

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewidth.org>
Sent: Tuesday, June 1, 2021 2:49 PM
To: 'greenbergh@gtlaw.com'
Subject: AGAIN & MORE, INCLUDING PURSUANT TO FOIL -- IMMEDIATE ATTENTION
REQUIRED: Commission on Judicial Nomination's website is deficient & erroneous

TO: Commission on Judicial Nomination
ATT: Henry Greenberg, Esq./Counsel

I have received no acknowledgement or response to my below May 28th e-mail – and the Commission's website appears unchanged.

Indeed, I have since noticed that the Commission's [homepage](#) additionally needs to be updated, as immediately following its one-sentence first paragraph "Welcome to the website of the State of New York Commission on Judicial Nomination", it reads in its one-sentence second paragraph:

"The Commission is currently considering applications to fill (sic) the upcoming vacancy on the New York Court of Appeals that will occur as of June 4, 2021, due to the retirement of Associate Judge Leslie E. Stein."

This has been outdated for quite some time – and seemingly reflects that the Commission's homepage never so-featured its consideration of applications to fill the vacancy created by Associate Judge Paul Feinman's retirement in March.

The homepage also states:

"When the Commission is engaged in the process of soliciting candidates for a vacancy on the Court, this website also contains application forms that can be used by interested candidates."

Did the Commission's website post the "application forms" for "interested candidates" when the Commission was "in the process of soliciting candidates" for the two most recent vacancies (#33, #34)? **In any event, pursuant to FOIL (Public Officers Law Article VI), I request the application forms the Commission used for the two most recent vacancies, including the instructions to the candidates and waivers they were required to sign** – and take this opportunity to point out that the Commission's posted [FOIL](#) information is also outdated, unless Section 7101.4 is correct in reading:

"Records shall be available for public inspection at:

State of New York Commission on Judicial Nomination c/o Stuart Summit, Esq. 666 Fifth Avenue (28th Floor) New York, NY 10103-0084

NOTE: Pending publication and public comment, section 22 NY ADC 7101.4 will be revised to reflect the following location for public inspection of records:

State of New York Commission on Judicial Nomination c/o Stephen P. Younger, Esq. 1133 Avenue of the Americas New York, New York 10036-6710."

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, May 28, 2021 1:01 PM
To: 'greenbergh@gtlaw.com' <greenbergh@gtlaw.com>

Subject: IMMEDIATE ATTENTION REQUIRED: Commission on Judicial Nomination's website is deficient & erroneous

TO: Commission on Judicial Nomination
ATT: Henry Greenberg, Esq./Counsel

Why does the Commission's website, <http://www.nysegov.com/cjn/index.htm>, not post any press release and report of nominees for the vacancy that will result from Judge Leslie Stein's upcoming retirement – but only the [April 29, 2021 press release and report of nominees for the vacancy created by Judge Paul Feinman's retirement](#), with the Commission's [webpage of its press releases](#) identifying the date not as April 29, 2021, but May 13, 2021?

Also, it's time to update the [list of nominees the Commission has made for each Court of Appeals vacancy since its inception](#) to reflect these two most recent vacancies (#33, #34) – and the Commission's nominees for each.

Thank you.

Elena Sassower, Director
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