

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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BY FAX (10 pages) / E-MAIL

DATE: February 13, 2004

TO: Senator Patrick Leahy, Ranking Member, Senate Judiciary Committee
ATT: Lisa Graves, Chief Nominations Counsel/ Fax: 202-224-9516
Senator Joseph Lieberman, Ranking Member, Senate Governmental Affairs
Committee
ATT: Joyce Rechtschaffen, Staff Director/ Fax: 202-228-3792
Congressman John Conyers, Jr., Ranking Member, House Judiciary Committee
Congressman Howard Berman, Ranking Member, Courts Subcommittee
ATT: Perry Apelbaum, Chief Counsel/ Fax: 202-225-4423
Sampak Garg, Minority Counsel/ Fax: 202-225-7680
Alec French, Counsel, Courts Subcommittee/ Fax: 202-225-1845
Congressman Henry Waxman, Ranking Member, House Committee on
Government Reform
ATT: Kristin Amerling, Deputy Chief Counsel/ Fax: 202-225-4784
Congressman F. James Sensenbrenner, Chairman, House Judiciary Committee
ATT: Philip Kiko, Chief of Staff/General Counsel/ Fax: 202-225-7682
Blaine Merritt, Chief Counsel, Courts Subcommittee
Melissa McDonald, Oversight Counsel, Courts Subcommittee
Fax: 202-225-3673
Congressman Lamar Smith, Chairman, Courts Subcommittee of the House
Judiciary Committee & Co-Chair of the House Working Group on
Judicial Accountability
ATT: Allison Beach, Legislative Assistant / Fax: 202-225-8628

FROM: Elena Ruth Sassower, Coordinator
Center for Judicial Accountability, Inc. (CJA)

RE: The Supreme Court's impeachable repudiation of congressionally-imposed obligations of disqualification & disclosure under 28 U.S.C. §455 and disregard for the single recommendation addressed to it by the 1993 Report of the National Commission on Judicial Discipline and Removal that it consider establishing an internal mechanism to review judicial misconduct complaints against its Justices

Enclosed is CJA's February 12, 2004 letter to Chief Justice Rehnquist, exposing the false, misleading, and unsupported nature of his January 26, 2004 letter to Senators Leahy and Lieberman, responding to theirs of four days earlier. This includes the Chief Justice's statement that the reason there is "no formal procedure for Court review of the decision of a Justice [not to recuse himself] in an individual case" is because "it has long been settled that each Justice must decide such a question for himself".

As you know, such statement prompted BOTH the January 30, 2004 letter of Congressmen Conyers and Waxman to the Chief Justice, as well as the February 6, 2004 letter of Congressmen Conyers and Berman to Congressmen Sensenbrenner and Smith, calling for House Judiciary Committee hearings.

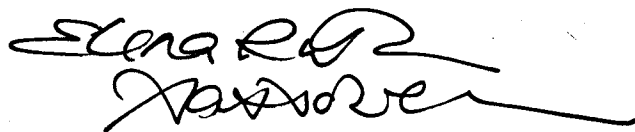
As reflected by our letter's final paragraph, we request that you not simply invite the Chief Justice and the eight Associate Justices to respond to what our letter sets forth, but that you

"secure [their responses], by subpoena if necessary, as part of the House Judiciary Committee's long-overdue investigation of CJA's November 6, 1998 impeachment complaint against the Justices. Such investigation must proceed forthwith"

So that you may be assured that this is your absolute duty to do, CJA respectfully requests that you each personally examine the record evidence substantiating our November 6, 1998 impeachment complaint, which we long ago furnished to both the Republican majority and Democratic minority sides of the House Judiciary Committee. Such must be retrieved from the Committee's archive -- represented to exist by the 1993 Report of the National Commission on Judicial Discipline and Removal (at p. 35).

As I have been informed that your offices are not receiving outside mail due to heightened security precautions occasioned by the recent ricin incident, copies of our November 6, 1998 impeachment complaint and the other enclosures to our February 12th letter to the Chief Justice are not being mailed to you, as they otherwise would. ALL such documents, however, are posted on CJA's website: www.judgewatch.org, accessible under the heading, "Test Cases-Federal (Mangano)".

Thank you.



cc: The Press & The Public