

rec'd 12/28/95



STATE OF NEW YORK  
COMMISSION ON JUDICIAL CONDUCT  
801 SECOND AVENUE  
NEW YORK, NEW YORK 10017  
(212) 949-8860

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- Hon. Evelyn L. Braun
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Counsel

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Deputy Counsel

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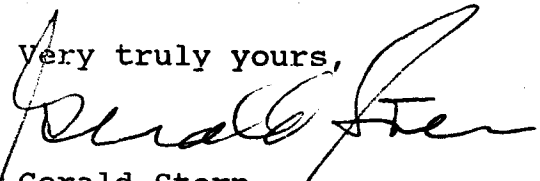
December 26, 1995

Elena Ruth Sassower  
Center for Judicial Accountability, Inc.  
Box 69 Gedney Station  
White Plains, New York 10605

Dear Ms. Sassower:

Your letter dated December 15, 1995, to Patricia Gorman, counsel to the Assembly Judiciary Committee, states incorrectly that the Commission has failed to respond to your letter of September 14, 1995.

Enclosed is a copy of my letter dated September 26, 1995, in response to your letter.

Very truly yours,  
  
Gerald Stern

cc: Patricia Gorman, Counsel

Enclosure



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CONFIDENTIAL

September 26, 1995

Ms. Elena Ruth Sassower  
Center for Judicial Accountability, Inc.  
Box 69, Gedney Station  
White Plains, New York 10605

Dear Ms. Sassower:

In reply to your letter of September 14, 1995, I regret that I have disappointed you about my knowledge of "Black-letter decisional law" (your emphasis). I must decline the invitation to "produce some legal authority" on the issue you raised and on the decisions you have cited in your September 14 letter.

As I have explained to you in person numerous times, the Commission is not a court of law, and, especially, is not an appellate court. There is a difference between decisions that are wrong and judicial misconduct. I understand how strongly you feel about the decisions affecting the suspension of your mother's license to practice law. The Commission has determined that those decisions do not constitute judicial misconduct.

With respect to your reference to the Commission re-considering its decision, I know of nothing before the Commission at this time. Your letters to me have not initiated a review of the Commission's decisions. Perhaps if you believe you have submitted any new information (as distinguished from arguments), you should write to the Commission and indicate what new information you are submitting.

I am pleased that we have resolved all issues concerning your access to public files. I note that you have been at our office several times since we were sending copies of our letters to Robert Freeman. I also appreciate your cooperation in arranging mutually convenient times so that Alan Friedberg, Esq., of my staff, is available. I was pleased to see you in court recently in the trial I was participating in. It was one of the few (of over 200) that was public. Perhaps the Center for Judicial Accountability Inc. would endorse the Commission's

Ms. Elena Ruth Sassower  
September 26, 1995  
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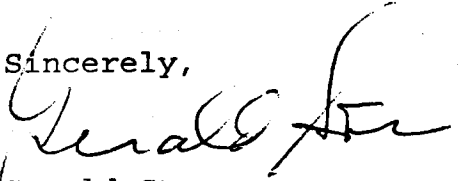
recommendation for public disciplinary hearings. At present, only the judge under charges can decide whether the hearing is public.

I was also pleased that during a break, you and I had the chance to renew our respective positions.

I was puzzled by your argument that the matter you were observing, against a full-time judge, supported your theory that we pursue only town and village justices. In any event, I hope the hearing was instructive.

Because we seem to have omitted Mr. Freeman from our recent, friendly communications, I am sending him a copy of this letter.

Sincerely,



Gerald Stern

GS:wg

cc: Robert Freeman, Esq.