

Notice of Campaign Contribution Conflict and Option to Waive Conflict

In a case in which you are a party or counsel, a campaign contribution conflict has been found to exist between another party and the judge proposed for assignment or reassignment of the case. That conflict is described in the attached waiver form. This notice explain the rules governing campaign conflicts and describes your rights and responsibilities in this situation.

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A New York court rule (22 NYCRR Part 151; attached) restricts the assignment of cases where litigants, counsel or firms made significant campaign contributions to the assigned judge, for a period of two years from the date the State Board of Elections first publishes a record of the contribution. The rule provides that, in situations where such conflicts exist, the case may be assigned to the conflicted judge only if all other parties in the case voluntarily consent. Under the rule, the judge will not be informed of the conflict, and will not be informed whether any or all parties have consented, or declined to consent, to waiver.

Parties who consent to waive a conflict must fill out and return a waiver form to the clerk of the court. If the form is not returned within twenty days of mailing by the court, the clerk will assume that the party has not consented to a waiver, and will have the case reassigned accordingly.

As described on the attached form, a conflict has been found in your case. If you wish to waive the conflict, please sign and return the form to the clerk's office within twenty days of the date of this letter. If you do not wish to waive the conflict, do nothing, and the matter will be reassigned according to the rule.

If you have any questions, feel free to contact the clerk's office at the telephone number listed on the waiver form.