

Wednesday, August 11, 1976

## Panel Backs Halleck for Bench Again

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The Senate District Committee voted favorably yesterday on the nomination of D.C. Judge Charles W. Halleck to a new 15-year term on the Superior Court, more than eight months after the committee held confirmation hearings on the controversial jurist.

Sen. Thomas F. Eagleton (D-Mo.), Committee chairman, said the panel's vote means that the 46-year-old Halleck "stands a reasonable chance of being confirmed" by the full Senate, "but probably not unanimously."

Eagleton himself said he has had reservations about Halleck's "judicial temperament," his ability to handle cases in a "dispassionate, neutral, nonpetulant way." However, he said, these reservations, which he promised to include in his remarks to the Senate, were outweighed by his respect for Halleck's "integrity and intellect."

"He's bright and honest," Eagleton said. "On balance, you have to make a decision ... It was a tough one."

The vote to send Halleck's name to the floor was unanimous in the seven-member Committee, but, Eagleton said, three members have "reserved their rights" to speak and vote against the judge in the Senate.

Sen. John L. McClellan (D-Ark.) has also "expressed opposition" to Halleck, Eagleton said. McClellan is not on the District panel but is the second-ranking Democrat on the Senate Judiciary Committee.

Halleck's 10-year career on the D.C. bench has been marked by controversies over his courtroom conduct and activist decisions. Beginning as a crew-cut conservative, he changed his lifestyle and philosophy after 1970, but not his courtroom manner.

Halleck has been criticized for allegedly berating prosecutors, and from time to time, injecting himself into the questioning of witnesses.

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## Halleck Backed For New Term On D.C. Bench

HALLECK, From A1

His defenders say he is a hard-working civil libertarian judge who disposes of more criminal cases than many of his colleagues, writes well researched and scholarly opinions and holds courtroom attorneys to a high standard of performance.

The battle to block Halleck's confirmation has been led by Executive Assistant U.S. Attorney Henry F. Greene, who has repeatedly said he is acting on his own and not on behalf of the U.S. attorney's office, was on vacation yesterday and could not be reached for comment.

Greene sent a lengthy letter and court transcripts to the D.C. Commission on Judicial Disabilities and Tenure before it decided last September to rate Halleck "qualified." The rating was not good enough to automatically assure his reappointment but sufficient to send his name to the White House for a decision.

President Ford sent Halleck's name forward in October. When the Senate panel held its hearings Dec. 3, Greene was the lead witness against Halleck. Halleck counter charged Greene with being the point-man for federal prosecutors waging an all-out campaign against him.

Halleck, reached at his Superior Court chambers, said he was "very much honored by the confidence the members of the Senate District Committee have shown in me, and I certainly hope to continue in a way that will reflect credit on their decision."

The Committee acted within two weeks of a letter to Eagleton and Sen. Charles McC. Mathias (R-Md.) from 27 prominent Washington lawyers urging that Halleck's nomination be sent to the floor. The long delay, the signers said, was "harmful to the administration of justice."

Eagleton said yesterday the letter had "some influence in the action we've taken here today." He had delayed action, he said, because "I wanted to determine over a period of time what Halleck's future might be. I wanted to stand back and take a dispassionate look."

In the intervening months, Eagleton said, Halleck "wasn't totally immaculate, but I'm convinced Judge Halleck knows it was a close call, and that's going to benefit him. It could have easily gone the other way."

The brief Committee meeting to



SEN. THOMAS EAGLETON  
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vote on Halleck was held in the Senate office of Majority Leader Mike Mansfield. It was the first formal meeting of the Committee in months. The four senators present didn't even sit down as Eagleton moved and Mathias seconded the action.

Eagleton said the Committee's report will be formally filed "immediately after the so-called Republican recess." Prodded by Mathias, Eagleton added he intends to call the nomination to the floor before the Oct. 1 adjournment and "as soon as the leadership can schedule it."

Mathias later described Halleck, a constituent of his who lives in Gaithersburg, as "one of the more colorful judges in the District of Columbia and ... often ... controversial. But I think he retains the basic confidence of the general public and he has discharged his workload in a manner that I wish all judges would equal."