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BY FAX: 518-426-6036 (14 pages)

March 11, 2002

New York Law Journal
29 Elk Street
Albany, New York 12207

ATT: John Caher

RE: The Story Behind Your Front-Page Story: "Justice Milton Williams
Named to Lead First Department Panel" (3/8/02)

Dear John:

Following up our phone conversation --

The untruth of the comment of former Appellate Division, First Department Presiding Justice Murphy that Justice Williams "is the kind of judge who never considers a case too small or too unimportant and resolves each case as if it is the only one on the docket" -- is exposed by Justice Williams' on-the-bench judicial misconduct in two extremely important appeals involving the New York State Commission on Judicial Conduct: the appeal of my public interest lawsuit against the Commission, now wending its way to the Court of Appeals, and, before that, the appeal of Mr. Mantell's lawsuit against the Commission, which is physically encompassed by my appeal.

Although your article does not identify why unnamed "court watchers" considered it as "little surprise" that Governor Pataki would designate Justice Williams to be the Appellate Division's Presiding Justice, most likely it is NOT because they know anything about Justice Williams' qualifications -- or believe him to be more qualified than "the competition". Rather, they are sufficiently familiar with the Governor's *modus operandi* to know that in an election year the Governor will exploit the opportunity to deflect criticism of his scanty record of minority appointments by elevating a Black justice to a preeminent position to which he can serve for only 10 months.

Finally, regarding the omission from your article of any mention of the supposed "screening process" that has produced Presiding Justice Williams, I have discussed with you, time and

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again, that there is a MAJOR story to be reported about Governor Pataki's sham judicial "screening" committees and his manipulation of judicial appointments. This is all the more so in an election year when Law Journal readers surely have a right to expect that you will provide them with meaningful information about HOW the Governor has made his hundreds of judicial appointments. CJA can offer you documentary proof of the Governor's wilful corruption of his judicial "screening" process at a variety of levels: Court of Appeals, Appellate Division, Court of Claims. This includes the documentary proof that CJA long ago filed with the New York State Ethics Commission and the U.S. Attorney for the Eastern District of New York to support our ethics and criminal complaints against the Governor based on his manipulation of judicial selection. These ethics and criminal complaints remain PENDING.

So that you can see how the Governor's charade of "judicial screening" has played itself out in relation to Justice Williams and the other reported "contenders" for designation to Presiding Justice of the Appellate Division, First Department, enclosed are my January 22nd, February 7th, and February 13th to James Gill, Chairman of the First Department Screening Committee - to which we received NO response, either from him or from Nan Weiner, Executive Director of the Governor's Judicial Screening Committees - to whom these letters were also sent.

I will call you on Wednesday to discuss whether and when you will move forward with the important story reflected by the enclosed faxed correspondence.

Yours for a quality judiciary,



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

Enclosures

P.S. The fraudulent appellate decisions in my lawsuit against the Commission and in Mr. Mantell's are summarized in my Letter to the Editor in the current March 7th issue of Metroland. A copy is enclosed.