

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, December 1, 2023 12:41 PM
To: 'katz@nysenate.gov'
Cc: 'foil@nysenate.gov'; 'Kenan Kurt'; 'James Ostaszewski';
'hoylman@nysenate.gov'; 'brisport@nysenate.gov'
Subject: **FOIL APPEAL: Witness List & Persons/Entities Invited to Testify at Senate's Nov. 1, 2023 Oversight Hearing on Family Court**
Attachments: [rules and regulations relating to public inspection and copying of legislative records - january-2019 blue 2023.pdf](#);
[webpage-1.jpg](#); [webpage-2.jpg](#); [webpage-3.jpg](#)

TO: Senate Majority Counsel Eric Katz

My below December 1st FOIL appeal is herewith sent to you.

Please be advised that Secretary of the Senate Paulino's appealed-from November 2nd FOIL response, as all her FOIL responses, does not include the name and e-mail address for Senate majority counsel for purposes of appeal. Nor does it inform of any right of appeal, except by its attached "Rules and Regulations Relating to the Public Inspection and Copying of Legislative Records" – an attachment she invariably furnishes.

Thank you.

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

From: Senate Foil <foil@nysenate.gov>
Sent: Friday, December 1, 2023 10:24 AM
To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>; Senate Foil <foil@nysenate.gov>
Cc: Kenan Kurt <kurt@nysenate.gov>; James Ostaszewski <ostaszew@nysenate.gov>; Brad Hoylman-Sigal <hoylman@nysenate.gov>; Jabari Brisport <brisport@nysenate.gov>

Subject: RE: FOIL APPEAL: Witness List & Persons/Entities Invited to Testify at Senate's Nov. 1, 2023 Oversight Hearing on Family Court

Good Morning,

Please note that appeals must be directed to the Counsel to the Majority, Eric Katz (katz@nysenate.gov).

Senate Foil

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, December 1, 2023 10:12 AM
To: 'foil@nysenate.gov' <foil@nysenate.gov>
Cc: 'Kenan Kurt' <kurt@nysenate.gov>; 'James Ostaszewski' <ostaszew@nysenate.gov>; 'hoylman@nysenate.gov' <hoylman@nysenate.gov>; 'brisport@nysenate.gov' <brisport@nysenate.gov>

Subject: FOIL APPEAL: Witness List & Persons/Entities Invited to Testify at Senate's Nov. 1, 2023 Oversight Hearing on Family Court

TO: Counsel to the Senate Majority,

Pursuant to §9 of your above-attached “Rules and Regulations Relating to the Public Inspection and Copying of Legislative Records”, sent to me by the below November 2nd e-mail of Senate Records Access Officer Alejandra Paulino, I hereby appeal its response, directing me to the Senate’s webpage for the November 1st oversight hearing on Family Court: <https://www.nysenate.gov/calendar/public-hearings/november-01-2023/joint-public-hearing-conduct-oversight-family-court>.

The basis of the appeal is as follows: There is NO posting on that Senate webpage of what my October 26th FOIL request had requested, *to wit*:

- (1) the witness list for the November 1st hearing that, allegedly, had “already [been] finalized” by October 26th; and
- (2) “records reflecting the persons/entities” invited to testify at the November 1st hearing by the Senate Judiciary Committee and/or Senate Committee on Children and Families.

Indeed, the Senate webpage does not even post the witness list used by Senators Hoylman and Brisport at the November 1st hearing, organized into panels. For your convenience, in addition to the link, above-attached is a screenshot of the Senate’s webpage showing what is posted beneath the VIDEO of the hearing.

Thank you.

Elena Sassower, Director
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From: Senate Foil <foil@nysenate.gov>
Sent: Thursday, November 2, 2023 2:00 PM
To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Subject: Re: Further Request & Pursuant to FOIL -- RE: Request to testify at Senate's Nov. 1, 2023 Oversight Hearing on Family Courts

Dear Ms. Sassower,

This is to acknowledge your request dated October 26, 2023 pursuant to the Freedom of Information Law.

You have requested "...already finalized...witness list for Wednesday's hearing' and, additionally, records reflecting the persons/entities to which the Senate Judiciary Committee and Senate Committee on Children and Families extended invitations to testify.....at the Committees' November 1st oversight hearing on the Family Courts....".

Please be see the following link: <https://www.nysenate.gov/calendar/public-hearings/november-01-2023/joint-public-hearing-conduct-oversight-family-court> .

I have attached a copy of the Senate's Rules and Regulations Relating to the Public Inspection and Copying of Legislative Records for your information.

Sincerely,

Alejandra N. Paulino, Esq.
Secretary of the Senate

Senate Foil

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, October 26, 2023 12:55 PM
To: Kenan Kurt <kurt@nysenate.gov>
Cc: James Ostaszewski <ostaszew@nysenate.gov>; Senate Foil <foil@nysenate.gov>

Subject: Further Request & Pursuant to FOIL -- RE: Request to testify at Senate's Nov. 1, 2023 Oversight Hearing on Family Courts

Dear Mr. Kurt,

Kindly furnish me with your "already finalized...witness list for Wednesday's hearing" and, additionally, records reflecting the persons/entities to which the Senate Judiciary Committee and Senate Committee on Children and Families extended invitations to testify.

To assist you in furnishing same, I am cc'ing the Senate's FOIL/records access officer, the Secretary of the Senate, with a request for production pursuant to [Senate Rule XIV "Freedom of Information"](#).

Thank you.

Elena Sassower, Director
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www.judgewatch.org
elena@judgewatch.org

From: Kenan Kurt <kurt@nysenate.gov>
Sent: Thursday, October 26, 2023 10:39 AM
To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>; James Ostaszewski <ostaszew@nysenate.gov>

Subject: Re: Request to testify at Senate's Nov. 1, 2023 Oversight Hearing on Family Courts

Good morning, Ms. Sassower,

Unfortunately, we have already finalized our witness list for Wednesday's hearing and won't be able to accommodate your oral testimony, but we welcome written testimony submitted as a PDF to James and me.

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Date: Wednesday, October 25, 2023 at 10:39 AM
To: Kenan Kurt <kurt@nysenate.gov>, James Ostaszewski <ostaszew@nysenate.gov>

Subject: Request to testify at Senate's Nov. 1, 2023 Oversight Hearing on Family Courts

TO: Kenan Kurt/Chief of Staff & Counsel to Senate Judiciary Committee (212-633-8052)
James Ostaszewski/Counsel & Legislative Director for Senate Committee on Children
& Families (518-455-3451)

Following up the voice mail messages I left for each of you, earlier this morning, this is to request to testify at the Committees' November 1st oversight hearing on the Family Courts. My completed request form is attached.

Thank you.

Elena Sassower, Director
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