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RE: Ascertaining the True Purpose of the November 29, 2001
"Oversight Hearing" on 28 USC §§372(c), 144, and 455
by the House Judiciary Committee's Courts
Subcommittee

Dear Doug:

Thank you for your return call last Wednesday – and the time you generously gave to our conversation.

To enable you to come to your *own* conclusions as to the true purpose of the November 29, 2001 "oversight hearing" – at which the House Judiciary Committee's Courts Subcommittee chose not to invite even a single witness who could testify as to any direct, first-hand experience in filing §372(c) judicial complaints or in moving for judicial disqualification under §§144 and 455 AND where I, who had such direct, first-hand experience and whose advocacy was the catalyst for the hearing, was not only excluded from testifying, but prevented from even submitting a statement for the record -- I am enclosing a copy of my July 30, 2002 letter to Melissa McDonald, asking that very question as to the hearing's purpose¹.

Since that letter cannot be appreciated without some of the underlying documents to which it relates, I also enclose my referred-to July 31, 2001 and September 4, 2001 letters to Ms. McDonald. However, even before examining these letters, I recommend that you read CJA's "ALL IMPORTANT" March

¹ Prefacing the letter is my July 31, 2002 coverletter to Philip Kiko, the House Judiciary Committee's Chief of Staff/General Counsel and Sam Garg, its Minority Counsel.

10, 1998 and March 23, 1998 memoranda to the House Judiciary Committee and my published article, "*Without Merit: The Empty Promise of Judicial Discipline*" (*The Long Term View*, (Massachusetts School of Law), Vol. 4, No. 1, Summer 1997) – annexed as Exhibits "H-1", "H-2", and "G" to my September 4, 2001 letter. These were the basis for my request to testify FOUR YEARS AGO at the Subcommittee's June 11, 1998 "oversight hearing of the administration and operation of the federal judiciary" – as to which, because you were a spectator, I telephoned you on June 16, 1998 for information as to what had transpired.

I also recommend that you read CJA's written statement submitted to the Subcommittee for inclusion in the record of the June 11, 1998 "hearing" reciting its denial of that request to testify and the sham of its oversight over the federal judiciary. It is annexed as part of Exhibit "I-2" to my September 4, 2001 letter. The Subcommittee's response to this important statement was to exclude it from the printed record of the June 11, 1998 "hearing" – wholly without notice to CJA.

After you review the foregoing, I would greatly appreciate your suggestions as to what must be done. Surely, you will agree that it is a grotesque and dangerous deceit for the Subcommittee to publicly pretend at a rigged "hearing" on §§372(c), 144, and 455 that it is discharging its oversight responsibilities and to accept praise from testifying witnesses as to both the Subcommittee and the federal judiciary, while it is wilfully refusing to confront decisive *prima facie* evidence of the federal judiciary's subversion of §§372(c), 144, and 455, as well as wilfully failing to even acknowledge, let alone investigate, its own receipt of judicial impeachment complaints, which, without any statistical record being kept, it is simply "shelving", if not destroying.

As your invitation to testify at the November 29, 2001 "hearing" came from the Subcommittee's Ranking Member, Howard Berman², I hope you will be sufficiently outraged by the enclosed to see fit to ask him about the hearing's true purpose – and to inquire as to what corrective measures he will take to address CJA's groundbreaking advocacy, as reflected by our March 10, 1998 and March 23, 1998 memoranda, by our June 11, 1998 statement for the record, and by our subsequent correspondence with the Subcommittee.

² As discussed, I would appreciate if you would provide me with a copy of the invitation letter, as well as any other documents from the Subcommittee in connection with the "hearing".

Needless to say, a journalistic expose – such as done by Joe Stephens on financial conflicts by federal judges, etc. – would be a powerful catalyst to vindicating the public's right to meaningful mechanisms of judicial accountability, which do NOT presently exist in either the Subcommittee or the federal judiciary. As my attempts to interest Mr. Stephens in such fully documented story produced no results in January 1999, a telephone call from you might make the difference.

Thank you.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc. (CJA)

Enclosures

P.S. I would appreciate if you would send me a copy of CRC's studies on judges' junkets, disqualifying financial conflicts of interest, and failure to comply with reporting requirements, referred to in your written testimony. Also, if you have an extra copy of the "Highlights of Media Coverage on Privately-Funded Seminars" and "Highlights of Media Coverage on Stock Conflicts", which accompanied your written statement, please send it to me as the printed record of the November 29, 2001 "hearing" has so size-reduced them that they are virtually impossible to read without a magnifying glass.