

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, January 21, 2025 9:32 PM
To: 'records@ethics.ny.gov'
Cc: 'aayer@albanylaw.edu'; 'm@michaelcardozo.com';
'sjames@barketepstein.com'; 'ngroenwegen@gmail.com';
'dolly@caramanlaw.com'; 'claudialedwards2@gmail.com'
Subject: **FOIL Appeal: CJA's Nov 15, 2024 FOIL Request: Cumulative Hourly Per Diems Paid -- Including as Supplemented, Retroactively, to April 1, 2024, as Voted by the Commissioners at their Oct 23, 2024 Meeting**

Attachments: [Commissioner Per Diems \(FOIL REQUEST\).pdf](#)

TO: [COELIG FOIL Appeal Officer/COELIG General Counsel Keith St. John](#) –

I hereby appeal from COELIG's December 23, 2024 response to my November 15, 2024 FOIL request pertaining to *per diems*. COELIG's response and my FOIL request is below.

As best as I am able to discern from COELIG's above [attachment](#) and below indicated [link](#), the cumulative amount of the *per diems* for 2022 (\$32,210.81), 2023 (\$216,037.83), and 2024 (\$146,853.90), paid to Commissioners as of November 6, 2024 and embodying the increases in judicial salary that took effect April 1, 2024, is \$395,132.54. Surely, you have some document cumulatively reflecting this – or, by now, reflecting additional payments, if any, to December 31, 2024 – and, if so, consistent with this appeal, I request it.

Thank you.

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

From: ethics.sm.records <records@ethics.ny.gov>
Sent: Monday, December 23, 2024 11:47 AM
To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Subject: RE: FOIL Request: Cumulative Hourly Per Diems Paid -- Including as Supplemented, Retroactively, to April 1, 2024, as Voted by the Commissioners at their Oct 23, 2024 Meeting

Ms. Sassower,

Attached are the documents responsive to your November 15, 2024 for “any cumulative tally of the hourly per diems paid to date to the Commissioners – including as supplemented, retroactively, to April 1, 2024, to reflect the increase in Supreme Court justice salary resulting from the December 4, 2023

Report of the Commission on Legislative, Judicial and Executive Compensation – the subject of Resolution #2024-02, approved by the Commissioners at the October 23, 2024 meeting.”

Another document responsive to your request is available on the Commission’s website: <https://ethics.ny.gov/attachment-d-november-20-2024-diem-paid-11-6-24>.

Regards,

Records Access Officer

From: ethics.sm.records

Sent: Friday, November 22, 2024 9:55 AM

To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Subject: FW: FOIL Request: Cumulative Hourly Per Diems Paid -- Including as Supplemented, Retroactively, to April 1, 2024, as Voted by the Commissioners at their Oct 23, 2024 Meeting

Ms. Sassower,

The Commission has received your November 15, 2024 request seeking:

any cumulative tally of the hourly *per diems* paid to date to the Commissioners – including as supplemented, retroactively, to April 1, 2024, to reflect the increase in Supreme Court justice salary resulting from the December 4, 2023 Report of the Commission on Legislative, Judicial and Executive Compensation – the subject of [Resolution #2024-02](#), approved by the Commissioners at the [October 23, 2024 meeting](#).

The Commission expects to respond to your request on or before December 23, 2024.

Sincerely,

Records Access Officer

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Sent: Friday, November 15, 2024 4:42 PM

To: ethics.sm.records <records@ethics.ny.gov>

Cc: aayer@albanylaw.edu; m@michaelcardozo.com; sjames@barketepstein.com; ngroenwegen@gmail.com; dolly@caramanlaw.com; claudialedwards2@gmail.com

Subject: FOIL Request: Cumulative Hourly Per Diems Paid -- Including as Supplemented, Retroactively, to April 1, 2024, as Voted by the Commissioners at their Oct 23, 2024 Meeting

TO: Commission on Ethics and Lobbying in Government

ATT: FOIL Records Access Officer Emily DeSantis

Your [2023 Annual Report](#), released on [June 24, 2024](#), states that among COELIG’s “Accomplishments” and “significant milestones” is “Posting Commissioner Per Diem Allowances” (at p. 22). It does not provide any figures, but instead furnishes a [link to where they are posted on COELIG’s “Pressroom” website](#). From the nine entries currently posted, it is impossible to ascertain the cumulative figure either for hourly *per diem* payments made in 2023 or of work done in 2023, for which hourly *per diem* payments were made. These nine entries are: .

“Oct 2023-Mar 2024 Commissioner Per Diems” (Paid-May 22, 2024).....	\$15,976.35
“Oct. 2023 – March 2024 Commissioner Per Diems” (Paid-May 22, 2024).....	\$15,976.61
“Jan – April 2024 Commissioner Per Diems” (Paid-April 10, 2024).....	\$36,240.20
“Nov 2023- March 2024 Commissioner Per Diems” (estimated).....	\$8,371.56
“Oct – Dec 2023 Commissioner Per Diems” (Paid-Dec 20, 2023).....	\$37,895.82
“Sept – Nov 2023 Commissioner Per Diems” (Paid-Nov 2023).....	\$23,612.95
“July – September 2023 Commissioner Per Diems”	\$18,340.76
“Apr – June 2023 Commissioner Per Diems”	\$45,982.09
“FY 2022-23 Commissioner Per Diems” (Paid-FY 2022-23).....	\$83,946.11

It appears from this tally – and omitting what appears to be a redundant entry (differing by 26 cents) and an estimated entry, that the amount is: \$261,994.54.

Pursuant to FOIL, this is to request any cumulative tally of the hourly *per diems* paid to date to the Commissioners – including as supplemented, retroactively, to April 1, 2024, to reflect the increase in Supreme Court justice salary resulting from the December 4, 2023 Report of the Commission on Legislative, Judicial and Executive Compensation – the subject of [Resolution #2024-02](#), approved by the Commissioners at the [October 23, 2024 meeting](#).

Thank you.

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