

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewidth.org>
Sent: Monday, July 26, 2021 3:08 PM
To: 'skerby@nycourts.gov'; 'Foil@nycourts.gov'
Subject: FOIL/Records Request: September 24, 2015 Report of the Commission on Statewide Attorney Discipline

TO: OCA FOIL-Records Access Officer/Assistant Deputy Counsel Shawn Kerby

Reference is made to the [Unified Court System's webpage for the Commission on Statewide Attorney Discipline](#), whose most recent "What's New" item is from December 29, 2015: [the Appellate Divisions' Part 1240 Rules for Attorney Disciplinary Matters](#) and the Unified Court System's accompanying press release stating that "adoption of uniform rules was among the foremost recommendations" of [the Commission's September 24, 2015 report](#).

There were, however, other recommendations that the Commission's September 24, 2015 report made – most importantly:

"9. Establishment of a new position of Statewide Coordinator of Attorney Discipline. The Coordinator would function as a liaison/resource for each Department of the Appellate Division. The precise powers and functions of the new position are to be further defined by the Administrative Board of the Courts. The Commission envisions, however, that the Coordinator would be tasked with assisting the Administrative Board of the Courts in fostering uniformity in procedures and sanctions, encouraging communication and consistency among the Departments of the Appellate Division, producing an annual statistical report providing statewide data on the administration of attorney discipline, and recommending ongoing reforms as deemed necessary. The need for this position is immediate and the Administrative Board of the Courts should select a suitable candidate as soon as practicable.

10. Appointment of members to a Statewide Advisory Board on Attorney Discipline, consisting of volunteers from around the state, to assist in implementing these recommendations and to study and propose additional recommendations to further the goals of uniformity, transparency and efficiency in the attorney disciplinary system." (at pp. 3-4). (see, also, pp. 46-47, 70-71, 78, 81).

Pursuant to Public Officers Law VI and §124 of the Chief Administrator's Rules [FOIL], this is to request publicly-available records pertaining to:

- (1) the Statewide Coordinator of Attorney Discipline and its activities – and, if not established, pertaining to the reason it was not established;
- (2) the Statewide Advisory Board on Attorney Discipline and its activities – and, if not appointed, pertaining to the reason it was not appointed;
- (3) the Unified Court System's implementation of other recommendations of the Commission's September 24, 2015 report, apart from promulgation of the Part 1240 Rules for Attorney Disciplinary Matters;
- (4) the Unified Court System's transmittal of the September 24, 2015 report to the Legislature, if it transmitted same – and/or its statements and recommendations to the Legislature with respect to the report, if any.

Thank you.

Elena Sassower, Director
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