

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) [elena@judgewatch.org]
Sent: Friday, May 23, 2008 11:20 AM
To: 'dschiz@law.columbia.edu'
Subject: Serving Congress & the Public with Critical Scholarship -- Your February 14, 2007 letter to Senate Judiciary Committee Chairman Leahy, etc.
Attachments: 5-23-08-schizer-19pp.pdf

Dear Dean Schizer:

Attached is the Center for Judicial Accountability's letter to you of today's date, already faxed.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
914-421-1200

5/23/2008

*** TX REPORT ***

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CENTER for JUDICIAL ACCOUNTABILITY, INC. *

Post Office Box 8220
White Plains, New York 10602

Tel. (914) 421-1200
Fax (914) 428-4994

E-Mail: cia@judgewatch.org
Website: www.judgewatch.org

Elena Ruth Sassower, Director

BY FAX: 212-854-9740 (19 pages)
BY E-MAIL: dschiz@law.columbia.edu

May 23, 2008

David M. Schizer, Dean
Columbia University School of Law
435 West 116th Street
New York, New York 10012

RE: **Serving Congress and the Public with Critical Scholarship:**
(1) Federal Judicial Pay Raises; &
(2) Breyer Committee Report on the Implementation
of the Judicial Conduct and Disability Act of 1980

Dear Dean Schizer:

Posted on the website of the Administrative Office of the United States Courts¹ is your February 14, 2007 letter to Senate Judiciary Committee Chairman Patrick Leahy "in support of Chief Justice John Roberts' call for an increase in the compensation of federal judges." The letter, indicating Chief Justice Roberts as a recipient, is signed by you and "129 additional signatories", these being deans of 129 other law schools.

Our national, nonpartisan, nonprofit citizens' organization has a different view of Chief Justice Roberts' call for an increase in federal judicial compensation, opposing it for reasons we presented by a May 13, 2008 memo to leaders of Congress. The memo, to which Senate

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CENTER for JUDICIAL ACCOUNTABILITY, INC.

Post Office Box 8220
White Plains, New York 10602

Tel (914) 421-1200
Fax (914) 428-4994

E-Mail: cja@judgewatch.org
Website: www.judgewatch.org

Law Day, May 1, 2008

EXECUTIVE SUMMARY **Critique of the Breyer Committee Report**

In September 2006, the Judicial Conduct and Disability Act Study Committee, chaired by Associate Justice Stephen Breyer, presented Chief Justice John Roberts with a Report to the Chief Justice on the Implementation of the Judicial Conduct and Disability Act of 1980. ["Breyer Committee Report"], purporting that the federal judiciary has been "doing a very good overall job in handling complaints filed under the Act". Chief Justice Roberts and Justice Breyer then jointly presented the Report to the American People at a press conference held at the Supreme Court.

From that time until now, none of this nation's scholars who write and speak about federal judicial discipline and none of the organizations which routinely advocate about judicial independence have done any critical analysis of the Breyer Committee Report. Nor has the media critically examined it. As for Congress, it has held no hearings on the Report.

In March 2008, the Center for Judicial Accountability, Inc. (CJA), a nonpartisan, nonprofit citizens' organization with a 15-year history documenting the corruption of federal judicial discipline, rendered a 73-page Critique of the Breyer Committee Report, expressly in support of congressional hearings and disciplinary and criminal investigations. The Critique demonstrates that the Report is "a knowing and deliberate fraud on the public", "methodologically-flawed and dishonest", and that it rests on

"hiding the evidence – first and foremost, the thousands of judicial misconduct complaints filed under the Act, which the federal judiciary, not Congress, shrouded in confidentiality and made inaccessible to both Congress and the public, so as to conceal what it is doing."