



U.S. House of Representatives Committee on the Judiciary F. James Sensenbrenner, Jr., Chairman

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News Advisory

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Sensenbrenner Statement on Judicial Conference's Report on Implementation of the Judicial Conduct and Disability Act of 1980

WASHINGTON, D.C. – House Judiciary Committee Chairman F. James Sensenbrenner, Jr. (R-Wis.) released the following statement today:

“I commend the Judicial Conduct and Disability Act Study Committee, headed by Justice Stephen Breyer, for its dedicated work investigating the enforcement of the Judicial Conduct and Discipline Act of 1980, which established a process where Federal judges largely self-police their own behavior. The late Chief Justice William Rehnquist also should be commended for taking this issue seriously and establishing this Committee in response to my concerns about a number of incidents where the judicial discipline construct had broken down in recent years.

“I have not yet had an opportunity to fully review the Committee’s report having just received it this afternoon. Nonetheless, **I am encouraged the Committee acknowledges there have been problems with the enforcement of the judicial discipline construct in recent years, particularly in high-profile cases.** As the Committee states, ‘[B]ecause the matters at issue have received publicity, the public is particularly likely to form a view of the judiciary’s handling of all cases upon the basis of these few. And the mishandling of these cases may discourage those with legitimate complaints from using the Act. We consider the mishandling of five such cases out of 17 – an error rate of close to 30% – far too high.’

“**Today’s report finds the Judicial Branch bungled all of the matters in which the House Judiciary Committee conducted extensive oversight.** Today’s report finds the dismissal of the complaint filed by Rep. Howard Coble and I regarding Judge Cudahy was handled incorrectly. Today’s report also finds a complaint filed about procedural shenanigans in the Sixth Circuit Court of Appeals involving the University of Michigan’s affirmative action admissions program was handled incorrectly. Likewise, the Judicial Branch’s investigation into Judge Real’s actions was also handled ‘inconsistent with our Standards.’ Finally, today’s report finds the issue related to the truthfulness of Judge Rosenbaum’s testimony before the Judiciary Committee was handled improperly.

“On a more positive note, the Judicial Conference has adopted two new policies to reduce the likelihood of ethical misconduct issues arising in the future. I look forward to working with the Judicial Branch to curtail mishandling of complaints about judicial misconduct to ensure judges exhibit the highest standards of integrity and conduct.”

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Exhibit R-1