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Exposing Judges' Abuse of Power Institutionalized in the Federal Judiciary
How advocates of honest judiciaries and journalists can work together to implement
a strategy that resorts to two unique national stories to expose it, outrage the
national public, and cause the public to force campaigning politicians to adopt
judicial reform, thus setting an example that can be followed in other countries[‡]

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Introduction to evidence of judges' abuse of power and proposal to investigate it

1. Would you be afraid of your bosses if for the rest of their working lives they were secure in their jobs and could risklessly dispose of your career, your belongings, and all your rights and duties however they fancied because they were the ones with whom you had to file any complaint against them, which they dismissed systematically without any investigation?(*>jur:24§§b-d)
Would they be likely to abuse such power for their benefit(*>OL:173¶93)?

* http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf

‡ http://Judicial-Discipline-Reform.org/OL/DrRCordero_judges_institutionalized_abuse_power.pdf

2. That is the situation of the life-tenured judges of the Federal Judiciary. Because they say what the Constitution and the laws thereunder mean, they wield power over our property, liberty, and the rights and duties that determine our lives. Whereas on 30Sep13, there were 2,217 federal judges, including justices and magistrates, in office([jur:22¹³](#)), in the last 226 years since the creation of that Judiciary in 1789, only 8 of its judges have been impeached and removed ([jur:21§a](#)). Once a person is confirmed to a federal judgeship, he or she can do whatever they want in reliance on the historical record that they will suffer no adverse consequence, not to mention lose their job.
3. On the contrary, federal judges know that the politicians who recommended, endorsed, nominated, and confirmed them to the bench([*>jur:77§§5-6](#)) will in their own personal([jur:22¶31](#)) and political([jur:23^{17a}](#)) interest hold them unaccountable. In fact, politicians allow judges to hold all their adjudicative, administrative, policy-making, and disciplinary meetings behind closed doors and never to appear before a press conference([jur:27§e](#)).
4. Politicians also let judges self-immunize against discipline: Circuit and district judges dismiss without any investigation 99.82% of complaints filed against them and deny up to 100% of petitions to review such dismissals([jur:10,11](#)). Circuit judges dispose of up to 91% of appeals in reasonless summary orders([jur:43§1](#)) or decisions so “perfunctory”([jur:44⁶⁸](#)) and ashamed of public scrutiny that they mark them “not for publication” and “not precedential”([jur:43¶82](#)), and issue practically all of them unsigned, flats full of contempt for a system of law based on precedent.
5. Secrecy breeds abuse of power. It does so by providing abusers a hideout where to engage confidentially in its coordination, which in turn allows abuse to be extended to more complex forms and executed more effectively and profitably. Pervasive secrecy renders abuse inevitable, for it assures abusers that it is undetectable and, thus, riskless. When abuse has no adverse consequences, it becomes morally neutral, in practice routine, and in time acceptable. With only benefits as its consequence, abuse becomes irresistible, hence inevitable.
6. These are **THE CIRCUMSTANCES ENABLING ABUSE OF POWER**([OL:154¶3](#)) in the Federal Judiciary: **UNACCOUNTABILITY**([jur:21§§a-d](#)), **SECRECY**([27§e](#)), **COORDINATION**([88§§a-c](#), [81¹⁶⁹](#)), and consequent **RISKLESSNESS**([100§§3-4](#)). They have enabled individual and collective abuse by federal judges in connivance with politicians to become so widespread, routine, and intrinsic to their performance as to constitute the Judiciary’s institutionalized modus operandi([OL:49§4](#)).
7. This is a proposal for advocates of honest judiciaries and journalists to expose such abuse. To do so in a cost-effective, focused, and timely fashion, there is proposed the further investigation of two unique national stories: the President Obama-U.S. Supreme Court Justice Sotomayor story and the Federal Judiciary-NSA story([*>jur:xlvi§H](#) on the profile of the journalist likely to take on this investigation). The proposal is supported by the official sources([*>jur:iiiⁱⁱⁱ](#)) that this author consulted and analyzed to write his study([jur:1](#)) of that Judiciary and its judges, the models for their state counterparts and likely to experience first what will befall to them subsequently.

