

### 3rd Circuit Revue: Judiciary's Joe Biden Jams Judges at Judge Jaunt

One of the great thing about being a federal judge is the sense of station accorded life-tenured custodians of the nation's laws. A not-so-great thing is having to put up with two co-equal branches of the government.

A really rotten thing is being reminded of that fact at your own annual gala.

That's what happened at Monday's Third Circuit Judicial Conference in Baltimore, courtesy of the featured guest, Sen. Joseph Biden, chairman of the powerful Senate Judiciary Committee.

Tanned, toothy and just back from a fact-finding trip to Bosnia, the Delaware Democrat opened his keynote with a few jokes, some charming self-deprecation, and the obligatory blandishments to the bench.

But Biden warned he'd be blunt, and he was.

Winding himself up, Biden said there's no better friend of the court than he. None! But even he was fed up with haughty jurists who view Congress as some backwater where the average member isn't all that bright and has, at best, only a passing appreciation of the judiciary's pivotal place.

Scolding, Biden said he'd be happy, damned happy to stack the advanced degrees and special honors held by members of Congress against those of the federal bench any day.



Sen. Joseph Biden

#### 'Malarky!'

The bench's condescending attitude toward politics and politicians, he said, was a bunch of "malarky," especially since an awful lot of judges got to be judges by having scratched and clawed their way out of the political pit.

"So some of us have had it up to here with this piousness of, 'We're not involved in politics.' You are not now involved in politics. You *should* not now be involved in politics. But many of you *have* been involved in politics."

Message? Those who want something from Congress — more judges, less jurisdiction, higher salaries — ought to remember their days in the arena and be a little more politic with the politicians.

#### General Reno Arrives

C-Span was there, too, to tape the luncheon address delivered by the new U.S. attorney general, Janet Reno. Reno covered such meaty legal fare as the folly of mandatory minimum sentencing laws and the blurred lines between state and federal jurisdiction on criminal matters.

But rather than hang around for Q&A and friendly glad handing post-presentation, Reno and her retinue ducked out directly.

Only later did it become known why: Just as she was addressing the judges, a Justice Department nightmare was unfolding in Waco, Texas, where the Branch Davidian compound was aflame. So no time to linger.

### **The case of the delicate pastry shell**

One of the highlights of the conference was a dinner speech by U.S. Supreme Court Associate Justice David Souter. It was a secret highlight, though, since only judges were allowed inside to listen.

Outside the hall, Chief Circuit Judge Doris Sloviter sought to mollify the one person aggrieved at being locked out, offering assurance that Souter's talk was bound to be boring anyway: collegiality, the history of the Court — that sort of thing.

Hm.

Back at the \$45-a-plastic-plate lawyers' supper at the railroad museum, the few who showed up whetted their appetites on a cash bar, then feasted — strike that — then nibbled on fish-stick-like entities, hot dogs, and tortellini.

Meanwhile, according to reports, the judges dined on a mouthwatering seafood concoction served in a delicate pastry shell.

And what of Souter's speech? It turned out, as Sloviter had said, to have been a snore indeed. As one New Jersey wag summed it up, "We were treated by Justice Souter to an exciting, behind-the-scenes view of the problems of collegiality among and between justices prior to the Continental Congress."

— *By Rich Pliskin*