

Center for Judicial Accountability, Inc. (CJA)

From: FOIL <FOIL@nycourts.gov>
Sent: Friday, July 30, 2021 3:41 PM
To: Center for Judicial Accountability, Inc. (CJA)
Subject: FW: FOIL/Records Request: CJA's July 21, 2015 FOIL request -- "(1) Record Retention of Attorney Misconduct Complaints and Proceedings..."
Attachments: 7-21-15-records-retention-statistics-annual-reports.pdf; SassowerElana14a.pdf

Dear Ms. Sassower:

Attached please find our response to the July 2015 letter, and the accompanying email discussion. It appears that the July 21, 2015 request was received July 27, 2015, and as such, our response referred to the date of the request as July 27, rather than July 21. The references to that date may have caused the confusion about whether this Office responded.

Very truly yours,
Shawn Kerby
Assistant Deputy Counsel

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, July 30, 2021 1:49 PM
To: Shawn Kerby <skerby@nycourts.gov>
Subject: FOIL/Records Request: CJA's July 21, 2015 FOIL request -- "(1) Record Retention of Attorney Misconduct Complaints and Proceedings..."

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

In 2015, as I was preparing to [testify at the Commission on Statewide Attorney Discipline's August 11, 2015 hearing](#) and, thereafter, as I was preparing to respond to the Commission's September 24, 2015 report, I filed a series of FOIL requests. CJA's webpage on which they are posted – with your responses -- is here: <http://www.judgewatch.org/web-pages/searching-nys/attorney-discipline/2015-FOIL-gathering-evidence.htm>.

There is one FOIL request for which I have no record of response from you – my above-attached July 21, 2015 FOIL request entitled "Record Retention of Attorney Misconduct Complaints and Proceedings; (2) Grievance Committee Statistical Summaries; (3) Appellate Division Annual Reports for Attorney Discipline".

Pursuant to Public Officers Law VI and §124 of the Chief Administrator's Rules [FOIL], this is to request such response as you then furnished, if any – and, if none, the response you would now furnish to its request for:

“schedules, policies, and procedures governing record retention of attorney disciplinary matters by New York's attorney grievance committees, Appellate Divisions, and the Court of Appeals. This especially includes schedules, policies, and procedures relating to retention of the attorney misconduct complaints that the grievance committees have dismissed.”

The balance is sufficiently encompassed by my most recent July 28, 2021 FOIL request entitled "Attorney Grievance Committee Annual Reports", which is below.

Thank you.