House Chairman Seeks Investigation, Possible Impeachment of Calif. Judge

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A House Republican has taken the first step toward impeachment proceedings against a federal judge in California accused of misconduct.

House Judiciary Committee Chairman James Sensenbrenner, R-Wis., introduced a resolution to allow his committee to investigate U.S. District Judge Manuel Real, who has served on the federal bench in Los Angeles since 1966. The committee would then consider whether impeachment proceedings are warranted, Sensenbrenner said.

Real, 82, allegedly seized control of a bankruptcy case involving a defendant he knew, then allowed the defendant to live rent-free for years in a house she'd been ordered to vacate.

A national federal judicial discipline committee ruled 3-2 in April that it could not sanction Real because the chief judge of the 9th U.S. Circuit Court of Appeals did not properly investigate the complaint.

"When the judicial branch has failed to address serious allegations of judicial misconduct, as the 9th Circuit arguably has in this matter, the Constitution provides the Congress only one course of action: opening an impeachment inquiry," Sensenbrenner said in a statement.

He said such a step would come only after "a fair, thorough and detailed investigation."

Real's attorney, Don Smaltz, condemned Sensenbrenner's resolution as "an obvious rush to judgment" and said it was filed without giving Real any opportunity to respond. Smaltz described his client's record as "unblemished and exemplary."

"We look forward to these proceedings and are confident that they will demonstrate overwhelmingly that Judge Real has committed no criminal violations and that there is absolutely no basis for this inquiry whatsoever," he said.

Federal judges, who are appointed for life, are subject to the same type of impeachment proceedings as presidents: impeachment by the House, then trial by the Senate.

Thirteen federal judges have been impeached over the years, according to the Federal Judicial Center. The first was in 1803, when John Pickering, serving in the District of New Hampshire, was impeached on charges of mental instability and intoxication on the bench.

Most recently, Alcee L. Hastings of the Southern District of Florida was impeached in 1989 on charges of perjury and conspiring to solicit a bribe. The same year, Walter L. Nixon of the Southern District of Mississippi was impeached on perjury charges. Both were convicted by the Senate and removed from office.

Hastings is now a Democratic congressman from Florida.