

rec'd 4/22/96



COMMISSION ON JUDICIAL CONDUCT

801 SECOND AVENUE, 13TH FLOOR
NEW YORK, NEW YORK 10017

STATE OF NEW YORK

Gerald Stern
Administrator & Counsel
Ext 231

April 18, 1996

212-949-8860
Telephone

212-949-8864
Fax

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

Dear Ms. Sassower:

This is in response to your letter of April 17, 1996.

As you know, a government agency must make available, on request, records that are not confidential by law upon the payment of 25 cents per page. Most of the records of the State Commission on Judicial Conduct are confidential, including minutes of meetings. Government agencies are not required to respond to inquiries, other than to provide records covered by the Freedom of Information Law, and are certainly not obligated either to engage in debates on policy or legal matters or to provide reasons for their decisions. (I do make it a practice, however, to respond promptly to your letters.)

In response to your letter of April 17, Judge Newton was appointed to the Commission by Chief Judge Judith Kaye commencing on January 19, 1994, and then for a four-year term commencing on April 1, 1996. Judge Newton has attended all Commission meetings over the past two years -- the period covered by the inquiries in your April 17, 1996 letter to me.

I will not provide any additional information as to what was discussed at these meetings. Nor do I intend to track each of your many letters to determine whether they were distributed to members or discussed, and if distributed and discussed, what was said.

Ms. Elena Sassower
April 18, 1996
Page 2

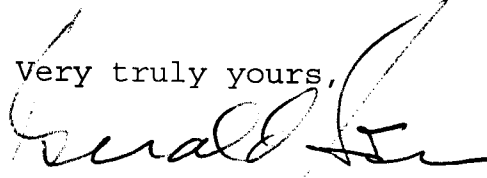
The Commission members receive every complaint made. Thus, if any of the letters you refer to were complaints, they were sent to Commission members. The fact that you sent me a copy of a letter to the Assembly Judiciary Committee with instructions to distribute the copy to all members does not bestow upon me the obligation to do so, or to report back to you on the claims in your letter.

I find it interesting that you state in your letter of April 17, 1996 that you received no response to your letter of March 10, 1995. Yet on September 14, 1995, in a letter to Henry T. Berger, you stated that you received "confirmation by Mr. Stern that our March 10, 1995 letter 'was distributed to the Commission' and that 'no disciplinary action has been taken against Mr. Lawrence.'" Further, with respect to the absurd allegation in your March 10, 1995 letter that the Commission was engaging in "protectionism" of "powerful, politically-connected judges," I have responded to that many times. And I will do it again: **It's pure nonsense.**

In fact, I believe I have responded to every issue you have raised.

Incidentally, you have not responded to my letter to you of January 17, 1996.

Very truly yours,



Gerald Stern

GS:wg