

CENTER *for* **JUDICIAL ACCOUNTABILITY, INC.***

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TO: Judicial Watch, Inc.
ATT: Tom Fitton, President
Paul Orfanedes, Director of Litigation
Chris Farrell, Director of Research & Investigation

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

RE: Queries on Federal Judicial Discipline & Request to Review Judicial Misconduct Complaints Filed by Judicial Watch under the Judicial Conduct & Disability Act of 1980, etc.

According to Judicial Watch's website: "A core component of Judicial Watch's mission is to monitor our nation's judiciary and to educate the American people about its operations." To that end, it has a "Watching the Courts – Judicial Monitoring Project". Your website states:

"Through Judicial Watch's Judicial Monitoring Project, JW has assembled a core of volunteers to monitor court proceedings, document the flagrant abuse of power in the state and federal court systems, and file complaints when necessary. JW's Judicial Monitoring Project is transforming the way justice is served."

Yet, I do not find any information as to whether Judicial Watch has taken positions on:

(a) the new rules governing judicial conduct and disability proceedings under the Judicial Conduct and Disability Act of 1980 – either in draft or as adopted by the Judicial Conference on March 11, 2008 – &/or submitted written comments;

* The **Center for Judicial Accountability, Inc. (CJA)** is a national, nonpartisan, nonprofit citizens' organization, documenting, by *independently-verifiable empirical evidence*, the dysfunction, politicization, and corruption of the processes of judicial selection and discipline on federal, state, and local levels.

- (b) the Breyer Committee Report to the Chief Justice on the Implementation of the Judicial Conduct and Disability Act of 1980, released in September 2006;
- (c) the House and Senate bills to establish an Inspector General for the Judicial Branch, introduced in 2006 and reintroduced (in amended form) in 2007;
- (d) the 2006 resolution to impeach U.S. District Judge Manuel Real;
- (e) the revised Code of Conduct for United States Judges, proposed by the Judicial Conference Committee on Codes of Conduct, and/or responded to that Committee's public notice inviting comment by April 18, 2008?

Has Judicial Watch done any analyses or critiques of the foregoing – most particularly of the Breyer Committee Report? The Report, from the Supreme Court's website, is posted on your "Judicial Monitoring Project" webpage, but without any commentary. Rather, there is only a posted article "*Judges Alter Rules for Sponsored Trips*", from the September 20, 2006 Washington Post, whose description of the release of the Breyer Committee Report includes the following:

"Among the mishandled cases cited in the Breyer report were a complaint by Judicial Watch, a conservative nonprofit organization, that a chief circuit judge, Boyce F. Martin, Jr., manipulated his court's docket in a crucial affirmative-action case...

...the Breyer committee found that judges had concluded prematurely that corrective action had been taken and, in the case of the alleged docket manipulation, that they failed to get the accused judge's side of the story..."

I cannot find the complaint against Judge Martin and subsequent correspondence relating to it, posted on Judicial Watch's website. Are they posted – and is the record of other judicial misconduct complaints that Judicial Watch filed also posted? Please advise, as I would like to review them – beginning with all complaints Judicial Watch filed against federal judges under the Judicial Conduct and Disability Act of 1980.

Your prompt response, by fax and/or e-mail, would be greatly appreciated.

Thank you.

