slush-fund \$4 billion legislative/judiciary budget bill and the "force of law" judicial salary increases recommended by the Commission on Legislative, Judicial and Executive Compensation whose \$27-plus million dollar cost for fiscal year 2016-2017 will take effect, automatically, on April 1st unless overridden by the Legislature before then. Most germane to these – and to the whole of the executive budget – are the following:

- (1) the 12<sup>th</sup> cause of action (at pp. 36-53) "Nothing Lawful or Constitutional Can Emerge From a Legislative Process that Violates its Own Statutory & Rule Safeguards – and the Constitution";
- (2) the 13<sup>th</sup> cause of action (at pp. 53-67) "Chapter 60, Part E of the Laws of 2015 [creating the Commission on Legislative, Judicial and Executive Compensation] is Unconstitutional, *As Written...*", particularly its Parts D & E (at pp. 60-67); and
- (3) the 16<sup>th</sup> cause of action (at pp. 80-85) "Three-Men-in-a-Room Budget Deal-Making is Unconstitutional, *as Unwritten and as Applied*".

The "Prayer for Relief" (at pp. 86-90) lays out the declarations of unconstitutionality and unlawfulness that we seek.

I am available to be interviewed and to assist you, to the max. Call anytime, day or night.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
914-421-1200  
Cell/text: 646-220-7987  
[www.judgewatch.org](http://www.judgewatch.org)

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