

# CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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*Elena Ruth Sassower, Coordinator*

## BY FAX AND MAIL

14 pages

May 22, 1998

TO: HOUSE JUDICIARY COMMITTEE

Majority Side: ATT: Tom Mooney, Mitch Glazier, Blaine Merritt.....202-225-3673

Minority Side: ATT: Perry Apelbaum, Robert Raben.....202-225-7680

This follows up my telephone conversations a short time ago with the Republican majority side: Annelie Weber, staff assistant of the full House Judiciary Committee, and Veronica Eligan, staff assistant of the Courts Subcommittee, requesting a meeting with Tom Mooney, Mitch Glazier, and Blaine Merritt during the week of June 1st, when I will be in Washington [preferably, Tuesday, 6/2, or Wednesday, 6/3].

The purpose of the meeting is to review the serious issues detailed by CJA's March 10th and March 23rd Memoranda. Those Memoranda asserted -- and substantiated by evidentiary proof -- (1) that the federal judiciary has subverted the congressional statutes governing judicial discipline and judicial disqualification -- 28 U.S.C. §372(c), §144, and §455 -- such that they are "empty shells"; (2) that the Judicial Conference knowingly misled the Committee as to the adequacy of those statutes in its self-serving vigorous opposition to §4 and §6 of H.R. 1252; and (3) that the final Report of the National Commission on Judicial Discipline and Removal -- which has never been the subject of a congressional hearing -- is methodologically flawed and dishonest. A meeting would also provide an opportunity to update you on developments subsequent to CJA's March 10th and 23rd Memoranda, including our completion of the petition for review to the Circuit Judicial Council<sup>1</sup> and the petition for a writ of

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<sup>1</sup> The petition for review to the Second Circuit Judicial Council was transmitted to the Administrative Office under an April 8, 1998 coverletter. The coverletter requested an *immediate* response in light of the rapidly approaching deadline for filing our petition for a writ of certiorari to the U.S. Supreme Court in *Sassower v. Mangano, et al.* As with our prior correspondence, we received no response from the Administrative Office. A copy of our April 8th coverletter -- to which the House Judiciary Committee is an indicated recipient -- is enclosed, as is the petition for review. Also enclosed is the Second Circuit Judicial Council's disposition of the petition -- one which reinforces the subversion

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certiorari to the U.S. Supreme Court, referred to in our March 10th Memorandum (p. 3, 2nd paragraph).

Robert Raben, counsel to the Courts Subcommittee for the Democratic minority, not only unhesitatingly agreed to meet with me during my visit, but unhesitatingly agreed to my suggestion that our meeting together be combined with my meeting with his Republican counterparts. Mr. Raben also informed me that the Courts Subcommittee will be holding an oversight hearing on June 11th on the Judicial Conference, the Administrative Office, and the Federal Judicial Center.

As may be seen from CJA's March Memoranda and the substantiating materials, CJA has a great deal to contribute to the Committee's understanding of "the extent to which the Judicial Conference -- a taxpayer-supported lobby for the federal judiciary -- has, by fraud and deceit, 'pulled the wool over its eyes'"<sup>2</sup> as to §372(c), §144, §455 -- and a whole range of issues involving judicial integrity and the public welfare. Indeed, as recently as April 24th, I testified before the Commission on Structural Alternatives for the Federal Courts of Appeals on the exigent need for intervention on behalf of the public. Although CJA's testimony is accessible on the Commission's website ([www.app.comm.uscourts.gov/](http://www.app.comm.uscourts.gov/)), a copy is herewith enclosed for your convenience.

Immediately following my telephone conversation with Mr. Raben, I called back Ms. Eligan (to whom I had previously spoken) and requested to be included as a witness at the Subcommittee's June 11th hearing. Ms. Eligan asked that I add that to my letter request.

Your consideration -- and prompt response -- would be greatly appreciated.

Yours for a quality judiciary,



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

Enclosures

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of §372(c), §144, and §455 detailed in CJA's March 10th and 23rd Memoranda, copies of which were annexed as Exhibits "A" and "B" to the petition for review.

<sup>2</sup> See CJA's March 10, 1998 Memorandum, p. 4, penultimate paragraph.