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# In Search of
# The Champion of Justice
## Among Candidates for Political Office

How entities and individuals that advocate judicial reform
can increase their efficiency by supporting a common strategy
that capitalizes on the possibility that a candidate for political office
may in his or her own interest wish to stand out from the other candidates by
becoming known as the one who will fight judicial unaccountability and the
corruption that it engenders and bring integrity to judicial process that ensures
**Equal Justice Under Law**

## A. Why neither the Executive nor the Legislative Branch investigates the Judiciary

1. The investigation of wrongdoing in the federal courts is carried out by the U.S. Department of Justice through its district attorneys and the FBI.[1] It is a most infrequent occurrence, as implied by the statistic that in the 222 years since the federal judiciary was created in 1789 under the Constitution, the number of federal judges impeached and removed from the bench is eight![2a] One main reason for the reluctance of the Executive Branch to investigate judges for wrongdoing is that it has to litigate cases before judges all the time and antagonizing them with a probe of their conduct would be a certain way of ensuring many judgments against its interests.[2b] Its officers remember that the early pieces of President Franklin D. Roosevelt‟s New Deal legislation were declared unconstitutional by the Supreme Court. The latter ordered President Richard Nixon to turn over the secret tapes that incriminated him in the Watergate Scandal. It also decided the case seen to have given the 2000 election to George W. Bush over VP Al Gore.

2. This reluctance to investigate judges is shared by Congress. There, however, it is personal, a matter of individual survival. Indeed, Congress could exercise its subpoena and contempt powers to investigate individual and coordinated judicial wrongdoing.[3] However, according to its Former H.R. Speaker Nancy Pelosi, "Congress is dominated by the culture of corruption". Thus, its members would rather be remiss in their duty to supervise the judges‟ fair and impartial application of their laws than become known as the nemeses of judges by investigating complaints about their conduct, let alone take the initiative to investigate them. Members of Congress must be aware that their own corruption can land them before judges, who could take advantage of that opportunity to retaliate against them for having investigated them or their peers.

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[1] http://Judicial-Discipline-Reform.org/Follow_money/why_j_violate_due_pro.pdf As shown by Operation Greylord in the 1980's in Chicago involving state judges and other court insiders, the FBI and the IRS Criminal Investigation Division can investigate patterns of judicial wrongdoing.

[2] **a)** Federal Judicial Center, http://www.fjc.gov/history/home.nsf/page/judges_impeachments.html; **b)** http://Judicial-Discipline-Reform.org/docs/no_judicial_immunity.pdf

[3] Coordination reveals itself in patterns of acts by federal judges so consistently beneficial to them – e.g., they dismiss with no investigation 99.82% of complaints against them, **a)** http://Judicial-Discipline-Reform.org/statistics&tables/judicial_misconduct_complaints.pdf– and bankruptcy and legal systems insiders but detrimental to outsiders; and so blatantly in disregard of the facts, the law, and due process requirements –e.g., denial of discovery of *every single document* requested, **b)** http://Judicial-Discipline-Reform.org/docs/DrRCordero_2v_JNinfo_6jun8.pdf– as to support the conclusion that such acts were not coincidental or the result of incompetence –which would have randomly affected insiders and outsiders only half of the time each– but rather the intentional result of mutually reinforcing activity engaged in by agreement, knowing indifference, or willful ignorance.

## B. A political candidate can in his or her own interest become the Champion of Justice

3. This leaves only one other political player, one who has no power to launch any investigation of judicial wrongdoing, but who can by steering the public‟s attention to the subject force congressional and Executive authorities to use their power to that end: candidates for political office. One of them may see it in his or her interest to make the subject of judicial wrongdoing his or her rallying call in order to become the undisputed candidate of complainants against wrongdoing judges, thereby becoming their Champion of Justice. If soccer moms, concerned about the preservation of their good suburban life, are said to have decided the first race of the candidate who became President Bill Clinton, one need only imagine what millions of debtors, creditors, employees, and businesses collaterally affected by over 1.5 million annual bankruptcies could do for a candidate that revealed that they were victims of a judge-run bankruptcy fraud scheme that alone in CY09 involved $325.6 billion in just non-commercial bankruptcies.[4]
4. Whether in presidential election years or in mid-term congressional elections and state races, advocates of judicial reform can make political candidates aware of the potential support that they can gain by becoming the Champion of Justice who fights wrongdoing judges. This requires gaining access to them to make the case of how beneficial it would be for them to incorporate in their stump speech coordinated judicial wrongdoing: its nature and extent, its harm to the integrity of judicial process and the rule of law, and their plan to combat it.
5. To that end, organizers and moderators of political debates can be persuaded to ask questions about coordinated judicial wrongdoing. This would be the first step toward holding a debate exclusively on that subject, just as the "Values" debate was held by members of Christian denominations. Holding such a debate would recognize litigants fighting for justice from wrongdoing judges as a distinct voting bloc to be courted. All candidates are sure to remember that in the 2000 Presidential Elections some electoral districts were won or lost by one single vote of an electorate that was and may very well remain evenly divided. Every vote does count.

