

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Coordinator

BY FAX: 11 pages

TO: Congressman Henry Hyde [Fax: 202-225-1166]
Chairman, House Judiciary Committee, ATT: Tom Mooney, Chief of Staff
Congressman John Conyers, Jr. [Fax: 202-225-0072]
Ranking Member, House Judiciary Committee; ATT: Lisa Carr, Legislative Assistant
Congressman Barney Frank [Fax: 202-225-0182]
Ranking Member, House Judiciary Courts Subcommittee
ATT: Peter Kovar, Administrative Assistant
House Judiciary Committee Subcommittee
Republican Side: ATT: Mitch Glazier, Blaine Merritt [Fax: 202-225-3673]
Democratic Side: ATT: Perry Apfelbaum, Robert Raben [Fax: 202-225-7680]
Congressman Ed Bryant [Fax: 202-225-2989]
ATT: Mark Johnson, Legislative Director

DATE: June 10, 1998, 4:30 p.m.

RE: Court Subcommittee's June 11, 1998 "Oversight" Hearing

The Courts Subcommittee staff has provided us with the witness list for tomorrow's "oversight" hearing. Only representatives of the bodies being "overseen" -- the Judicial Conference, Administrative Office, and Federal Judiciary -- will be testifying.

As you know, CJA's request to testify at that hearing, based on our March 10th and March 23rd Memoranda to the House Judiciary Committee, was the subject of our faxed June 5th letter addressed to Courts Subcommittee Chairman Howard Coble, with copies faxed to each of you as indicated recipients.

Hard copies of that June 5th letter, which we modified after faxing it, were sent to Chairman Coble's office by express mail (EM025604665US). Included in the express mail package were separate envelopes addressed to each of you, containing the superseding June 5th letter with full exhibits. A covernote requested that these envelopes be distributed to you.

Yesterday, shortly before 2:00 p.m., I left a voice mail message with Chairman Coble's Legislative Assistant, Michael Bradshaw, seeking confirmation that he had received the express mail package and

June 10, 1998 Fax: RE: 6/11/98 "Oversight" Hearing
Page Two

that the envelopes for you containing the copies would be immediately distributed. I also called the Subcommittee and was told by Staff Assistant Veronica Eligan that it had not received the express mail package or its separately addressed envelope. According to the post office, from which no information was available until late yesterday, our express mail package was delivered at 11:15 a.m. yesterday morning.

Today, at 10:30 a.m., I called the Democratic minority, but was unable to obtain any information about whether it had received its envelope containing the June 5th superseding letter and exhibits. At 2:20, I again called Chairman Coble's office. Again, I left a detailed message on Mr. Bradshaw's voice mail about the package and enclosed envelopes. Immediately thereafter, I called the Subcommittee, but Ms. Eligan did not believe that the package or envelopes had arrived there.

It is of utmost importance that you familiarize yourselves with the five exhibits to that letter -- and particularly the March 10th and March 23rd Memoranda annexed as Exhibits "B" and "C", as well as our May 29th letter to the Administrative Office (Exhibit "E") -- a copy of which was given, in hand, to the Clerk of the U.S. Supreme Court for Chief Justice Rehnquist, who presides over the Judicial Conference. Such letter put the federal judiciary on notice that it should come to the June 11th "oversight" hearing prepared to testify as to the serious issues presented by the March 10th and March 23rd Memoranda. Fortunately, those three documents are in the possession of both the Subcommittee's majority and minority counsel and, therefore, readily accessible to you.

Faxed herewith is CJA's superseding June 5th letter, without exhibits. Although the original June 5th letter was more than sufficient to elicit an immediate response inviting CJA to testify at the June 11th "oversight" hearing, no response has been forthcoming as of this date and time: June 10th, 4:30 p.m..

It is CJA's intention to make a written submission for inclusion in the record (i.e. the published transcript of the "oversight" hearing). We understand from Ms. Eligan that the record will remain "open" for five business days, until Thursday, June 18th. Our submission will include the express-mailed June 5th letter, with its five exhibits, to which we will annex a prefatory statement.

Needless to say, the Subcommittee's refusal to include CJA as a witness at its "oversight" hearing -- and your failure, as indicated recipients, to take discernible corrective steps -- does not eliminate the Subcommittee's obligation to make tomorrow's "oversight" hearing more than the ceremonial exercise than its past "oversight" hearings have been. Based on the documentary proof CJA provided the Subcommittee as to the federal judiciary's deceitful claims to Congress as to the adequacy and efficacy of 28 U.S.C. §§372(c), 144, and 455 -- statutes essential to protecting the public from judicial bias and corruption -- the public has a right to expect that the Subcommittee will closely question the federal judiciary's witnesses at tomorrow's hearing. Indeed, as pointed out in our May 29th letter, Congress promised "vigorous oversight" over §372(c) when, in 1980, it reposed federal judicial discipline in the federal judicial branch based on the judiciary's claims that it could police itself.