A. The P. Obama-J. Sotomayor story and the *Follow the money!* investigation

What did the President([OL:77§A](#)), senators([jur:78§6](#)), and federal judges([jur:105^{213b}](#)) know about the concealment of assets by his first Supreme Court nominee, Then-Judge, Now-Justice Sotomayor –suspected by *The New York Times*, *The Washington Post*, and Politico([jur:65^{107a}](#)) of concealing assets, which entails the crimes([OL:5¹⁰](#)) of tax evasion^{107c} and money laundering– but covered up and lied([OL:64§C](#)) about to the public by vouching for her honesty because he wanted to ingratiate himself with those petitioning him to nominate another woman and the first Hispanic to replace Retiring J. Souter and from whom he expected in exchange support

for the passage of the Obamacare bill in Congress; and when did they know it?([jur:4¶¶10-14](#))

This story can be pursued through the *Follow the money!* investigation([jur:102§a](#); [OL:1, 66](#)), which includes a call on the President to release unredacted all FBI vetting reports on J. Sotomayor and on her to request that she ask him to release them. That can set a precedent for the vetting of all judges and other candidates for public office.

B. The Federal Judiciary-NSA story and the *Follow it wirelessly!* investigation

To what extent do federal judges abuse their vast computer network and expertise –which handle hundreds of millions of case files([*>Lsch:11¶9b.ii](#))– either alone or with the quid pro quo assistance of the NSA –up to 100% of whose secret requests for secret surveillance orders are rubberstamped([OL:5⁷](#)) by the federal judges of the secret court established under the Foreign Intelligence Surveillance Act (FISA)– to:

- 1) conceal assets –a crime under 26 U.S.C. §§7201, 7206([OL:5¹⁰](#)), unlike surveillance– by electronically transferring them between declared and hidden accounts([OL:1](#)),
- 2) cover up judges’ abuse of power([OL:154¶3](#)) by intercepting the communications –also a crime under 18 U.S.C. §2511([OL:20¶¶11-12](#))– of their critics; and
- 3) prevent critics from joining forces to expose them?

See the statistical analysis of a large number of communications that were critical of judges and how it points to probable cause to believe that they were intercepted([OL:19§D²](#)).

This story can be pursued through the *Follow it wirelessly!* investigation([jur:105§b](#); [OL:2, 69§C](#)).

C. A proposal intended to give practical meaning to a tenet of our democracy

8. A tenet of our democracy is that in ‘government of, by, and for the people’([jur:82¹⁷²](#)) *We the People* are the sovereign source of all political power and, as such, the masters of all public officers, who are our public servants, including judicial public servants. As masters, *the People* have the right to require that those who have been hired in the public service and entrusted with public power exert it for the intended purpose of delivering honest services for the benefit of *the People* and in accordance with their rules as expressed in the laws adopted by their elected representatives.
9. Judges are the officers charged with providing judicial services: to resolve controversies between people and between them and the government by fairly and impartially applying the applicable law in a predictable and consistent way to the facts of the case. But they do so only if they want.
10. Federal judges are life-tenured and beyond voters’ power to recall. Moreover, a law, whether a federal or state one, is nothing but a provisory recommendation for conduct until federal judges say explicitly or implicitly that it is constitutional and apply it as intended by Congress and the Executive or their state counterparts. The apprehension of a criminal suspect just as the trial of a person on civil charges by prosecutors is a waste of time, effort, and taxpayers’ money if a judge holds that there is no probable cause for detention or steers the trial more([OL:169§D](#)) or less([*>Lsch:17§C](#)) subtly towards a finding for the defendant, the jury notwithstanding. Their decisions are beyond a presidential veto and effectively beyond a congressional override.
11. Judges are unimpeachable, irremovable([supra ¶2](#)), and beyond investigation, never mind prosecution, by the authorities. The officers of the other branches acting in their own interest([jur: 22¶31, 23^{17a}](#)) have exempted them from constitutional checks and balances. With impunity, judges disregard the status of those branches as the people’s elected representatives and show contempt ([infra ¶27](#)) for the law that they have adopted. They disregard the contractual rights([jur:68¹²⁴](#)) of the parties who pay a court fee to receive in exchange judicial services to resolve their con-

troversies. They harm the rest of the people, who must bear their decisions' precedential effect.