## C. Pro se parties and even litigants represented by law firms need the Champion

6. Parents involved in custody, alimony, and partition of marital property proceedings make for zealous advocates of judicial reform. So do the pro se and parties represented by public defenders, solo practitioners, and even larger law firms. They complain that judges have no respect for their procedural and even substantive rights in proceedings that they terminate with non-precedential, non-citable decisions.[5a] These are scribblings with little or no reference to the facts and the law of the case and no reasons at all or reasoning so perfunctory that the judges mark them "Not for publication".[5b] With such quick jobs, judges arbitrarily put an end to around 90% of cases terminated by decision.[5a] They do not satisfy the parties‟ quest for justice.
7. If an appeal can be afforded, most are disposed of without oral argument, with motions handled through a form where a judge or even a clerk simply circles either "Granted" or "Denied", and with judgment entered on a summary order stating in effect nothing but "The judgment or ruling below is affirmed". Summary orders leave parties profoundly upset by both the appearance that no judge bothered to read any pleadings to get rid of their cases and the fact that justice was not public, but rather capricious, lazy, and secretive. It is officially reported that in the U.S. Court of Appeals for the 2nd Circuit around 75% of all cases are disposed of by summary order.[5a]

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[4] http://Judicial-Discipline-Reform.org/statistics&tables/bkr_stats/bkr_as_percent_new_cases.pdf

[5] **a)** http://Judicial-Discipline-Reform.org/SCt_nominee/JSotomayor_v_Equal_Justice.pdf;
**b)** http://Judicial-Discipline-Reform.org/docs/Ricci_v_DeStefano_CA2.pdf >R:2, 6

This represents tens of thousands of people that paid the appeal filing fee of $455, spent months or years in costly legal battle, and endured the emotional stress of fighting in court, frequently as 'David without the sling', only to receive a mockery of justice: an unsigned rubberstamped form.

8. The anger and resentment of parties thus mocked must be tapped and turned into productive energy for judicial reform. They can become voters and even volunteers for the Champion of Justice. However, they currently are not even aware of their political weight. Instead of constituting a voting bloc, they are dispersed among the hundreds of websites and Yahoo- and Googlegroups where they do one thing of little value for their situation: They complain and complain about the judicial system as they swap e-mails that form part of no strategy and pursue no concrete and realistic objective. They e-wail to release frustration or pass time.

## D. A strategy to organize into a voting bloc those offended by Judges Above the Law

9. This calls for organizing all those that have been harmed or are offended by the existence of Judges Above the Law and the mockery of justice that they administer. They must be approached with a message intended to make them aware of their existence as a potential voting bloc. They must be motivated to take action as e-advocates to spam on given issues candidates for political office and recruit ever more victims of judicial wrongdoing. The Internet's significance in political elections is so well established that recently candidates held the first presidential e-debate. However, the window of opportunity is rather narrow, for it is during the primaries, when there are still many candidates, that the chances are highest that one of them will try to stand out of the pack as the one who will fight coordinated judicial wrongdoing. Once the nominees are chosen, they will tone down their rhetoric to offend no constituency, even that of wrongdoing judges with deeper pockets than those of most parties whom they wrong. Meeting this organizational challenge and its time constraint requires a strategy:

10. It begins by emailing the members, in general, and the owners, in particular, of Yahoo- and Googlegroups as well as websites that complain about abusive judges and rigged courts. The message must make them aware of their voting power as part of a nascent movement and the need to work on a concise platform that advocates the following at the federal and state levels:

    a) Judges' individual wrongdoing and patterns of their coordinated wrongdoing need to be investigated. This is very different from the review of the merits of any case.

