

**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewidth.org>  
**Sent:** Wednesday, July 19, 2023 4:42 PM

**To:** 'michael.waldman@nyu.edu'; 'john.kowel@nyu.edu';  
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**Cc:** 'brennancenter@nyu.edu'; 'julian.brookes@nyu.edu';  
'derek.rosenfeld@nyu.edu'; 'mireya.navarro@nyu.edu';  
'lawrence.norden@nyu.edu'; 'johanna.kalb@nyu.edu';  
'jkalb@uidaho.edu'

**Subject:** **Setting the Record Straight: "Supreme Court Ethics, Recusal, and Transparency Act" -- Request for your Expert Opinion, Scholarship, & Advocacy**

**Attachments:** 7-18-23-letter-to-durbin-whitehouse.pdf

[To: Brennan Center for Justice](#)

Michael Waldman, ESQ., President & CEO  
John Kowel, ESQ., Vice President-Program Initiatives  
Wendy Weiser, ESQ., Vice President-Democracy Program  
Douglas Keith, ESQ., Counsel-Democracy Program  
Alicia Bannon, ESQ., Director-Judiciary Program/Democracy Program

Above attached – and here [linked](#) – is my yesterday’s letter to Senate Judiciary Committee Chair Durbin and Courts Subcommittee Chair Whitehouse entitled “Setting the Record Straight: ‘Supreme Court Ethics, Recusal, and Transparency Act’ – & the mirage of ethics codes & enforcement in the lower federal judiciary – & elsewhere”, which I have requested be distributed to ALL senators and placed on the agenda of the Committee’s July 20<sup>th</sup> meeting so that discussion of the Act may be informed by the relevant facts, rather than, as it has been, infused with falsehoods and partisanship on both sides.

The last sentence identifies that I would be forwarding the letter to the witnesses who testified at the hearings and other advocates and scholars with a request that they furnish their expert opinions as to its significance. It is this that I now do by this e-mail.

I look forward to speaking with you, directly, about the letter and answering your questions about the mountain of primary-source, documentary evidence it furnishes germane to your scholarship and advocacy “as a nonpartisan law and policy institute” – and to your ethical, professional, and civic responsibilities under applicable codes of conduct.

Thank you.

Elena Sassower, Director  
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[www.judgewidth.org](http://www.judgewidth.org)

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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Tuesday, July 18, 2023 4:43 PM  
**To:** 'info@judiciary-dem.senate.gov' <[info@judiciary-dem.senate.gov](mailto:info@judiciary-dem.senate.gov)>; 'josh\_sorbe@judiciary-dem.senate.gov' <[josh\\_sorbe@judiciary-dem.senate.gov](mailto:josh_sorbe@judiciary-dem.senate.gov)>; 'scheduling@whitehouse.senate.gov' <[scheduling@whitehouse.senate.gov](mailto:scheduling@whitehouse.senate.gov)>  
**Cc:** 'info@judiciary-rep.senate.gov' <[info@judiciary-rep.senate.gov](mailto:info@judiciary-rep.senate.gov)>

**Subject: Distribution -- Setting the Record Straight: "Supreme Court Ethics, Recusal, and Transparency Act" -- Letter for Distribution & Inclusion on the Agenda of SJC's July 20th meeting, etc.**

TO: Senate Judiciary Committee Chair/Majority Whip Dick Durbin, ESQ.  
Senate Judiciary Committee/Courts Subcommittee Chair Sheldon Whitehouse, ESQ.

Following up my below e-mail pertaining to my above-attached letter.

The senators' webpage messaging systems, which are for "comment", allowing for NO attachments, are TOO time-consuming and cumbersome for me to use – and it makes no sense for me to do so when you can so speedily forward this e-mail to the Senate Judiciary Committee's other 19 members and Senate Majority Leader Schumer and Senate Minority Leader McConnell.

I request that you forward my e-mail to them – and will assume that you have done so, unless I hear from you to the contrary.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
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**Cc:** 'info@judiciary-rep.senate.gov' <[info@judiciary-rep.senate.gov](mailto:info@judiciary-rep.senate.gov)>

**Subject: Setting the Record Straight: "Supreme Court Ethics, Recusal, and Transparency Act" -- Letter for Distribution & Inclusion on the Agenda of SJC's July 20th meeting, etc.**

TO: Senate Judiciary Committee Chair/Majority Whip Dick Durbin, ESQ.  
Senate Judiciary Committee/Courts Subcommittee Chair Sheldon Whitehouse, ESQ.

Above attached – and here [linked](#) – is my letter of today’s date entitled: Setting the Record Straight: “Supreme Court Ethics, Recusal, and Transparency Act” – & the mirage of ethics codes & enforcement in the lower federal judiciary – & elsewhere”.

I request that it be distributed to ALL senators and placed on the agenda of the Senate Judiciary Committee’s July 20<sup>th</sup> meeting so that discussion of the important “Supreme Court Ethics, Recusal, and Transparency Act” may be informed by the relevant facts, rather than, as it has been, infused with falsehoods and partisanship on both sides.

To assist you in doing this, I am cc’ing Senate Majority Leader Schumer and Senate Minority Leader McConnell and will alert the other 19 Senate Judiciary Committee members *via* their webpage messaging systems and provide the link to CJA’s webpage posting this letter, which is: <https://www.judgewatch.org/web-pages/judicial-discipline/federal/2023-menu.htm>.

I am available to answer questions.

Thank you.

Elena Sassower, Director  
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