

CENTER for JUDICIAL ACCOUNTABILITY, INC.

(914) 421-1200 • Fax (914) 684-6554

E-Mail: probono@delphi.com

Box 69, Gedney Station
White Plains, New York 10605

By Certified Mail/RRR: P-624-546-596

March 28, 1996

Tom Mooney, Chief Counsel
Subcommittee on Courts and Intellectual Property
B-351-A Rayburn Building
Washington, D.C. 20515

RE: Amending 28 U.S.C. §372(c)
Our 6/9/93 judicial misconduct complaint

Dear Mr. Mooney:


We thank you for having personally met with us for 45 minutes on February 5th and look forward to assisting the Subcommittee in ensuring the efficacy of procedures for reviewing and investigating complaints of misconduct by federal judges.

Immediately following our meeting, we arranged with the Federal Judicial Center to send you the three-volume research papers and hearing testimony for the Report of the National Commission on Judicial Discipline and Removal.

Michael Straight's important recommendation as to the need to amend 28 U.S.C. §372(c) to prevent the Circuits from dismissing bias complaints as "merits related" may be found in Volume II, at page 1747. His observation about such dismissals is set forth at page 1704--with his pertinent footnote 43 spanning to page 1706. For your convenience, those pages are annexed.

As you know, for over two and a half years, we tried to get an answer from the House Judiciary Subcommittee as to whether the bias complaint we filed with it on June 9, 1993 would be justiciable under §372(c) or would be dismissed as "merits related". We received no answer from it, any more than we had from the National Commission on Judicial Discipline and Removal.

Pursuant to our discussions together last month, we have now filed our bias complaint with the Second Circuit as a complaint under §372(c). A copy of that §372(c) complaint, dated and filed on March 4th, is enclosed, as are copies of the Second Circuit's two letters of acknowledgement.

Yours for a quality judiciary,

ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc.

cc: Michael Straight, Esq.
Congresswoman Nita Lowey
Congressman Jerrold Nadler

Ex-A-8"

R-108

P 624 546 596

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

USPS Form 3800, Feb. 1982
* U.S.G.P.O. 1983-403-517

Sent to <i>Tom Moore, Chief Counsel Subcommittee on CTS</i>	
Street and No. <i>B-351-A Rayburn</i>	
P.O., State and ZIP Code <i>Washington DC 20515</i>	
Postage	\$ <i>1.47</i>
Certified Fee	<i>1.10</i>
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	<i>1.10</i>
Return receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ <i>2.57</i>
Postmark Date	<i>MAR 23 1996</i>

WASHINGTON, DC 20515
MAR 23 1996

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete Items 1 and/or 2 for additional services.
- Complete Items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. Addressee's Address
2. Restricted Delivery
Consult postmaster for fee.

3. Article Addressed to: <i>Tom Moore, Chief Counsel House Subcommittee on CTS - Intellect. Property B-351-A Rayburn Washington, DC 20515</i>	4a. Article Number <i>P 624 546 596</i>
4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	7. Date of Delivery <i>APR 02 1996</i>
5. Received By: (Print Name)	8. Addressee's Address (Only if requested and fee is paid)
6. Signature: (Addressee or Agent) <i>X / [Signature]</i>	

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

R-109