



NINTH JUDICIAL COMMITTEE

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September 13, 1993

Jeffrey M. Shaman, Esq.
American Judicature Society
25 East Washington
Suite 1600
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RE: Accountability for Judicial Misconduct by Federal Judges

Dear Jeffrey:

I have been holding back mailing the enclosed two letters in which you are "cc'd" so that I could add my own personal note.

Alas, the weeks have passed without my sending either the letters or my personal note.

Truth is, notwithstanding the enclosed letters to Ed O'Connell and Congresswoman Lowey, I "die a thousand deaths" before sitting down to write anything--this includes even a simple couple of sentences like:

I so much enjoyed meeting you in New York.
Thank you for the lovely dinner.
Hope all is well.
How's your new dog?

Indeed, perhaps the most important letter that remains unwritten is the "proposal" for a critique by American Judicature Society of the Report of the National Commission on Judicial Discipline and Removal--about which we spoke last month.

As you can see from the enclosed, we have now located yet another "hole" in the National Commission's Report, i.e. that the House Judiciary Committee does not investigate complaints of judicial misconduct filed with it.

I trust you will agree that such failure is all the more serious in the context of our July 14th and July 22nd letters to the National Commission, detailing Sassower v. Field as a "convincing demonstration" that judicial remedies are inadequate in checking

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readily-documentable misconduct by federal judges.

Since the whole premise of the National Commission's Report is that existing mechanisms of oversight are adequate to the task of judicial discipline, your comment on the Sassower v. Field case, as well as our letters on the subject, is essential. Please let me know if you would like to see the Court of Appeals submissions, in addition to the Supreme Court submissions you already have.

I am also most interested in knowing whether you have had an opportunity to review the Ninth Judicial Committee's critique documenting the deficiencies of the federal judicial screening process, discussed in our July 14th and July 22nd letters.

Please let me hear from you soon so that we can coordinate strategy.

Shana Tova.

Warmest personal regards,



ELENA RUTH SASSOWER

Enclosures (2)

P.S. I would most appreciate a copy of Frances Zemans' testimony before the National Commission, as well as the testimony of any of the other presenters before the Commission that you might have.