

1 desirable to strike out the words, by rule, and just say,
2 by order, to implement.

3 THE CHAIRMAN: Would you be willing to leave
4 that to the consideration of the Committee since they
5 should make similar provisions in each of the other Sec-
6 tions?

7 MR. MARTINEAU: We will clear that up in the
8 other Sections so there will be no question about it.

9 JUDGE ADKINS: Is it perfectly clear under
10 this provision that a judge who is about to be removed
11 has a right to be heard in his own defense, either indi-
12 vidually or through counsel? I am not sure it is clear.

13 MR. MARTINEAU: Well, my own feeling would be
14 that due process requirements would give him that right.
15 From what research I have done in other matters on the
16 right to a hearing when one is removed from any office or
17 subjected to any sort of penalty, due process gives him
18 that right.

19 THE CHAIRMAN: Wouldn't it be simple to put it
20 in, after hearing. Is there any objection?

21 Mr. Case?