12. Power subject to no checks keeps expanding until it loses its balance and falls into abuse and corruption([jur:81¶174](#)). That is how federal judges have become the most powerful officers in our country. Judges Above the Law have turned the Federal Judiciary into their safe haven and the most powerful branch. In reality, it is a state within the state of the people and their representatives.
13. If ours is 'government, not by men and women, but by the rule of law'([OL:5⁶](#)) then *We the People* must re-assert our status as masters of government and of all *our* public servants and start by preventing judges from disregarding *the People*, the other branches, and the rule of law. To that end, this proposal provides for *the People* to be informed about the nature, extent, and gravity of judges' abuse([OL:154¶3](#)) so that they may be so outraged at judges and the politicians with whom they connive as to force politicians to investigate them and reform the Judiciary by ensuring that *the People* have the means to 'reverse surveil'([OL:73](#)) their performance to make it transparent and be adequately informed to hold them accountable, disciplinable, and liable for compensation.

D. Strategy for exposing a power abusive Judiciary, not individual rogue judges

14. Judges presiding over a trial or appeal involving another judge as defendant may have known him for 1, 5, 10, 15, 20, 25, 30 years or more. Conversely, they and their own abuse of power may have been known to the defendant judge for the same length of time. The presiding judges can-not afford to let that judge be indicted or found guilty or liable without risking his telling on them either in retaliation or plea bargain in exchange for leniency or immunity, and bringing them down too. Nor can they risk establishing a precedent that will come back to haunt them.
15. This explains why, far from suing a judge in court([OL:158](#)), a realistic and reasonably calculated strategy for exposing judges' abuse of power must be implemented out of court([jur:83§§2-3](#)). In addition, such a strategy must be centered on exposing abuse institutionalized as the way of doing business in the Judiciary([*>Lsch:15¶¶9-15](#)). This avoids the customary, uncritical, and futile effort to pick out of a judiciary one rogue judge at a time. Removing a federal judge is wishful thinking, for they are in effect unimpeachable and irremovable([supra ¶2](#)). Wishful thinking produces only the impulse for an exercise in futility.
16. But assuming arguendo that one was removed, he would simply be replaced by politicians by another of the same ilk. The replacement judge would protect the system in the interest of preserving her well-above average secure¹² salary²¹¹; the prestige of the office; and the 'carrot'([jur:60§§f,g](#)) of other prime benefits given for being loyal to the class of judges. The replacement would not dare expose her peers' abuse because if she did, she would be ostracized and treated as a pariah by all the other judges, who for the rest of their lifetime appointments would beat her with a 'stick'([jur:56§e](#)) for being an unreliable traitor.
17. Trying to remove one judge at a time by suing him or her in court, never mind bringing charges against him or her before a citizen grand jury or a tribunal of the people([*>Lsch:13](#)), reveals ignorance or disregard of how the legal system works and how the avoidance of harm and the obtaining of satisfaction of interests motivate people's conduct.
18. The judges-judging-judge approach pays no attention to the historic record([supra ¶2](#)). So it illustrates Einstein's aphorism: Doing the same thing while expecting a different outcome is the hallmark of irrationality. It is irrational([OL:154](#)) because it shows unawareness of a basic law of the physical and the human worlds: cause and effect. It is the opposite of strategic thinking([infra 197§1](#)), which conceives of the pursuit and blocking of interests as the causes that have effects.

E. Concrete, verifiable, and reasonable grounds for investigating the two stories

19. The key element of the out-of-court strategy for exposing abuse of power intrinsic to the Federal Judiciary's operation and its judges' performance is the further investigation of the two unique national stories of P. Obama-J. Sotomayor and Federal Judiciary-NSA([supra §§A,B](#)). Its findings will allow gaining a keen understanding of judicial abuse of power's nature, extent, gravity, enabling circumstances, modus operandi, and harm to the people and their trust in the rule of law.
20. That understanding is a prerequisite([OL:135](#)) to determining the full scope and fundamental changes of the reform necessary to ensure that the Federal Judiciary and its judges do not abuse for their own benefit the power that the people entrusted to them but rather serve in the interest and subject to the control of the people, their masters. It is also a prerequisite to provoking the national outrage that will generate the public pressure needed to force politicians to undertake such reform. The investigation of those stories already conducted provides solid grounds and reliable, abundant leads for journalists and other researchers to continue it([OL:66, 115](#)):

