

July 20, 2011

Bill Thompson, Chairman
Commission on Judicial Compensation
PO Box 7342, Albany, 122224

Honorable Public Servants

I come again to testify to yet another New York 'Special Commission' on the state of our judiciary. I am certainly qualified. To my profound misfortune, I have become an expert on judicial fraud, nonfeasance and public official misconduct. While I once enjoyed a successful professional life unrelated to law and our courts, I am now, at age 60, unemployed, unemployable, and essentially bankrupt.

For the last [16] sixteen years I have been involuntarily sacrificing what should have been the most productive years of my life to the 'Crisis of Accountability' in New York's Unified Court System. I attest today with 141% conviction that our 'independent' branch of government is a runaway scourge on this society. The Peoples alleged 'inalienable' rights are regularly subjected to *'in-your-face'* deprivations by unrestrained egomaniacs who control our courtrooms, our liberty, and our lives.

This hasn't come without warning. Thomas Jefferson gave us the first 'heads up' when he wrote; "the original error [was] establishing a judiciary independent of the nation, which, from the citadel of the law, can turn its guns on those they were meant to defend, to control and fashion their proceedings to its own will."

I have no doubt that New York has many outstanding judges [Arthur Shack] more than deserving of higher compensation. BUT there is also a significant amount who are to the judiciary what pedophilias are to the Roman Catholic church. When do 'We' get a Special Commission to confront this scandal and compensate its VICTIMS?

I recall that in July 2006, Chief Judge Kaye appointed a SPECIAL COMMISSION to assess the state's court structure and to propose appropriate reforms. The thirty [30] member Commission comprised of judges, court administrators, academics, business leaders, bar organizations and leading legal practitioners issued its findings in February 2007.

Here are some excerpts,

SPECIAL COMMISSION FOR FUTURE OF NEW YORK COURTS

"[Our] courts are a mess, the most complicated court system in the nation."¹

"An inefficient, wasteful system that causes harm and headache to all manner of litigants."

"widely recognized as the most convoluted, expensive and ridiculous court system in the country."² **"a nightmare of jurisdictions."**³

"More fundamentally, the fragment nature of our courts prohibits the judicial system from efficiently managing cases in a way that would be natural and obvious in any rational business setting"

"too costly, confusing, and discourages and impedes litigants, both private citizens and businesses, from pursuing their rights."⁴

NEW YORK'S TOWN AND VILLAGE COURTS

"An unfamiliarity with basic legal principles is remarkably common in these legacies of the Colonial era that survive in more than 1,000 towns and villages."⁵

"Court Administration ** makes little pretense of knowing what happens in the justice courts. But serious things do happen in these little [courts] all over New York State.

"People have been sent to jail without a guilty plea or a trial, or tossed from their homes without a proper proceeding, refused lawyers, or sentenced to weeks in jail because they cannot pay a fine.

"These courts get a roll of the eyes from lawyers who amuse one another with tales of incompetent small town justices".

¹ Still Time to Overhaul the Courts, New York Times, June 17, 1998

² Why Albany Doesn't Mend the Courts, New York Times, February 21, 2003

³ Don't Imperil Court Reform, Albany Times Union, May 19, 1998

⁴ The Fund for Modern Courts, January 2007

⁵ Delivering Small Town Justice with a Mix of Trial and Error, William Glaberson, New York Times, September 26, 2006

THE HUMAN COST OF OUR ARCHAIC SYSTEM

"A system that defies understanding by those it is supposed to serve cannot be justified by the special service it gives to politicians on and off the bench."

Puffed-Up Judges vs. Court Reform, New York Times, Oct. 23, 1985

"There is simply no reason why litigant[s] in this State should suffer * adverse consequences of a jurisdictional nature because [judge and prosecutor] selected the wrong court, or because he has presented a controversy which, by its very nature, cannot be resolved in a single forum under the current system."**

- Action Unit No. 4 of the State Bar Association (1979)

"As our chaotic, blundering court system exists now in New York, * litigants' rights are compromised and justice is not served. Surely we can do better."**

-Center for Law & Justice, January 2007

WHATEVER HAPPENED TO THIS INITIATIVE ?

The New York Judicial Conduct Commission boasts to be the model on which other states design their Commissions. HAH ! If this were not the essence of hypocrisy and incompetence, this boast would be infinitely laughable.

The New York Judicial Conduct Commission is another ineffective, and perpetual waste of taxpayers money.

In the final analysis, the instant controversy has been sufficiently enunciated by Elena Sassower, Director, the Center for Judicial Accountability.

' until mechanisms are in place and functioning to remove judges who deliberately pervert the rule of law and any semblance of justice and whose decisions are nothing short of 'judicial perjuries', being knowingly false and fabricated. Such judges, willfully destroying the lives of countless New Yorkers, the wellbeing of our state, etc.

Before any more taxpayer dollars are thrown at this scandal of elite special interests, in any incarnation, the People DEMAND that

[1] the Senate Judiciary Committee release its findings from the Public Hearings held and ultimately aborted by Senator John Sampson.

[2] A special prosecutor, task force or inspector general be appointed to investigate our allegations.

[3] A substantial financial grant be awarded to Elena Sassower to promote and expand the Center for Judicial Accountability.

[4] That a special Trust be created and immediately funded to compensate the victims of New York's 'Crisis of Accountability' in the Unified Court System..

Respectfully

A handwritten signature in cursive script that reads "Kevin Patrick Brady". The signature is written in dark ink and is positioned to the left of the typed name.

Kevin Patrick Brady
508 Locust Lane
East Rochester, NY.

I hereby depose under penalty of law that everything stated herein is completely truthful to the best of my knowledge unless stated upon information and belief..