

NEW YORK STATE SENATE  
STANDING COMMITTEE ON JUDICIARY

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PUBLIC HEARING IN THE MATTER OF  
AN EXAMINATION OF THE JUDICIAL DISCIPLINARY PROCESS  
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Senate Hearing Room  
250 Broadway  
19th Floor  
New York, N.Y.

September 24, 2009  
Thursday  
10 a.m.

- BEFORE:
- Senator John Sampson  
Chair  
Judiciary Committee
  - Senator Bill Perkins  
Chair  
Corporations, Authorities & Commissions
  - Senator George D. Maziarz
  - Senator Eric Adams
  - Senator Ruben Diaz

- OTHER STAFF MEMBERS:
- Shelly Mayer  
Majority Counsel
  - Lisa Lashley  
Counsel

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	INDEX OF SPEAKERS	
1		
2	RICHARD KUSE	7
3	CATHERINE WILSON	21
4	VICTOR KOVNER	90
5	DOUGLAS HIGBEE	147
6	JUDITH HERSKOWITZ	52
7	ANDREA WILKINSON	67
8	MARIA GKANIOS	98
9	REGINA FELTON	126
10	KATHRYN MALARKEY	155
11	NORA RENZULI	158
12	STEPHANIE KLEIN	165
13	IKE ARUTI	180
14	TERRENCE FINNAN	194
15	GICELLA WEISSHAUS	198
16	ELIOT BERNSTEIN	206
17	SUSAN McCORMICK	234
18	PATRICK HANDLEY	237
19		
20		
21		
22		
23		
24		

1 if they don't get it straight, it's their  
2 ass or career up front.

3 That idea was put on your website on  
4 the issues and legislators that everybody  
5 can go to if you've got an idea.

6 I'm going to close and concede what  
7 remaining time I have to Dr. Kim Laurie.

8 Questions?

9 SENATOR SAMPSON: Are you done?

10 MR. HIGBEE: I am done, yes, sir.  
11 Thank you.

12 SENATOR SAMPSON: The next witness is  
13 Kathryn Malarkey. Ms. Malarkey.

14 MS. MALARKEY: Yes, I wasn't advised  
15 I was going to be testifying so I'm not  
16 really prepared, but I have a short  
17 statement I want to read to the committee,  
18 and thank you very much for hearing us.

19 I was involved in the employment case  
20 in which an injunction against further  
21 retaliation had been issued.

22 My attorneys lied to me and lied to a  
23 federal Magistrate. Their lies are recorded  
24 in an official court audio tape of the

1 hearing that I was not allowed to attend  
2 because my attorneys told me this was a  
3 private hearing with the judge and I should  
4 not be there.

5 I didn't know that they didn't want me  
6 to be there because they intended to lie.

7 I did not know about these lies until  
8 years after I was forced into a settlement.

9 My lawyers' lies caused the Magistrate  
10 to fine me \$500 and he threatened to dismiss  
11 my case.

12 I presented irrefutable documentation  
13 to the Departmental Disciplinary Committee.

14 The attorneys did not bother to refute  
15 the evidence that I gave, because I believe  
16 they could not refute it.

17 I was repeatedly told it was a waste of  
18 time to complain to the DDC. I believe  
19 there would be many more complaints if  
20 people had faith in the DDC.

21 The pain and suffering of long drawn  
22 out process inflicts pain and suffering and  
23 ruins lives. I think you have heard this  
24 morning just how much pain this group has.

1           It would have cost hundreds of  
2 thousands of dollars for me to present my  
3 case to the DDC.

4           Except for a wonderful attorney who has  
5 given all this time to represent me pro  
6 bono, the DDC has dismissed my case without  
7 any explanation.

8           I have never been able to respond to  
9 any questions that they might have, I surely  
10 can respond to all their questions.

11           It should not take years to get  
12 justice.

13           The DDC should be open, fair minded,  
14 helpful to those who have suffered at the  
15 hands of incompetent attorneys.

16           The DDC should change its name to the  
17 Attorneys Protection Association.

18           There is so much suffering in the  
19 search for justice, there must be a better  
20 way, and Senator Sampson, we are so grateful  
21 to you and to the others who have listened  
22 to us, you have been wonderful.

23           I just hoped that you hear how much  
24 need there is for real serious reform and I

1 will back this all up with some papers to  
2 you later.

3 Thank you, thank you.

4 SENATOR SAMPSON: Thank you very  
5 much, Mrs. Malarkey.

6 The next witness is Nora Renzuli. Ms.  
7 Renzuli.

8 MS. RENZULI: Thank you. Senator  
9 Sampson and Senator Maziarz, my name is Nora  
10 Renzuli, I'm an attorney, I was admitted to  
11 the practice of law in New York State and in  
12 New Jersey in 1987.

13 I have been practicing law in the State  
14 of New York and have been employed by the  
15 Office of Court Administration since 1990.

16 SENATOR SAMPSON: Are you still  
17 employed with them?

18 MS. RENZULI: Yes, I am. I have  
19 presented my material to the committee, and  
20 it does lay out my case and my position that  
21 a judge in Family Court without legitimate  
22 authority or jurisdiction took my children  
23 and handed them over to my former husband  
24 who is living out of state in Pennsylvania