



Robert W. Kastenmeier
Chairman

Judge S. Jay Plager
Vice Chairman

Michael J. Remington
Director

**NATIONAL COMMISSION ON
JUDICIAL DISCIPLINE AND REMOVAL**

2100 Pennsylvania Avenue, N.W., Suite 690

Washington, D.C. 20037-3202

Telephone: (202) 254-8169

Facsimile: (202) 254-8175

Professor Stephen B. Burbank
Judge Levin H. Campbell
Professor Stephen L. Carter
Charles J. Cooper, Esq.
Professor Roger C. Cramton
Congressman Hamilton Fish, Jr.
Chief Justice Gordon R. Hall
John C. Harrison, Esq.
Senator Howell Heflin
Senator Arlen Specter
Professor Frank M. Tuerkheimer

July 20, 1993

Ms. Doris L. Sassower
283 Soundview Avenue
White Plains, NY 10606

Dear Ms . Sassower:

On July 14, your letter of that date to Michael Remington arrived in our offices by fax. On the same day we received a July 12 letter from House Judiciary Subcommittee Counsel Edward O'Connell, conveying "the extensive record" of your case, in which he informed us that he was forwarding that material for our consideration at your request. A copy of Mr. O'Connell's letter is enclosed. As you will note, your materials were not forwarded "with a recommendation for action".

I regret that your conversations with Mr. O'Connell and Mr. Steinson led you to believe the Commission could "take action" in the context in which your letter asks that it consider your materials -- "as a formal complaint." The Commission's grant of authority is explained in the Preface to the June 1993 Draft Report, which you cite in your correspondence. That grant of authority does not confer power to investigate, or "take action" in relation to, any individual complaint.

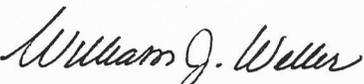
You also, of course, requested that your July 14 letter be considered as your written statement in response to the Notice published in our Draft Report. The Commission accepts your letter as such, and thanks you for submitting it. Copies of both the July 14 letter, as received by mail on July 15, and the modified text which we received by mail on July 19, along with a copy of Mr. O'Connell's July 12 letter, are being sent to each commissioner today. Those "Ninth Judicial Committee" materials forwarded to us with your letter will be included in the Commission's records.

Exhibit A-5

The record evidenced by the materials you have filed with Mr. O'Connell strongly suggests that you have arduously tried to avail yourself of all avenues of appeal short of a request for review of your complaint by the House of Representatives. Mr. O'Connell's referral of these materials to the Commission, as an example of such a case, has been very helpful. However, because we have no authority to "take action" in response to your specific request for an investigation, we are returning to Mr. O'Connell all of the materials which he sent to us with his July 12 letter.

Thank you for your contribution to the Commission's study.

Sincerely,


WILLIAM J. WELLER
Deputy Director

cc: Mr. Edward O'Connell