

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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BY FAX AND MAIL: 202-483-9430

14 pages

TO: Citizens for Independent Courts  
ATT: Laura Compton, Program Assistant  
Elizabeth Dahl, Counsel

FROM: Elena Ruth Sassower, Coordinator

DATE: August 13, 1998

RE: Need for Immediate Action

Following up my telephone conversation with each of you a short while ago, this is to reiterate the urgent need for Independent Court's *immediate* attention to -- AND ACTION on -- two matters relating to judicial selection and discipline on the federal level. I tried to speak with Virginia Sloan about these matters last week before her vacation in Thailand, but she didn't have the time and stated she wouldn't be back in the office until after Labor Day. That is too late.

As discussed with you, I hand-delivered the relevant documents to Citizens for Independent Courts on July 31st, after speaking with Michael of your office. Those documents are reflected by the penultimate paragraph of our August 11th letter to ABA President Philip Anderson, to which Citizens for Independent Courts is an indicated recipient. A copy of the letter is herewith faxed. A hard copy, with the appended exhibits, is being mailed. It is essential that Independent Courts review that letter since it particularizes the two matters requiring priority attention. Briefly, they are as follows:

(1) ON JUDICIAL SELECTION: The Senate comes back from recess on September 1st -- and will then be taking up confirmation of Alvin Hellerstein. We need Citizens for Independent Courts to endorse our opposition to Mr. Hellerstein for the reasons set forth in our July 30th and August 3rd faxes and substantiated by our 1992 critique of the federal judicial screening process and subsequent correspondence with the Association of the Bar of the City of New York, including with Mr. Hellerstein, then chairman of its Judiciary Committee.

(2) ON JUDICIAL DISCIPLINE: The Supreme Court comes back from recess late next month and will, at that time, be deciding whether to grant certiorari to the petition in *Sassower v. Mangano, et al.* That petition presents profound issues of federal judicial misconduct and corruption, obliterating the judicial/appellate/disciplinary processes -- including the federal statutes intended to protect the

public from unfit judges, 28 U.S.C. §§144, 455, and 372(c)<sup>1</sup>. We need *amicus* support from Citizens for Independent Courts for Supreme Court review, including endorsement of our request for *amicus* support from the U.S. Solicitor General. We also need Independent Court's support for our request for an impeachment investigation by the House Judiciary Committee and a criminal investigation by the U.S. Justice Department's Public Integrity Section.

Now is the time for Citizens for Independent Courts to avail itself of the services of its listed supporters -- law school deans, professors, former government officials, etc., respected attorneys. Time is of the essence.

Please call me next week as to what arrangements have been made. We will happily provide whatever assistance and other information is needed by who ever takes on the important responsibility of review in Ms. Sloan's absence.



P.S. We have heard nothing whatever from Nan Aron -- a listed supporter of Independent Courts -- in response to our July 30th and August 3rd faxes, sent to the Alliance for Justice.

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<sup>1</sup> We note that Independent Courts' website features H.R. 1252 -- *without any comment* about it. CJA has extensively commented on H.R. 1252. This is reflected not only by the two Memoranda we submitted to the House Judiciary Committee in connection with its consideration of H.R. 1252, both of which are reprinted in the appendix of the *Sassower v. Mangano* cert petition [A-295; A-301], but by the compendium of documents accompanying CJA's written statement to the House Judiciary Committee for inclusion in the record of its June 25, 1998 "oversight" hearing of the administration and operation of the federal judiciary" -- hand-delivered to Citizens for Independent Courts on July 31st. Since no one in a position of leadership has been willing to comment on those Memoranda -- Congress needs to hear from Independent Courts on those Memoranda. Based on the *Sassower v. Mangano* cert petition and our written statement, it should easily be able to do that and to join us in advocating congressional action to reinforce 28 U.S.C. §§144, 455, and 372(c).

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