

Ctr for Judicial Accountability

From: ref@attglobal.net
Sent: Monday, July 02, 2007 8:08 PM
To: CenterForJudicialAccountability@judgewatch.org
Subject: re:Memo to Justice at Stake Campaign Partners -- "Working to Keep Our Courts Fair and Impartial" -- as Empirically Tested by the 'Disruption of Congress' Case

Hi Elena --

I took a look at the papers you sent me (as well as today's fax) and one of the documents posted on your organization's website which seemed to be related to the disqualification issue, but did not discuss the basis for seeking disqualification in the Disruption of Congress case. It certainly does appear that the sentence you were given in that case was extreme. However, without knowing more about the basis for your recusal motions in the trial court, or how they relate to the Petition you have presently pending before the U.S. Supreme Court, I cannot tell whether there is any way in which I would be able to be of use to you -- by filing an amicus brief or otherwise.

FYI, my own research has not gone beyond the published case law. As I mentioned in my book, most of the published cases are ones in which disqualification motions were denied (or decisions denying disqualification were upheld on appeal). The published case law does not fairly represent judicial recusal practice, however, because judges do often recuse themselves, and those who do typically do not write a published opinion explaining why.

I will be in and out of my office over the next two weeks. My telephone number is 510-849-0123.

Richard Flamm

----- Original Message -----

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Subject: Memo to Justice at Stake Campaign Partners -- "Working to Keep Our Courts Fair and Impartial" -- as Empirically Tested by the 'Disruption of Congress' Case
Date: Mon, July 02, 2007, 12:58:00

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