



# Cornell Law School

Heather E. Murray  
Managing Attorney, Local  
Journalism Project  
First Amendment Clinic  
Myron Taylor Hall  
[Redacted]  
Phone: [Redacted]  
E-mail: [Redacted]

**May 16, 2025**

Sevil Barber  
Records Access Officer  
Administration  
[Redacted] Floor  
[Redacted]

VIA E-MAIL

*Re: Freedom of Information Law Request*

Dear Mr. Barber:

We are writing on behalf of Scrutinize and Janon Fisher in response to your email, dated May 1, 2025, that granted and denied in part their FOIL request concerning Acting Supreme Court Justices, dated November 14, 2024.

While we dispute that Item 4 of the request, reproduced below, is not “reasonably described,” rather than appeal the ruling we write in an effort to resolve this issue without engaging further in the administrative appeal process by narrowing the request.

4. Any internal memos, reports, or communications made pursuant to 22 NYCRR 121.2(b) (with personal identifying information redacted where necessary) from January 1, 2010, to the present.

We request that the Office of Court Administration conduct a search for the documents listed above by running an electronic search limited to the following search terms:

- “Acting Supreme Court Justice evaluation”
- “ASCJ evaluation”
- “ASCJ designation memorandum”
- “ASCJ designation memo”
- “ASCJ redesignation memorandum”
- “ASCJ redesignation memo”
- “Temporary assignment recommendation”
- “Evaluatory panel report”
- “121.2(b)”
- “Productivity” and “ASCJ”
- “Scholarship” and “ASCJ”
- “Temperament” and “ASCJ”



- “Work ethic” and “ASCJ”
- “ASCJ eval”
- “AJ recommendation”
- “ASCJ recommendation”

Please advise whether the agency continues to dispute that the request is reasonably described upon narrowing it, and, if so, Scrutinize and Mr. Fisher request to meet with you to discuss further in an effort to resolve any concerns raised.

And, with respect to Items 2(e), 2(f), and Item 3 of your request, you advised that the Office of Court Administration has conducted a diligent search and has not located any records responsive to your request. We request that the Office of Court Administration certify as required that it has conducted a diligent search, including describing what that search entailed, and affirming that it has not located any responsive records. *See, e.g.,* Comm. on Open Gov’t Advisory Op., FOIL-AO-18946 (Aug. 17, 2012) (“It is emphasized that when a certification is requested, an agency shall prepare the certification; it is obliged to do so.”).

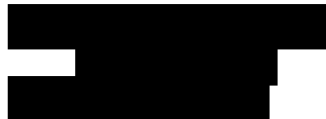
Please contact me if you have any questions or if it would be otherwise helpful to discuss this matter.

Sincerely,

**CORNELL LAW SCHOOL  
FIRST AMENDMENT CLINIC**

By: /s/ Heather E. Murray

Heather E. Murray

A black rectangular redaction box covering the signature area.

*Counsel for Scrutinize and Janon Fisher*