

Lawyer for federal appeals judge barred from new cases finds orders 'incredible' and 'stunning'



Lawyer Gregory Dolin, representing 95-year-old federal appeals judge Judge Pauline Newman, has expressed criticism over a judicial council's decision to bar her from hearing new cases and an investigating committee's focus on her alleged failure to cooperate. The judge in question serves on the U.S. Court of Appeals for the Federal Circuit.

The judicial council, composed of active judges from the court, cited concerns regarding Newman's backlog of cases and raised questions about her mental fitness. In an order issued on June 5, the council stated that it would not reconsider its earlier decision from March 8 to prevent her from taking on new cases.

According to the council, Newman has faced challenges in addressing her opinion backlog, despite having three law clerks. Furthermore, she has not received any new case assignments for several months and has not participated in motions panels since January 2021.

Newman has refused to cooperate with the investigation unless she is assigned new cases and the investigation is transferred to a different court. Her lawyer, Gregory Dolin, who previously served as a clerk for Newman, is among the attorneys involved in a lawsuit filed on May 10 seeking to halt or move forward the investigation.

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Dolin finds it "stunning" that the judicial council admitted to suspending Newman from hearing cases on March 8, which was prior to the filing of a complaint alleging her mental deficiencies. He highlights the lack of notice and opportunity for Newman to respond, describing it as a secretive decision to remove a duly appointed and confirmed federal judge from case proceedings.

Dolin also expresses incredulity at a June 1 order, which reveals that the investigating committee has narrowed its focus to Newman's refusal to undergo a medical examination and provide medical records. He believes it is crucial that the court has neglected the initial catalyst for the investigation, suggesting that Newman's abilities may not be clear-cut enough to warrant suspension.

Notably, Newman holds the distinction of being the oldest active federal judge in the United States. She played a significant role in the creation of the Federal Circuit in 1982 and was subsequently nominated to the court by former President Ronald Reagan. Newman maintains her commitment to contributing and fulfilling her appointed responsibilities, emphasizing that she would step down if she were truly debilitated.