

THE NEW YORK TIMES COMPANY

LEGAL DEPARTMENT
229 WEST 43 STREET
NEW YORK, N.Y. 10036

SOLOMON B. WATSON IV
Vice President
and
General Counsel

RHONDA L. BRAUER
VERNON R. BYRD, JR.
LAURA J. CORWIN
GEORGE FREEMAN
MARCIJANE KRAFT
MUSLIMA LEWIS
ADAM LIPTAK
ELENA PRODANOV
KENNETH A. RICHIERI
LEE K. RIFFATERRE

SENDER'S DIRECT
TELEPHONE NUMBER:
(212) 556- 1882

FAX NUMBER:
(212) 556-4634

November 8, 1994

Albert Robbins, Esq.
General Counsel
The New York Law Publishing Co.
345 Park Avenue South
New York, New York 10010

Re: Center for Judicial
Accountability Advertisement

Dear Al:

I enclose an ad that ran on page 9 of the New York Law Journal on November 1, 1994. The ad states that it was "Reprinted from the Oct. 26, 1994 Op-Ed page of THE NEW YORK TIMES." While this is literally true, it is quite misleading. Your readers likely assumed that the text of the ad appeared in the opinion columns of The Times. In fact, the advertisement was only that. To allow the advertiser to trade on the prestige and authority of the Op-Ed page in this way did us and your readers a disservice.

Sincerely,


Adam Liptak

/ja
Enclosure

cc w/enc.: Mike Levitas
Center for Judicial Accountability

Reprinted from the Oct. 26, 1994 Op-Ed page of *THE NEW YORK TIMES*

Where Do You Go When Judges Break the Law?

FROM THE WAY the current electoral races are shaping up, you'd think judicial corruption isn't an issue in New York. Oh, really?

On June 14, 1991, a New York State court suspended an attorney's license to practice law—immediately, indefinitely and unconditionally. The attorney was suspended with no notice of charges, no hearing, no findings of professional misconduct and no reasons. All this violates the law and the court's own explicit rules.

Today, more than three years later, the suspension remains in effect, and the court refuses even to provide a hearing as to the basis of the suspension. No appellate review has been allowed.

Can this really happen here in America? It not only can, it did.

The attorney is Doris L. Sassower, renowned nationally as a pioneer of equal rights and family law reform, with a distinguished 35-year career at the bar. When the court suspended her, Sassower was *pro bono* counsel in a landmark voting rights case. The case challenged a political deal involving the "cross-endorsement" of judicial candidates that was implemented at illegally conducted nominating conventions.

Cross-endorsement is a bartering scheme by which opposing political parties nominate the same candidates for public office, virtually guaranteeing their election. These "no contest" deals frequently involve powerful judgeships and turn voters into a rubber stamp, subverting the democratic process. In New York and other states, judicial cross endorsement is a way of life.

One such deal was actually put into writing in 1989. Democratic and Republican party bosses dealt out seven judgeships over a three-year period. "The Deal" also included a provision that one cross-endorsed candidate would be "elected" to a 14-year judicial term, then resign eight months after taking the bench in order to be "elected" to a different, more patronage-rich judgeship. The result was a musical-chairs succession of new judicial vacancies for other cross-endorsed candidates to fill.

Doris Sassower filed a suit to stop this scam, but paid a heavy price for her role as a judicial whistle-blower. Judges who were themselves the products of cross-endorsement dumped the case.

Other cross-endorsed brethren on the bench then viciously retaliated against her by suspending her law license, putting her out of business overnight.

Our state law provides citizens a remedy to ensure independent review of governmental misconduct. Sassower pursued this remedy by a separate lawsuit against the judges who suspended her license.

That remedy was destroyed by those judges who, once again, disobeyed the law — this time, the law prohibiting a judge from deciding a case to which he is a party and in which he has an interest. Predictably, the judges dismissed the case against themselves.

New York's Attorney General, whose job includes defending state judges sued for wrongdoing, argued to our state's highest court that there should be no appellate review of the judges' self-interested decision in their own favor.

Last month, our state's highest court — on which cross-endorsed judges sit — denied Sassower any right of appeal, turning its back on the most basic legal principle that "no man shall be the judge of his own cause." In the process, that court gave its latest demonstration that judges and high-ranking state officials are above the law.

Three years ago this week, Doris Sassower wrote to Governor Cuomo asking him to appoint a special prosecutor to investigate the documented evidence of lawless conduct by judges and the retaliatory suspension of her license. He refused. Now, all state remedies have been exhausted.

There is still time in the closing days before the election to demand that candidates for Governor and Attorney General address the issue of judicial corruption, which is real and rampant in this state.

Where do you go when judges break the law? You go public.

Contact us with horror stories of your own.

CENTER for
JUDICIAL
ACCOUNTABILITY



TEL (914) 421-1200 • FAX (914) 684-6554

E-MAIL probono@delphi.com

Box 69, Gedney Station • White Plains, NY 10605

The Center for Judicial Accountability, Inc. is a national, non-partisan, not-for-profit citizens' organization raising public consciousness about how judges break the law and get away with it.

MES COMPANY

RTMENT
STREET
Y. 10036

SENDER'S DIRECT
TELEPHONE NUMBER:
(212) 556- 1882

FAX NUMBER:
(212) 556-4634

November 8, 1994

Co.

Judicial
Accountability Advertisement

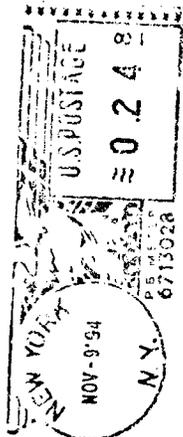
It ran on page 9 of the New York
1994. The ad states that it was
, 1994 Op-Ed page of THE NEW YORK
rally true, it is quite
likely assumed that the text of
ion columns of The Times. In
only that. To allow the
prestige and authority of the
us and your readers a disservice.

Sincerely,



Adam Liptak

Judicial Accountability



PRESORTED
FIRST CLASS

Center for Judicial Accountability
Box 69, Gedney Station
White Plains, New York 10605

Legal - 1625