

## Center for Judicial Accountability, Inc. (CJA)

**From:** Center for Judicial Accountability, Inc. (CJA) [elena@judgewatch.org]  
**Sent:** Monday, June 13, 2011 3:35 PM  
**To:** 'Elizabeth Benjamin (liz.benjamin@ynn.com)'  
**Subject:** NY's Judicial Compensation Commission: NOT OPERATIONAL OR ACCESSIBLE TO THE PUBLIC on day 73 of its maximum 150-day statutorily-limited existence  
**Contacts:** Elizabeth Benjamin  
**Attachments:** 6-13-11-nylj-stashenko.pdf; 5-23-11-ltr-appting-authorities.pdf; 5-23-11-ltr-to-cc.pdf; 6-10-11-foil-resignations.pdf  
**TO: CAPITAL TONIGHT – YNN TV**  
Elizabeth Benjamin

Today's front-page of the New York Law Journal reports, as its lead "News in Brief", on Governor Cuomo's three appointments to the Commission on Judicial Compensation, **as if there is NOTHING usual about them.**

In fact, these appointments follow upon the Center for Judicial Accountability's May 23, 2011 letter to Governor Cuomo, Legislative Leaders, and Chief Judge Lippman, identifying the Governor's failure to make his appointments to the Commission which – under the law passed last year by a lame-duck legislature, at the instance of a lame-duck governor – operates under statutorily-fixed time parameters: a maximum of 150 days from April 1<sup>st</sup>. **Governor Cuomo's appointments were on the 70<sup>th</sup> day of the Commission's statutorily-limited existence.**

**When does the Commission on Judicial Compensation plan to have its first meeting? And what will be its protocol for securing information and documentation from the public? Will it be holding "public hearings", as it is statutorily-empowered to do – and as CJA requested by its May 23<sup>rd</sup> letter?**

Attached is CJA's May 23<sup>rd</sup> letter. Its serious and substantial content deserves to be reported to the public, including CJA's position that:

"There must be NO increase in judicial compensation UNTIL there is an official investigation of the testimony and documentation that the public provided and proffered to the Senate Judiciary Committee in connection with its 2009 hearings [on the Commission on Judicial Conduct & the court-controlled attorney disciplinary system] and UNTIL there is a publicly-rendered report with factual findings with respect thereto." (at p. 3, capitalization in the original).

I look forward to assisting you with an investigative story about the Commission on Judicial Compensation, where **what is at stake, in financial terms alone, is potentially hundreds of millions of taxpayer dollars.**

Finally, and consistent with CJA's commitment to ensuring that the Commission on Judicial Compensation's "findings, conclusions, determinations, and recommendations" are informed by EVIDENCE, attached is CJA's June 10<sup>th</sup> FOIL request to the Office of Court Administration, requesting records of judicial resignations based on insufficient compensation, quoting from – and annexing – an August 4, 2009 front-page "News in Brief" item entitled "*Second Department Judge Quits Over Lack of a Raise*".

Thank you.

Elena Sassower, Director  
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