

Center for Judicial Accountability, Inc. (CJA)

From: Hellman, Arthur [hellman@pitt.edu]
Sent: Sunday, March 02, 2008 1:07 PM
To: Center for Judicial Accountability, Inc. (CJA)
Subject: RE: Queries -- Federal Judicial Discipline

Ms. Sassower,

Thank you for calling my attention to the change in Rule 25(c). I do not discuss that in the article, so I had not focused on it.

Arthur Hellman

From: Center for Judicial Accountability, Inc. (CJA) [elena@judgewatch.org]
Sent: Sunday, March 02, 2008 11:02 AM
To: Hellman, Arthur
Subject: RE: Queries -- Federal Judicial Discipline

Dear Professor --

Thank you for your prompt response. I will further reply later in the day.

Meantime, I assume you are aware that the proposed rules, *inter alia*, now allow the participation of the chief judge in the petition for review. This, notwithstanding the assertion in the appendix to your September 27, 2007 statement: "Non-participation by the circuit chief judge is an important element of circuit council review of chief judge orders."

Elena Sassower

From: Hellman, Arthur [mailto:hellman@pitt.edu]
Sent: Sunday, March 02, 2008 10:43 AM
To: Center for Judicial Accountability, Inc. (CJA)
Subject: RE: Queries -- Federal Judicial Discipline

Ms. Sassower,

1. I expressed interest in testifying. I don't have the correspondence handy, so I don't have a date.
2. The article is not yet published. It is now scheduled for publication in the spring. There is not yet a new version for public circulation.

In response to your more recent email: I would really prefer that you not quote this version of the article. The editors are working on it now, and changes will be made in the published version. It will be misleading to quote the present version because that will be superseded.

3/3/2008

Of course you are free to quote my statement to the Conduct Committee. That is a final and public document.

Thanks.

Arthur Hellman

From: Center for Judicial Accountability, Inc. (CJA) [elena@judgewatch.org]
Sent: Thursday, February 28, 2008 4:05 PM
To: Hellman, Arthur
Subject: Queries -- Federal Judicial Discipline

Dear Professor Hellman –

I'd appreciate your answer to two quick questions:

- (1) were you invited or did you request to testify at the September 27, 2007 hearing on the draft rules for federal judicial discipline?; If the latter, when did you make the request?
- (2) has your article "*The Regulation of Judicial Ethics in the Federal System: A Peek Behind Closed Doors*" yet been published? Is it different from the electronic copy at <http://ssrn.com/abstract=1015858>? Are you able to e-mail the published article to me?

Both your participation at the hearing and your article are referred to by CJA's nearly-finished critique of the Breyer Committee Report – which I want to be accurate in its references. I'll send you a copy next week.

Thank you.

Elena Sassower, Director
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