

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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July 10, 1995

Mitch Glazier, Assistant Counsel  
House Judiciary Committee  
Subcommittee on Courts and Intellectual Property  
B-351-A Rayburn Building  
Washington, D.C. 20515

RE: Complaints of judicial misconduct received by  
the House Judiciary Committee from the 98th  
through 103rd Congresses

Dear Mr. Glazier:

Thank you again for taking the time to meet with me last Wednesday. I believe our meeting accomplished its purpose of acquainting you with the serious issues raised by our two-year correspondence with the House Judiciary Committee as to critical discrepancies in the Report of the National Commission on Judicial Discipline and Removal, as highlighted by the House Judiciary Committee's handling of our June 9, 1993 complaint of judicial misconduct.

You will recall that I asked you to verify whether other complaints of judicial misconduct received by the House Judiciary Committee could be inspected by me. I did not then realize that the National Commission's Report provides authority for such inspection:

"Every Congress these complaints are archived  
and may be made available upon request."  
(Exhibit "A", p. 35, emphasis added).

Consequently, please arrange for me to review such complaints, commencing two weeks from today, to wit, Monday, July 24th. Specifically, I wish to review complaints from the 98th and 100th Congresses, examined by Peter Hutt for his consultant's report for the National Commission. The number of those complaints is reflected in Mr. Hutt's report, the pertinent page of which is annexed for your convenience (Exhibit "B").

I also would like to review complaints of judicial misconduct received during the Congress just concluded, the 103rd, which should include our June 9, 1993 complaint.

Ex 'A-3"

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Ironically, although the National Commission's Report notes that:

"Since 1983, the [House Judiciary] Committee has kept a record of the number and nature of judicial discipline complaints it has received and has reported this data in the Summary of Activities published each Congress." (Exhibit "A", page 35, emphasis added),

such data is entirely omitted from the 103rd Congress' "Summary of Activities"--the very first published after the National Commission's Report. This is reflected by its absence from the Table of Contents to the "Report on the Activities of the Committee on the Judiciary of the House of Representatives During the One Hundred Third Congress"--even while the Table of Contents acknowledges the National Commission on Judicial Discipline and Removal. A copy of that Table of Contents is annexed as Exhibit "C", together with the page from the Judiciary Committee's Report describing its "oversight hearing" of the National Commission's Report.

It is reasonable to assume that the number of complaints of judicial misconduct received by the House Judiciary Committee in the 103rd Congress was comparable to the number it received in previous ones. According to the House Judiciary Committee's Reports for the 101st and 102nd Congresses, the House Judiciary Committee received, respectively, 141 and 120 complaints against federal judges. Copies of the pertinent pages from the House Judiciary Committee's Reports for the 101st and 102nd Congresses, including the relevant pages from the Tables of Contents, are annexed as Exhibit "D"<sup>1</sup> and "E".

I also wish to review such complaints from the 101st and 102nd Congresses, as well as those from the 99th Congress<sup>2</sup>.

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<sup>1</sup> Inasmuch as you indicated that you are "new to the job" and relatively unfamiliar with the National Commission's Report, I have included, as part of Exhibit "D", the description of the legislative background to the National Commission on Judicial Discipline and Removal, set forth at pages 54-56 of the House Judiciary Committee's Report for the 101st Congress.

<sup>2</sup> According to footnote 4 of the consultant report of Richard Marcus for the National Commission, the Commission's Associate Director, William Weller, examined complaints from the 99th and 101st Congresses (Exhibit "F").

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Mitch Glazier, Esq.

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Should you have any difficulty in meeting my aforesaid request for access to complaints of judicial misconduct received by the House Judiciary Committee from the 98th to the 103rd Congresses, please let me know as soon as possible so I can plan my trip to Washington accordingly.

Again, I appreciate the time you spent with me last week. I look forward to working with you and the House Judiciary Committee members--several of whose legislative aides I spoke with last Wednesday and Thursday--on the important issues of the National Commission's Report and Congress' constitutionally-mandated duty of oversight over our third branch of government.

Yours for a quality judiciary,

*Elena Ruth Sassower*

ELENA RUTH SASSOWER, Coordinator  
Center for Judicial Accountability, Inc.

Enclosures

P 230 404 867

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