

Elena Ruth Sassower

16 Lake Street, Apartment 2C
White Plains, New York 10603

ADMINISTRATIVE JUDGE
9TH JUDICIAL DISTRICT

2008 OCT -6 A 9:57

E-Mail: elenaruth@aol.com

Tel. (646) 220-7987

Fax (914) 428-4994

BY HAND

October 6, 2008

Tomme Berg, District Executive of the Ninth Judicial District
111 Dr. Martin Luther King Boulevard
White Plains, New York 10601

RE: Request for Publicly-Available Documents & Information,
Including Pursuant to §124 of the Rules of the Chief Administrator
& F.O.I.L.

- (1) White Plains City Court Clerk's Office & Chief Clerk
- (2) White Plains City Court Senior Judge
- (3) Complaint Procedures – Court Clerks

Dear District Executive Berg:

Following up our brief telephone conversation on Friday, October 3rd, as well as my brief telephone conversation on that date with the Office of Court Administration's Records Access Officer, John Eiseman, this is to request copies of all publicly-available documents (including statutory and rule provisions) identifying and describing the duties of the White Plains City Court Clerk's Office and, specifically, its Chief Clerk, Patricia Lupi.

I am especially interested in Chief Clerk Lupi's duties with respect to landlord-tenant proceedings in White Plains City Court and would appreciate if you would confirm that among her mandatory duties are the following:

- (1) maintaining docket sheets for cases filed – and making same available for inspection and copying upon request;
- (2) maintaining original case files – and making same available for inspection and copying upon request;
- (3) maintaining &/or securing, for inspection and copying upon request, the microfilm/microfiche of old case files of White Plains City Court that are no longer retained as paper originals;
- (4) certifying the "Clerk's Return on Appeal" to the Appellate Term;

EX P-1

(5) responding to written correspondence questioning the accuracy of court records maintained and generated by the White Plains City Court Clerk's Office and inquiring as to the status of cases, including her assignment of a 2008 docket number to a 1989 case surreptitiously and without notice or explanation.

Please also furnish all publicly-available documents pertaining to Chief Clerk Lupi's appointment to that position, the duration of her appointment, her salary, and oath of office. If any portions of her job application and/or resume are publicly-available, I request copies.

Additionally, please furnish all publicly-available documents pertaining to the administrative and supervisory duties of the senior judge of White Plains City Court – a position currently held by Judge Jo Ann Friia – especially as relates to the functioning of the White Plains City Court Clerk's Office.

Finally, please advise as to who in the Office of Court Administration is responsible for investigating and determining misconduct complaints against court clerks such as Chief Clerk Lupi – and provide any publicly-available documents and information as to the procedures for such complaints.

To the extent the documents and information herein requested are within the custody and control of Mr. Eiseman and/or answerable by him, a copy of this letter is being furnished to him for that purpose.

Your prompt response would be greatly appreciated.

Thank you.

Yours for a quality judiciary,



ELENA RUTH SASSOWER

cc: John Eiseman, Records Access Officer/Office of Court Administration
 Robert Freeman, Committee on Open Government

Elena Ruth Sassower

16 Lake Street, Apartment 2C
White Plains, New York 10603

E-Mail: elenaruth@aol.com

*Tel. (646) 220-7987
Fax (914) 428-4994*

DATE: October 6, 2008

TO: John Eiseman, Records Access Officer
Office of Court Administration
By Fax: 212-428-2155

Robert Freeman, Executive Director
Committee on Open Government
By Fax: 518-474-1927

RE: Request for Publicly-Available Documents & Information,
Including Pursuant to §124 of the Rules of the Chief Administrator
& F.O.I.L.

- (1) White Plains City Court Clerk's Office & Chief Clerk
- (2) White Plains City Court Senior Judge
- (3) Complaint Procedures – Court Clerks

Enclosed is my self-explanatory letter of today's date to Tomme Berg, District Executive of the Ninth Judicial District, to which you are indicated recipients.

Thank you.



Enclosure