

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, July 20, 2023 3:18 PM

To: 'jeremyfogel@berkeley.edu'

Subject: **Corrected July 18, 2023 Letter -- Setting the Record Straight: The "Supreme Court Ethics, Recusal, and Transparency Act" & the Falsehoods that Have Accompanied It**

Attachments: [7-18-23-letter-to-durbin-whitehouse-corrected.pdf](#)

To: Jeremy Fogel, ESQ. – Berkeley Judicial Institute

Above-attached is my superseding July 18th letter/memo to Senate Judiciary Committee Chair Durbin and Courts Subcommittee Chair Whitehouse, which I sent to the Senate Judiciary Committee by my below e-mail, shortly before the start of this morning's meeting. It is posted on [CJA's menu webpage for the letter/memo](#) – and from it you can also access my related correspondence to witnesses, like yourself, and other scholars and advocates – and where I will post such responses as I receive.

Thank you.

Elena Sassower, Director
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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, July 20, 2023 9:05 AM

To: 'info@judiciary-dem.senate.gov' <info@judiciary-dem.senate.gov>; 'josh_sorbe@judiciary-dem.senate.gov' <josh_sorbe@judiciary-dem.senate.gov>; 'scheduling@whitehouse.senate.gov' <scheduling@whitehouse.senate.gov>

Subject: **Corrected Letter, Distribution Requested -- 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.

At 9:50 am yesterday morning, I called the Senate Judiciary Committee's Democratic majority office (202-224-7703), requesting confirmation of receipt of my below e-mails and a correct email address for the Republican minority side, as I got a bounce-back for what I believed might be its e-mail address, info@judiciary-rep.senate.gov. I received no return call.

Attached is a superseding July 18th letter, to replace the one I sent by the below. It makes essentially non-substantive, typographic corrections. The most significant substantive change is at page 6 by the elaboration of the content of my March 10, 2008 letter to Administrative Office Director James Duff – and the related information about Mr. Duff at the end of what is now footnote 11.

Apologizes for the inconvenience. Please distribute to ALL senators, as requested, starting with those on the Senate Judiciary Committee.

Thank you.

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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, July 18, 2023 4:43 PM

To: 'info@judiciary-dem.senate.gov' <info@judiciary-dem.senate.gov>; 'josh_sorbe@judiciary-dem.senate.gov' <josh_sorbe@judiciary-dem.senate.gov>; 'scheduling@whitehouse.senate.gov' <scheduling@whitehouse.senate.gov>

Cc: 'info@judiciary-rep.senate.gov' <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

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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, July 18, 2023 4:00 PM

To: 'info@judiciary-dem.senate.gov' <info@judiciary-dem.senate.gov>; 'josh_sorbe@judiciary-dem.senate.gov' <josh_sorbe@judiciary-dem.senate.gov>; 'scheduling@whitehouse.senate.gov' <scheduling@whitehouse.senate.gov>

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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 20th 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.

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