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December 26, 2019

Senator Elizabeth Warren 309 Hart Senate Office Building Washington, DC 20510

Dear Senator Warren,

I was pleasantly surprised to learn of your plan for "Restoring Trust in an Impartial and Ethical Judiciary" (<u>https://elizabethwarren.com/plans/restore-trust</u>). However, you are not the first to attempt to rein in this self-policing and largely unaccountable governmental institution.

In 2006 (<u>www.tulanelink.com/tulanelink/judicialoversight2_box.htm</u>), and later in 2015 (<u>www.tulanelink.com/tulanelink/judicialoversight4_box.htm</u>), Senator Chuck Grassley and others introduced legislation that would establish an independent inspector general for the judiciary. Those bills, which would have addressed the abuses you cite, apparently never reached the floor of the Senate for a vote, possibly because legislators fear challenging the authority of judges.

Given this reticence for sweeping judicial reform, I believe it more prudent -- even essential -- to strengthen existing laws through the addition of explicit language that would ensure they are enforced.

For example, it is well known that universities with law schools often employ judges as resources, and reward them with various perks. Those judges should never be allowed to hear cases in which the universities are a party. Yet, there is no compelling regulation that would prevent it.

As a victim of this egregious judicial misconduct, I have urged members of Congress to modify the recusal statute (28 USC § 455) with an amendment that would prevent judges who are faculty members at academic institutions from adjudicating lawsuits in which those institutions are a party.

My past correspondence with members of Congress has been totally ignored, perhaps because my petition for such an amendment had only about 900 signatories. That petition can be assessed at <u>www.ipetitions.com/petition/tulanelink/</u>. Background information for this petition is available at <u>www.unequaljustice.com</u>, and a sample letter sent to all members of the House Judiciary Committee in 2016 can be accessed at <u>www.tulanelink.com/pdf/judicialcom_16a.pdf</u>.

Given your stated support for restoring trust in the judiciary, it is my hope that you would consider submitting a bill regarding this matter to the Senate. Please feel free to contact me. All links in this communication are safe to open.

Sincerely yours,

Carl Bernofsky

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