1. The search for J. Sotomayor's concealed assets

21. The statements of financial affairs that J. Sotomayor filed([jur:65^{107b}](#)) under oath with the Senate Judiciary Committee on Judicial Nominations at its demand, showing an earning-assets-liability mismatch^{107c} pointing to concealment of assets, which is done to evade taxes and launder money.
22. The articles([jur:65^{107a}](#)) in *The Washington Post*, *The New York Times*, and Politico suspecting her of concealing assets([jur:65§1](#)).
23. Their suspicion^{id.} of her having declared a smaller amount of money than she must have received for cashing out her partnership in the high end boutique law firm of Pavia & Harcourt([jur:103²⁰⁵](#)) in NY City upon resigning it to become a federal district court judge in the 2nd Circuit.
24. Her participation as a justice in concealment of assets, which is a continuing crime committed to avoid the self-incrimination attendant upon declaring up-to-now concealed assets.

2. The DeLano case and the bankruptcy fraud scheme run by judges

25. Her cover up in the appeal of the *DeLano*([jur:65^{109a}](#)) bankruptcy case([jur:68§a](#)) of a bankruptcy fraud scheme([jur:66§2](#)) run([jur:42⁶⁰](#)) with the participation of a bankruptcy judge appointed by her peers at the U.S. Court of Appeals for the Second Circuit (CA2).
 - a. Bankruptcy judges are neither nominated by the president nor confirmed by the Senate. Rather, they are appointed by the respective circuit judges([jur:43^{61a}](#)). They are removed, not by impeachment, but by decision of circuit judges and district judges of their district.
 - b. Bankruptcy judges are 'the circuit judges' men and women on the bench' and dependent on them to remain there and be reappointed at an annual salary of at least \$160,080([jur:104²¹¹](#)) That is far above the average income of most lawyers and a strong motive for bankruptcy judges to do the bidding of their appointers and share benefits with them.
 - c. When bankruptcy cases reach the circuit court on appeal, the judges there have a bias toward upholding their appointees' decisions no matter how wrong or wrongful they may be, lest those circuit judges indict their own vetting of the persons that they appointed to bankruptcy judgeships and their good judgment in assessing their competence and honesty.
26. J. Sotomayor withheld([jur:69§b](#)) *DeLano* from the Senate Judiciary Committee, though she was required to file it on two grounds, among others: She had presided over it([jur:65^{109a}](#)) at the Court

of Appeals and from there the case had gone on petition for certiorari to the Supreme Court^{109b}.

- a. Her concealment of information from the Senate, whereby she obtained its confirmation of her nomination by President Obama to the highest bench by misrepresenting herself as an honest person and a judge whose legal philosophy was “fidelity to the law”(jur:69^{132f}) constitutes fraud in the inducement. It would also support a charge of perjury since she affirmed under oath that she had submitted all the documents requested.
- b. *DeLano* need not be the only case that J. Sotomayor withheld from the Senate. Other similarly withheld cases can be found through research on the CA2 website(jur:20) or at the intake office of the Court in New York City(jur:17). They can also be found through a search on the databases affording public access to court electronic records of PACER, Westlaw, or Lexis(jur:108§d). Finding other cases that she similarly withheld from the Committee so as not to jeopardize its confirmation of her to a justiceship can establish a pattern of deception that reveals her dishonesty and further supports the charge of fraud in the inducement.

3. The systematic covering up of peers’ abuse of power

27. Her participation as a member(jur:24²⁰) of the 2nd Circuit Judicial Council in the 100% denial of appeals from the 99.82%(jur:11) systematic dismissal without investigation(jur:24§b) by her chief judge and colleagues of complaints against judges, including that(jur:68¹²⁴) in *DeLano*(jur:xxxv), whereby she too abrogated in effect Congress’s Judicial Conduct and Disability Act(24^{18a}) without authority; for self-immunization; and to the detriment of complainants and judicial integrity.
28. Her participation in the systematic denial by all Circuit judges of petitions for en banc review of decisions by CA2 3-judge panels(jur:45§2), thus covering up her peers and her own wrong and wrongful decisions(46§3), unlawfully abrogating in effect Rule 35(45⁷²) of Appellate Procedure.
29. Her condonation of her peers’ abuse of power despite her duty(jur:82^{170b}) to expose it so as to safeguard the integrity of judicial process, her Court, and the Judiciary; and in the self-interest of preventing the investigations that her denouncing their abuse would prompt from leading to her own or motivating an investigatee to enter into a plea bargain agreement to provide incriminating information about his peers, including her, in exchange for immunity or leniency in sentencing.

