

# CENTER for JUDICIAL ACCOUNTABILITY, INC. (CJA)

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Elena Ruth Sassower, Director

**REQUIRED WRITTEN TESTIMONY,**  
submitted February 8, 2021 (10 am) for the  
**February 10, 2021 “Public Protection” Budget Hearing**  
pursuant to January 20, 2021 notice –  
“*Legislature Announces Joint Budget Hearing Schedule*”

As this Legislature knows – because I have stated it, repeatedly, since 2017, in testifying at the Legislature’s budget hearing on “public protection”, our foremost “public protection” is the New the New York State Constitution, which, by its Articled VII, lays out the fashion in which the state budget is to be fashioned and enacted.

This year, as in past years, the budget is “OFF THE CONSTITUTIONAL RAILS” – and exemplifying this is how the Legislature is conducting these budget hearings, organizing them not by the budget bills that the Governor has submitted to the Legislature – each bill purportedly pursuant to Article VII – but by “programmatic area[s]”.

As in past years, the first witness at this so-called “public protection” budget hearing will be the Chief Administrative Judge – Lawrence Marks – who will testify in support of the Judiciary budget, which the Governor has combined on the same budget bill as the Legislature’s budget. Also testifying, presumably, will be the Administrator of the Commission on Judicial Conduct – Robert Tembeckjian, concerning the Commission’s budget, which is part of the State Operations Budget Bill. If the last several years are any guide, he will be the second witness to testify.

My testimony, which doubtless will be at the very end of the hearing, as in past years, and for which, this year, I will have only 3 minutes, will be responsive to their testimony and to such questions as the legislators will be asking them. And it will include, in substantiation, CJA’s just-filed February 7, 2021 conflict-of-interest/corruption complaint to the Commission on Judicial Conduct against, *inter alia*, Chief Administrative Judge Marks pertaining to the unconstitutional, statutorily-violative, and fraudulent commission-based judicial pay raises and unconstitutional and larcenous Judiciary budget that embeds them that I filed with the Commission on Judicial Conduct, whose most important EVIDENTIARY substantiation is the record of CJA’s citizen-taxpayer action, brought in the public interest, on behalf of the People of the State of New York, *Center for Judicial Accountability, et al. v. Cuomo...Schneiderman...DiFiore* (2016-2020).

The complaint, with its EVIDENTIARY substantiation, is posted on CJA’s website, [www.judgewatch.org](http://www.judgewatch.org), and accessible from its prominent center link: “THEY STILL LIVE: CJA’s Citizen-Taxpayer Actions to End NYS’ Corrupt Budget ‘Process’ & Unconstitutional ‘Three Men in a Room’ Governance”. The direct link to the webpage for the complaint is here: <http://www.judgewatch.org/web-pages/searching-nys/cjc/feb-7-21-cjc-complaint.htm>. A copy of the complaint is, additionally, enclosed herewith, as part of this required written testimony.