

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 Priority Mail

August 21, 1996

Professor Sheldon Goldman
Department of Political Science
University of Massachusetts
Amherst, Massachusetts 01003

Dear Professor Goldman:

Following up our recent telephone conversation, the Center for Judicial Accountability is pleased to provide you with primary source materials relating to the federal judicial selection process.

These materials document our direct, first-hand experience with the federal judicial nomination and confirmation process: under a Republican President and Democratic Senate and under a Democratic President and a Republican Senate. They dispositively show the dereliction--indeed, the misconduct--of those in leadership positions, who have knowingly and deliberately failed to protect the public from demonstrably unfit federal judicial nominees and judges.

Although your response to my summary of our experience with the American Bar Association and other bar associations, the Justice Department, the Senate Judiciary Committee and Senate leadership, and the press was that you did not believe in "conspiracies", I was glad that you were willing to be "open-minded", to review these source materials, and to come to your own conclusions. Honest conclusions, which address empirical evidence, are all we ask.

Provided for your review are: (1) our June 28, 1996 letter to Senate Judiciary Committee Chairman Hatch. Exhibit "F" to that letter is our May 27, 1996 letter to Chairman Hatch relative to the Senate Judiciary Committee's May 21st hearing on the role of the ABA in the selection of federal judges. All the enclosures to that letter are transmitted herewith. They include: (2) our 1992 critique and compendium of exhibits; (3) our three correspondence compendia relating thereto; and (4) our Letter to the Editor about the ABA's deficient screening, published in The New York Times on July 17, 1992 under the title "Untrustworthy Ratings?".

August 21, 1996

After you have reviewed the enclosed, we look forward to hearing from you and to discussing with you your conclusions. We believe you will have to dramatically revise your view--as described in the August 1996 issue of the ABA Journal--that "any suggestion that the ABA committee is doing anything but 'calling it as it sees it' is 'absurd'" (p. 112). A copy of the ABA Journal article, focusing on the May 21st Senate Judiciary Committee hearing, is enclosed.

Should you wish to see additional primary source materials--particularly as they relate to the gross derelictions of the press¹ (whose coverage you asked about)--we would be more than willing to provide them to you. Such additional materials are no less extraordinary and disturbing.

We hope that our breathtaking pro bono citizen contribution--affording you a unique "bird's-eye view" of how dysfunctional, corrupted, and utterly contemptuous of the public the process is--will be prominently discussed in your future studies. If so, you are free to keep the enclosed voluminous materials. If not, we ask that you return them to us. They are costly to reproduce and assemble, and we would wish to make them available to other scholars.

¹ The result of the press's wilful cover-up of our 1992 critique was reflected in your belief that election-year politics was the reason Andrew O'Rourke was not confirmed to the district court judgeship to which he was nominated by President Bush. Even cursory examination of our critique should leave no doubt but that the Senate Judiciary Committee--which was holding hearings on other judicial nominees--could not possibly have held a confirmation hearing on Mr. O'Rourke's nomination. This is quite apart from the statement on the very first page of our critique as to:

"...our intention to appear at the public confirmation hearings to be held on Mr. O'Rourke's nomination so that we can oppose it with live testimony." (p. 1, emphasis in the original)

That four years later, at the confirmation hearing for Justice Lawrence Kahn, the Senate Judiciary Committee could not risk our testifying, may be seen from its despicable mistreatment of us, detailed in our uncontroverted June 28, 1996 letter to Chairman Hatch. (Your question to me as to whether we had testified in opposition to Justice Kahn seemed to signify your further belief that the Senate Judiciary Committee would grant appropriate requests to testify--as ours plainly was.)

We look forward to hearing from you.

Yours for a quality judiciary,

Elena Ruth Sassower

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

Enclosures:

- (a) CJA brochure
- (b) 6/28/96 ltr to Chairman Hatch
- (c) 1992 critique and compendium of exhibits
- (d) 3 correspondence compendia
- (e) "Untrustworthy Ratings", NYT, 7/17/92
- (f) 8/96 ABA Journal, pp. 108-114

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 side of the 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.

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

3. Article Addressed to:
*Professor Sheldon
Goldman
Dept of Political Science
University of Massachusetts
Amherst, Mass. 01003*

4a. Article Number
2124 353 254

4b. Service Type
 Registered
 Express Mail
 Certified
 Return Receipt for Merchandise
 Insured
 COD

5. Received By: (Print Name)
[Signature]

6. Signature: (Addressee or Agent)
[Signature]

7. Date of Delivery
8/24/96

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

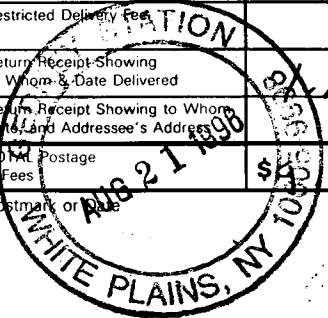
Thank you for using Return Receipt Service.

452 254 353 124 Z

Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to	<i>Sheldon Goldman</i>
Street and No.	<i>Dept of Political Science</i>
City, State and ZIP Code	<i>UNIVERSITY MASS AMHERST MASS 01003</i>
Postage	<i>\$6.95</i>
Certified Fee	<i>1.10</i>
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	<i>BY 8/21/96</i>
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	<i>\$8.05</i>
Postmark or Date	<i>AUG 21 1996</i>



REC'D 8/30/96