4. Connivance of politicians with ‘their judges on the bench’

30. In the course of their search for J. Sotomayor’s concealed assets and their investigation of her other forms of abuse of power(jur:102§4), journalists will ask the logical question, “Who knew of her abuse and when did they know it”, and proceed to broaden and deepen their investigation of:
 - a. connivance between President Obama, who nominated her in his own interest(supra§A) and lied about her honesty(OL:63, 70).
 - 1) Journalists can publicly ask that question as Senator Howard Baker, vice chairman of the Senate Watergate Committee, originally formulated it and asked of every deponent at the nationally televised hearings on the Watergate scandal: “What did the President know and when did he know it?” It turned out to be a devastating question that was then branded in our political discourse and ultimately led to the resignation of President Nixon on August 8, 1974, and the imprisonment of all his White House aides.
 - 2) As journalists ask that question now, they can poignantly request that the President release the reports of the FBI when it vetted Attorney and later on Judge Sotomayor first upon her nomination to the district court in 1992, and subsequently to the circuit

court in 1998, and to the Supreme Court in 2009; and that the reports not be redacted.

- 3) They can ask Justice Sotomayor to request that the President release all those reports.
 - 4) This can set a precedent that contributes to transparency in the Judiciary and the rest of government, and the nomination and confirmation of honest persons to public office.
- b. the top senators who recommended, endorsed, shepherded her through the confirmation process in the Senate, and confirmed her([supra](#)¶¶3-4);
 - c. the Republican senators who were repeatedly provided with information([jur:69¹³²](#)) about the evidence of her abuse of power but ignored it to avoid having ‘their own men and women on the bench’ investigated in retaliation; and
 - d. the circumstances enabling([OL:154§1](#)) such and other forms of abuse of power by other judges([jur:5§3](#)), justices([jur:71§4](#)), and politicians([jur:23^{17a}](#); [jur:22¶31](#)).

5. The Federal Judiciary’ interference with its critics’ communications

31. The statistical analysis([OL:19§D²](#)) supporting probable cause to believe that there has been interference with the communications of critics of judges’ abuse of power with the intent or effect of preventing or hampering their efforts to exercise their First Amendment right “to assemble peacefully to petition the government for a redress of grievances”([jur:130²⁶⁸](#)).
32. Have the Federal Judiciary and its judges, as the interested parties, abused their power to have the FBI or a similar government agency issue security letters to communications service providers, such as Internet and phone service providers and mail carriers, to interfere with the communications of critics of their abuse of power under a pretense, such as that the critics pose a security threat, e.g., to national security?([ggl:1 et seq.](#))

6. Failure to “avoid even the appearance of impropriety”

33. The search for the assets that *The New York Times*, *The Washington Post*, and Politico([supra](#) §1) suspected J. Sotomayor of concealing need only show her failure to comply with the unambiguous and exacting injunction in the judges’ own Code of Conduct([jur:68^{123a}](#)) to “avoid even the appearance of impropriety” in all personal and professional matters. Hence, even without finding her concealed assets, her appearance of having concealed them and/or engaged in any of the other forms of abuse of power listed above can cause her resignation just as that of Supreme Court Justice Abe Fortas was caused on May 14, 1969, upon *Life* magazine revealing his financial improprieties and suspect friendship([jur:92§d](#)).

F. Optimal economic, social & political context for the two unique national stories

34. The average U.S. *household* is struggling economically because it is making less money now than before the economic crisis that was set off by abusive mortgage lending. By contrast, a Supreme Court justice receives a salary over four times the average household income([jur:104²¹¹](#)), which cannot be diminished([jur:22¹²](#)), will keep coming for life due to his life appointment, and is increased by his outside income. People will be outraged upon learning that one such justice, J. Sotomayor, is concealing assets, evading taxes, and covering for her peers, who, among other things, have tapped an illicit source of money by running a bankruptcy fraud scheme(*>[jur:xxxv](#)).
35. A series of scandals, e.g., no WMD, abusive mortgage lending. Abu Ghraib prison, NSA, IRS, VA, Fast & Furious, SS, has outraged the national public and caused it to become most distrust-

ful of government. Yet, the two-year campaigning for the primaries and the presidential election has begun, during which politicians will ask people to trust, and vote for, them. During that long and critical electoral season, politicians will be most vulnerable to the public's mood and must appear most responsive to its demands, e.g., in the 2014 primaries in Virginia, voters voted out of office none other than U.S. H.R. Majority Leader Eric Cantor because of his stance on immigration.

