

## Center for Judicial Accountability

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**From:** Center for Judicial Accountability <elena@judgewidth.org>  
**Sent:** Saturday, October 31, 2015 1:01 PM  
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**Subject:** SCARY HALLOWEEN ALERT: NYLJ reports -- "Hearing Set on Pay Increases for Judges, Lawmakers"  
**Attachments:** nylj-10-31-15-internet.pdf; 10-30-15-foil-compensation-commission.pdf

### **SCARY HALLOWEEN ALERT:** **NYLJ reports – “Hearing Set on Pay Increases for Judges, Lawmakers”**

The attached item from the New York Law Journal's website, <http://www.newyorklawjournal.com/home/id=1202741247876/Hearing-Set-on-Pay-Increases-for-Judges-Lawmakers?mcode=1202615069279&curindex=1>, posted in the early morning hours today, Saturday, October 31<sup>st</sup>, for publication in its Monday, November 2<sup>nd</sup> paper edition, is the first notice of a supposed “public hearing” to be held by the Commission on Legislative, Judicial and Executive Compensation, scheduled for 9 a.m. on Tuesday, November 3<sup>rd</sup>.

Assuming that a member of the public would see the Law Journal item, is there no sign-up to testify? Is there no registration? Just a walk-in? And how has this important Commission – whose recommendations will cost taxpayers billions of dollars – been operating until now? Does it have an office, staff, phone number, e-mail address, website?

According to the Law Journal, the Governor appointed three of the Commission's members and “Senate Republicans” selected “James Lack, a former Court of Claims judge and former state senator”? When did they do that? Was no press release issued?

These and other questions were asked yesterday morning, October 30<sup>th</sup>, by a FOIL request that our non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA), sent for records pertaining to the Commission's membership, when the appointments were made, and how the Commission has been operating. It is attached so that New York's watchdog press can secure answers from the Commission – and from New York's highest public officers who are its appointing authorities: the Governor, the Temporary Senate President, the Assembly Speaker, and the Chief Judge.

I am available to answer questions – and to be interviewed, including as to my phone inquiries to the offices of these four appointing authorities at the end of June that prompted the only public announcement of any Commission appointments – the rushed press release of the Office of Court Administration, late in the day on June 30, 2015, thereupon reported by the July 1, 2015 Law Journal, of the Chief Judge's appointment of Sheila Birnbaum and Barry Cozier.

Meantime, you can access the proof of the brazen fraud committed by the predecessor 2011 Commission on Judicial Compensation – and the collusion therein of the same constitutional officers of the legislative, judicial, and executive branches as believe themselves entitled to pay raises – as it is all posted on CJA's website, [www.judgewidth.org](http://www.judgewidth.org). Indeed, the particulars are meticulously laid out in three hair-raising lawsuits, accessible from the prominent homepage link: “What's Taking You So Long, Preet?: CJA's Three Litigations whose Records are Perfect ‘Paper Trails’ for Indicting New York's Highest Public Officers for Corruption”.

For your convenience, here are links to my prior testimony at public hearings on the subject of the collusion of the three government branches with respect to the judicial pay raises and the fraud, statutory violations, and unconstitutionality of the 2011 Commission on Judicial Compensation– the cost of which, to date, in financial terms alone, is in the range of \$150 million:

- (1) on February 6, 2013 at the Legislature’s budget hearing on “public protection”:  
[http://nystateassembly.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=327](http://nystateassembly.granicus.com/MediaPlayer.php?view_id=2&clip_id=327) (last speaker: at 7:21:50 hrs);
- (2) on September 17, 2013 before the Commission to Investigate Public Corruption:  
<https://www.youtube.com/watch?v=-1hXstPOUhw>;
- (3) on October 14, 2015 before the JCOPE/LEC Review Commission:  
<http://nyls.mediasite.com/mediasite/Play/d17f3b333aba4776ac83bbde9421083a1d> (at 0:44:05 mins.)

Thank you.

Elena Sassower, Director  
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