

CENTER for
JUDICIAL
ACCOUNTABILITY, INC.



TEL (914) 421-1200 • FAX (914) 684-6554
E-MAIL probono@delphi.com
Box 69, Gedney Station • White Plains, NY 10605

FAX COVER SHEET

DATE: 5/9/95 TIME: 4:45

This fax transmission consists of a total of 3 pages including this cover page. If you have not received all the pages, please call (914) 997-8105.

TO: Bruce Golding

FAX NUMBER: 694-5018 [694-5012]

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FROM: ERS

MESSAGE: brochure of USA Fixed Assets
will send out on 78 proceeds
against the Commission
Judicial Conduct -
it's dynamite!

see asterisked portion

The Center for Judicial Accountability, Inc. is a national, non-partisan, not-for-profit citizens' organization raising public consciousness about how judges break the law and get away with it.

Bringing the Justice System

Judicial Accountability. Why shouldn't judges, like everyone else in a democracy, be responsible for their incompetence and deliberate misdeeds? Why should judges be allowed to run their courtrooms as their own private fiefdoms, free to abuse litigants and lawyers who come before them?

We are building a national organization focused on the problem of bad judges -- judges who are incompetent, abusive, and dishonest. By dishonesty, we mean judges who knowingly disregard clear and controlling law and who write decisions which fabricate or deliberately omit critical facts.

These judges destroy people's lives, families, and businesses and, for ulterior reasons, torpedo important cases affecting the public.

The financial cost of appealing a judge's bad decision puts appeal out of reach for the average citizen. Yet those who make the financial sacrifice and undertake appeal often meet with the same realities on the appellate court level as in the lower court. Even where appellate courts reverse a lower court's blatantly erroneous decision, there is no personal cost to the judge for his judicial malpractice -- but only to the litigants, who have been wronged and to the system.

Incompetent, abusive and corrupt judges create havoc at the trial level and overwhelm the system with otherwise needless appeals. This puts the courts in crisis and is extremely costly to taxpayers.

To Justice . . .

Obviously, improving the way we choose judges is crucial. Whether by election or appointment, there must be safeguards to ensure that only persons of the highest competence, integrity, and judicial temperament become our judges.

Yet, the public interest in a quality judiciary has been thwarted by politicians, who view our third branch of government as a pool for patronage. Judicial qualifications are often secondary to the political interests served by the judicial nomination being made.

Because judicial nomination and discipline are essentially secret processes from which the public is excluded, such processes have been co-opted by political interests. This has enabled unqualified judicial candidates to gain office and, thereafter, to stay in office, despite demonstrated on-the-job unfitness.

Shamefully, public officials, government agencies responsible for judicial oversight and established organizations of the bar have failed in their duty to protect against the corrosion of our courts, not only by looking the other way, but by actively participating in a "cover-up". The same is true of the media, which is largely ill-informed, insensitive, and self-interested on these issues.

It is, therefore, **We, the People**, who must take action to protect ourselves, our judicial system, and our democratic values.

Our Mission . . .

To improve the quality of our judiciary by removing political considerations from the judicial selection process and by ensuring that the process of disciplining and removing judges is effective and meaningful.

What We Do . . .

Educate the public about the paramount importance of the judiciary and its role in protecting our constitutional form of government . . .

Network judicial activists and legal reform groups around the country to promote citizen involvement, concerted action, and protection for judicial "whistleblowers" . . .

Document the nature and extent of judicial incompetence, abuse, and dishonesty and the failure of judicial conduct commissions and screening panels to protect the public . . .

Track media coverage of issues of judicial selection and discipline, working with reporters and editors to provide accurate coverage . . .

Testify before public and private bodies involved in judicial issues . . .

Initiate and support legal action in the public interest to advance the goal of a quality judiciary, free from political influence . . .

Our History . . .

What began as a local effort by a group of citizens to fight political manipulation and dishonesty in local judicial elections became the impetus for a new national organization.

In 1989, the Ninth Judicial Committee, a grassroots group in the Ninth Judicial District, just north of New York City, was formed to do something about a Deal between the Democratic and Republican parties trading seven judgeships over a three-year period. By the Deal, the two major parties agreed to "cross-endorse" the same judicial candidates. This effectively disenfranchised voters of their constitutional right of election, the major party slates being identical.

The *written* Deal, which also provided for contracted for resignations to create new judicial vacancies and a split of patronage, was thereafter implemented at judicial nominating conventions that violated the most basic Election Law safeguards. The Governor, the State Board of Elections, the Commission on Judicial Conduct, and the local bar associations all failed and refused to take action, thereby allowing party officials, lawyers, sitting judges, and judicial nominees to get away with patently illegal conduct.

As a result, in 1990, the Ninth Judicial Committee undertook the arduous burden of spearheading litigation to challenge the Deal and the judicial nominating conventions. However the courts, also, failed and refused to perform their duty. They disregarded fundamental legal standards and falsified the factual record so as to dismiss the litigation and prevent adjudication on the merits.

In the ensuing years, the Ninth Judicial Committee has worked tirelessly to expose the political corruption of judicial elections in New York, as well as of the so-called "merit selection" of judges to New York's highest court. In that connection, we twice testified before the State Senate Judiciary Committee in Albany.

The Ninth Judicial Committee also engaged in a ground-breaking six-month investigation of the federal judicial screening process. Our fully-documented study, which, in 1992, was submitted to the U.S. Senate Judiciary Committee, Senate leadership, and major bar associations, established that the federal screening process does not work to protect the public from appointment of unfit judicial nominees to lifetime federal court judgeships. In 1993, that study and other documentary evidence were presented to the National Commission on Judicial Discipline and Removal to refute its methodologically-flawed report that there was no need to substantially change the federal disciplinary mechanism. In 1994, we testified in Washington before the Long Range Planning Committee of the Judicial Conference of the United States, advocating major reform of the federal judicial selection and disciplinary processes, based upon the documentary evidence we presented.

By 1993, the Ninth Judicial Committee, having far transcended its local origins, inspired the formation of the Center for Judicial Accountability, which became formally incorporated in 1994.

Our Future . . .

Depends on you! We take as our motto the words of Franklin D. Roosevelt: "People acting together as a group can accomplish things which no individual acting alone could ever hope to bring about."

We invite you to join us and become part of the important work of the Center. We hope you will contribute all possible support. Building an effective organization is not easy or cheap!

Who We Are . . .


Doris L. Sassower, J.D., NYU Law; co-founder and Director of CJA. Renowned nationally as a pioneer of equal rights and family law reform, she had a distinguished 35-year career at the bar when, as a result of her judicial "whistleblowing", she was viciously retaliated against in June 1991 by an unlawful suspension of her law license. *See, New York Times* ' 10/24/94 Op-Ed page ad, entitled "Where Do You Go When Judges Break the Law?".

Elena Ruth Sassower, co-founder and Coordinator of the Center, is a long-time judicial activist, fighting corruption in the state and federal judicial systems.

Eli Vigliano, LL.B., NYU Law, who serves on CJA's Board of Directors and heads its Florida Chapter, was founder and Chairman of the Ninth Judicial Committee, the local citizens' group out of which CJA was born.

Richard Barbuto, J.D., St. John's Law, Vice-President and member of CJA's Board of Directors, is a former Congressional candidate, who has been active in civic affairs for many years.

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