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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

June 5, 1997

Mr. Lester Swartz
Post Office Box 273225
Boca Raton, Florida 33427

Dear Mr. Swartz:

Thank you for contacting the Senate Committee on the Judiciary regarding judicial misconduct. I apologize for the delay in my response. As chairman of the Senate Judiciary Committee, I am always concerned about the federal courts and judges. As you know, however, our Constitution outlines a system of government in three branches, each distinctly separate from the other and each with powers reserved to that branch alone. It is the duty of the legislative branch, through its elected representatives, to write law according to the will of the people. The judicial branch has the duty to apply the law on a case by case basis according to the law as it has been enacted by the legislative branch. I hope that all judges exercise such discipline.

The Constitution states that civil officers of the United States, including judges, may be "...removed from Office on Impeachment for, and Conviction of Treason, Bribery, or other high Crimes and Misdemeanors" (Art. II, 4). If a judge should commit a high crime or a misdemeanor, then "The House of Representatives...shall have the sole Power of Impeachment" (Art. I, 2). If you feel a judge has committed such a crime, you should contact your representative in the House.

I appreciate your taking the time to express your concern about the Federal Judiciary.

Sincerely,



Orrin G. Hatch
Chairman

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