



NINTH JUDICIAL COMMITTEE

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By Fax and Mail
212-558-3855

January 18, 1993

William E. Willis, Chairman
ABA Standing Committee on Federal Judiciary
Sullivan & Cromwell
125 Broadway
New York, New York 10004

RE: May 1992 Critique of the Ninth Judicial Committee

Dear Mr. Willis:

As you know, last May, the Ninth Judicial Committee submitted to the ABA a comprehensive, fully-documented critique detailing serious deficiencies in the screening procedures of the Standing Committee on Federal Judiciary. Based thereon, we called for immediate corrective steps.

In the seven months that have since elapsed--with no corrective action from the ABA--we asked you and President McWilliams to confirm that our critique was presented to the members of the Standing Committee on Federal Judiciary for review by them.

Neither you nor President McWilliams would provide such confirmation. However, based upon the lack of action to date, we infer that the members of the Standing Committee on Federal Judiciary have not been afforded copies of our critique nor made aware of its contents.

We understand that the Standing Committee holds biennial meetings--and that the next meeting is scheduled for February in Boston. We, therefore, respectfully request that copies of our critique be distributed to each member of the Standing Committee in advance of that meeting and that our critique be added to the meeting's agenda--if it is not already on it.

We further request that the serious issues set forth in our correspondence with the ABA also be placed on the agenda. Such issues include the need for the ABA to meet its obligation to the public by rescinding a rating which has been fraudulently-procured by a judicial nominee.

Ex "K"

January 18, 1993

We note that we have had no acknowledgment from President McWilliams to our most recent letters on this subject, which called his attention specifically to Rule 8.2(a) of the ABA's Model Rules of Professional Conduct. Copies of those letters, dated November 11, 1992 and December 18, 1992, are enclosed for your convenience.

We would greatly appreciate hearing from you before the end of this month. Members of the Ninth Judicial Committee would be most pleased to make an oral presentation for the benefit of the members of the Standing Committee on Federal Judiciary.

Although we certainly understand that you have many other matters on your agenda, we believe that the transcending importance of our critique deserves priority attention at this time.

Yours for a quality judiciary,



ELENA RUTH SASSOWER
Coordinator, Ninth Judicial Committee

Enclosures:

- (a) 11/11/92 ltr to President McWilliams
- (b) 12/18/92 ltr to President McWilliams

cc: J. Michael McWilliams, President, ABA
Chairman Joseph Biden, Senate Judiciary Committee
Irene R. Emsellem, ABA Staff Liaison