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Elena Ruth Sassower, Coordinator

BY EXPRESS MAIL: EM025605895US

July 14, 2001

President George W. Bush
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

**RE: Request for Presidential Leadership in Publicly Endorsing
Congressional Hearings on Federal Judicial Discipline and
Removal – Including Threshold Hearings on the 1993 Report of
the National Commission on Judicial Discipline and Removal**

Dear Mr. President:

We commend you for removing the American Bar Association from its privileged, semi-official role in the federal judicial screening process. CJA's prior exchange of correspondence with you on the subject is annexed as Exhibits "A-3" and "A-4" to the enclosed copy of our July 3, 2001 letter to Senator Charles Schumer, Chairman of the Senate Judiciary Committee's Subcommittee on Administrative Oversight and the Courts – to which you are the first indicated recipient.

In addition to that Subcommittee's already-held hearing, "*Should Ideology Matter?: Judicial Nominations in 2001*", Senator Schumer has announced his intention to hold "at least" three additional hearings on "important issues relating to the judicial nominating process". However, as highlighted at pages 16-18 of our letter, it is essential that the Subcommittee also hold hearings on federal judicial discipline and removal. This, because

"the mechanisms for disciplining and removing incompetent, dishonest, and abusive federal judges from the bench are *verifiably* sham and dysfunctional" (at p. 16, emphasis in the original)

As our nation's most powerful elected official, we know you receive calls and letters from desperate citizens who turn to you for help against unfit judges. Some of these citizens may be unaware of the mechanisms that are supposed to protect them from miscreant federal judges. Presumably your staff advises them that they can file judicial misconduct complaints with the federal judiciary under 28 USC §372(c), file impeachment complaints with the House Judiciary Committee, and file criminal complaints with the Justice Department's Public Integrity Section of its Criminal Division. We would like to know what your staff tells citizens who have made complaints pursuant to those supposed remedies and who implore you to investigate their further complaint that these remedies are as corrupted as the judges about whom they have complained.

Eight years ago, the demonstrably worthless façade that passes for the judicial discipline and removal system was covered up by the National Commission on Judicial Discipline and Removal in a methodologically-flawed and dishonest Report, costing taxpayers three quarters of a million dollars. Pursuant to its mandate, the National Commission submitted this Report to all three branches of government with "recommendations for...legislative and administrative action". The enclosed copy of CJA's July 11, 2001 letter to Senate Majority Leader Thomas Daschle and Senate Minority Leader Trent Lott -- to which you are an indicated recipient -- highlights the fact that Congress has yet to hold hearings on this 1993 Report -- or to evaluate implementation of the Report's legitimate recommendations. This, in face of massive incontrovertible proof -- *long in the possession of the House Judiciary Committee* -- that the 1993 Report is a fraud and deceit on the American People and that its most critical recommendations which would have fortified federal judicial discipline and removal have *not* been implemented.

CJA's July 11, 2001 letter to Senate Leaders Daschle and Lott requests that they publicly endorse congressional hearings on federal judicial discipline and removal -- beginning with threshold hearings on the National Commission's 1993 Report. Likewise, CJA's July 11, 2001 letter to the members of the Senate Judiciary Committee and CJA's July 14, 2001 letter to New York Senator Hillary Rodham Clinton -- copies of which are also enclosed -- request similar public endorsements by them.

On this completely *non-partisan* issue -- critical to the welfare of millions of Americans who are, or have been, litigants in this nation's federal courts, as well as to the public at large -- it is fitting that you, Mr. President, take the lead.

July 14, 2001

CJA, therefore, respectfully requests that you raise your powerful voice to publicly endorse congressional hearings on federal judicial discipline and removal – beginning with hearings on the National Commission's 1993 Report.

In view of the seriousness of what is here involved, CJA respectfully requests that you charge your Counsel, Alberto R. Gonzalez -- rumored to be in line for the next Supreme Court vacancy -- with the responsibility of reviewing, on your behalf, Exhibits "N" and "O" to CJA's July 3, 2001 letter to Senator Schumer, as these pertain to the National Commission's methodologically-flawed and dishonest Report and to its various critical unimplemented recommendations. Additionally, Mr. Gonzalez should be designated to examine the proof substantiating these Exhibits, long ago provided to the House Judiciary Committee.

A copy of CJA's letter to the House Judiciary Committee's Minority Counsel – also sent to the Committee's General Counsel/Chief-of-Staff – asking for confirmation that both the Democratic and Republican sides are in possession of this voluminous proof – is enclosed.

Needless to say, it would be our privilege to answer any questions Mr. Gonzalez might have and to otherwise assist in his review.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc. (CJA)

Enclosures:

- (1) CJA's informational brochure
- (2) CJA's July 3, 2001 letter to Senator Schumer
- (3) CJA's July 11, 2001 letter to Senate Majority/Minority Leaders
- (4) CJA's July 11, 2001 letter to Senate Judiciary Committee Members
- (5) CJA's July 14, 2001 letter to Senator Hillary Rodham Clinton
- (6) CJA's July 9, 2001 letter to House Judiciary Committee Counsel

cc: Senator Charles Schumer, Chairman/Senate Judiciary Courts Subcommittee
Recipients of CJA's July 3, 2001 letter to Senator Schumer

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