June 10, 1998 Fax: RE: 6/11/98 "Oversight" Hearing
Page Three

For the Subcommittee to fail to explore the serious issues presented by CJA's March 10th and March 23rd Memoranda would make the Subcommittee even more of a laughing-stock in the federal judiciary's eyes than it already is. Indeed, the contempt with which the federal judiciary holds Congress is evident not only from its false, fraudulent and deceitful representations to Congress, as highlighted by our Memoranda, but by its failure to recognize its duty to respond to the serious charges as to its misconduct, therein particularized

Finally, since the Subcommittee seems to operate without any awareness that the Judicial Conference and Administrative Office constitute a taxpayer-supported special interest group, lobbying for the federal judiciary, we strongly recommend -- as required reading -- the excellent book of Professor Christopher E. Smith entitled Judicial Self-Interest: Federal Judges and Court Administration (Praeger Publishers, 1995, 145 pp.).



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

Enclosures

cc: Chairman Howard Coble, Courts Subcommittee [Fax: 202-225-8611]

Congressman Frank

TRANSMISSION VERIFICATION REPORT

TIME : 06/10/1998 15:47
NAME : CJA
FA : 9144284994
TEL : 9144211200

DATE, TIME	06/10 15:40
FAX NO./NAME	12022250182
DURATION	00:06:32
PAGE(S)	11
RESULT	OK
MODE	STANDARD ECM

Congressman Bryant

TRANSMISSION VERIFICATION REPORT

TIME : 06/10/1998 15:58
NAME : CJA
FAX : 9144284994
TEL : 9144211200

DATE, TIME	06/10 15:51
FAX NO./NAME	12022252989
DURATION	00:06:40
PAGE(S)	11
RESULT	OK
MODE	STANDARD ECM

Cressman Hyde

TRANSMISSION VERIFICATION REPORT

TIME : 06/10/1998 16:06
NAME : CJA
FAX : 9144294994
TEL : 9144211200

DATE, TIME	06/10 16:00
FAX NO./NAME	12022251156
DURATION	00:06:37
PAGE(S)	11
RESULT	OK
MODE	STANDARD ECM

Cressman Hayes

TRANSMISSION VERIFICATION REPORT

TIME : 06/10/1998 16:15
NAME : CJA
FAX : 9144294994
TEL : 9144211200

DATE, TIME	06/10 16:05
FAX NO./NAME	12022250011
DURATION	00:06:39
PAGE(S)	11
RESULT	OK
MODE	STANDARD ECM

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Elena Ruth Sassower, Coordinator

BY FAX: 8 pages


TO: House Judiciary Committee Subcommittee
Republican Side: ATT: Mitch Glazier, Blaine Merritt [Fax: 202-225-3673]
Democratic Side: ATT: Perry Apelbaum, Robert Raben [Fax: 202-225-7680]

DATE: June 10, 1998, 5:10 p.m.

RE: Court Subcommittee's June 11, 1998 "Oversight" Hearing

Enclosed is CJA's letter of today's date. Inasmuch as we already faxed copies of the June 5th express-mail letter to each of you: to the Courts Subcommittee at 2:00 p.m. yesterday (Exhibit "A") and to the Democratic minority at 10:35 a.m. today (Exhibit "B"), another copy is not being faxed herewith.

Needless to say, should you wish us to fax another copy, we will promptly do so.



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

Enclosures

TRANSMISSION VERIFICATION REPORT

*Republican
Majority*

TIME : 06/10/1998 16:36
NAME : CJA
FAX : 9144284994
TEL : 9144211200

DATE, TIME	06/10 16:36
FAX NO./NAME	12022253673
DURATION	00:02:40
PAGE(S)	35
RESULT	OK
MODE	STANDARD ECM

*Republican
Majority*

DATE, TIME	06/10 16:50
FAX NO./NAME	12022253673
DURATION	00:01:40
PAGE(S)	03
RESULT	OK
MODE	STANDARD ECM

*Democratic
Minority*

TRANSMISSION VERIFICATION REPORT

TIME : 06/10/1998 16:27
NAME : CJA
FAX : 9144284994
TEL : 9144211200

DATE, TIME	06/10 16:22
FAX NO./NAME	12022257680
DURATION	00:04:15
PAGE(S)	08
RESULT	OK
MODE	STANDARD ECM