    b) To that end, as many parties to unequal justice as possible should summarize their complaints in 350 or fewer words[6] and post them. Likewise, an effort should be made to inform all those who have already filed complaints against judges to post them together with all supporting documents and any decisions from the judges who disposed of them. This is an exercise of freedom of speech protected under the First Amendment. Judges cannot in self-interest gag those who complain against them, let alone punish them.

    c) The system of judicial self-discipline under the Judicial Conduct and Disability Act of 1980 (28 U.S.C. §§351-364) must be terminated, for it has allowed federal judges to exempt themselves from any discipline[3a]. They are drawn to wrongdoing because they have made it riskless. It must be replaced by a Citizen Board of Judicial Accountability and Discipline:

        1) formed by citizens not appointed by, and unrelated and unaccountable to, any judges;

        2) authorized to receive, and hold as publicly filed and available documents, complaints alleging complainable conduct or disability on the part of one or more judges, such as;

[6] http://Judicial-Discipline-Reform.org/judicial_complaints/summarizing_complaints.pdf

(a) individual or coordinated, whether active or passive, wrongdoing, such as bribery, kickbacks, fraud, perjury, condonation of perjury, conflict of interests, disregard for the law and the facts, abuse of judicial power, ex-parte contacts, undue decisional delay, disposition of cases by conclusory or no-reason summary orders;

(b) temperament incompatible with judicial duties and office, including, prejudice, bias, overbearing attitude, irascibility, and demeaning treatment of others;

(c) mental or physical disability that prevents the performance of judicial duties;

3) charged with investigating and determining such complaints in public proceedings, just as allegations and charges have been discussed and processed in public against Former U.S. Representative Anthony Weiner, Former Illinois Governor Rod Blagojevich, and Former Director of the International Monetary Fund Dominique Strauss-Kahn. Judges are not entitled to proceedings behind closed doors and to private disciplinary chats in chambers with their co-wrongdoers afraid of being incriminated or blackmailed, which place them beyond public scrutiny and spare them public shame. To that end, they may:

(a) subpoena things from any party and non-party on pain of penalties;

(b) call witnesses at public hearings where the Board, the complainant, and the complained-about judge can examine them under oath and penalty of perjury;

(c) order the suspension of a judge on probable cause to believe that such judge, whether the one complained-about or one who has come within the scope of the investigation, engaged in or exhibited complainable conduct or disability;

(d) issue public reprimands and impose conditions on future work and conduct;

(e) recommend to the chief judge of the court of the judge and the judicial council of the judge‟s circuit that decisions of the judge be vacated and cases retried;

(f) recommend to Congress the impeachment and removal of a federal judge found to have engaged in wrongdoing or be disable or unfit for judicial office;

(g) order compensation of those harmed by a judge‟s wrongdoing, unfitness or disability.

## E. A meeting needs an agenda based on a discussion paper circulated & commented upon

11. A meeting of judicial reform advocates, to be effective, can be envisaged once there is an agenda that gives it a theme and direction, and allows participants to know what to expect and how to prepare for the discussion ahead. A brainstorming meeting will only be an opportunity for everybody who has a complaint against somebody in the judiciary, elsewhere in government, or on the moon to stand on a soapbox to have their 15 minutes of impromptu speech, however unfocused, unsupported by evidence, and extremist so that it will only bore and alienate rather than enlighten and unite. People can easily be put off by others babbling half-baked ideas with no sense of the legal and political context. This can be avoided if in advance they think through their ideas, write them down in a discussion paper, thus showing commitment and competence, and circulate it to give others the opportunity to comment on them. All advocates or a steering group can revise them and develop a document enjoying the majority‟s approval. Then an auspicious meeting can be held to discuss sticking points and adopt concrete decisions for further action, thus producing evidence of real progress. If so, a meeting can be marked by celebratory speeches and a press conference. This must be an opportunity for the media to see a team of professionals with a sound program; for the public to feel them addressing its problems and attracted to support them; and for the judges to be made to take them seriously as people able to expose their coordinated wrongdoing and subject them to Equal Justice Under Law.