1. Best context for journalists and strategic thinking advocates

36. This is the best context for journalists and media outlets to investigate the two unique national stories([supra §§A,B](#)), for it offers what they want the most for any of their stories: a receptive audience –here one prone to believe the worst of public officers and resent tax cheats the most–; a thematic link to the central issues of the national debate –here the elections–; and the opportunity to advance their personal, professional and commercial interests through those stories([infra §H](#)).
37. This socio-economic and political context is also optimal for advocates of honest judiciaries who can think strategically to apply a key principle of strategic thinking: “The enemy of my enemy is my friend and the friend of my friend is my friend”. The campaigns for votes provide choice opportunities for advocates to identify those individuals and groups who, regardless of any interest that they may or may not have in honest judiciaries, can win or lose due to judicial abuse exposure and reform pursued through the two stories. Those who win from exposure and reform have interests harmonious with those of advocates, so they are ‘friends’; those who lose will oppose exposure and reform, their interests conflict with those of advocates, and they are ‘enemies’.
38. Advocates can form or strengthen alliances with ‘friends’ and disrupt or prevent alliances between ‘enemies’. First, they want to join and assemble the largest number of advocates. Then they want to make alliances with journalists and media outlets. This illustrates thinking strategically by applying dynamic analysis of harmonious and conflicting interests([*>dcc:8¶11; Lsch:14§2; OL:52§C](#)) to the members of a system of related interests. The members constantly affect each other by jointly or severally reinforcing, advancing, maintaining, hindering, or defeating their related interests; members, interests, and means of affecting them exit or enter the system. The system and its alliances reconfigure themselves constantly; hence, its analysis must be dynamic.
39. Members in the system and in actual or potential alliances are politicians who are or have been in office([jur:xxvii](#)) and newcomers([OL:125§A; jur:79^{164a}](#)); voters([OL:122§C](#)); judges abusing or condoning abuse([jur:88§a-c](#)); Deep Throat([OL:180](#)) and out loud([OL:46](#)) judges; law clerks([jur:106§c](#)); court staff([jur:30§1](#)); abusees([OL:126§B, 138](#)); law professors and schools([jur:81§1](#)); journalists([OL:21-41, 45](#)); media outlets([jur:xlvi](#)); IT and research entities([OL:42, 60](#)); advocates of honest judiciaries([jur:xxvi; OL:135](#)); means of information dissemination([infra §G](#)).
40. The analysis can be applied, for instance, to the electoral races and the jockeying for position in them. Journalists are reporting on them. Their stories attract the national public's attention. The two unique national stories will outrage the public at judges' abuse of power and the politicians in connivance with them. An outraged public will confront politicians with the choice between protecting *their* judges, but, like Majority Leader Cantor([supra ¶35](#)), not being elected, and calling for and conducting judicial abuse investigations and reform, and being elected. Strategizing([OL:59§B](#)) means identifying through dynamic analysis([dcc:8¶11, 17¶1](#)) those in the system who have an interest in that confrontation happening, e.g., advocates and journalists, or not happening, e.g., judges, and working on alliances to advance the former's interest and hinder the latter's.

G. Presentations to inform of and outrage at judicial abuse of power and reform

41. Making presentations([*>Lsch:2](#)) on judges' abuse coordinated among themselves and in conni-

vance with politicians is a means of implementing the strategy for informing the public thereof and outraging it enough for it to force politicians, under pain of not receiving donations, volunteer work, word of mouth endorsement, etc.(OL:123¶17), to investigate judges' abuse and bring about judicial reform. Advocates of honest judiciaries can organize and/or deliver them.

a. venues of presentations:

- | | | |
|--|--|--|
| 1) private meetings and press conferences with journalists (OL:22, 26, 88) | 4) political organizations (OL:48, 51) | 8) schools(jur:129§b) of: journalism(OL:186,188; Lsch:24), law(Lsch:1, 21), business(jur:104¶¶236-237), Information Technology (OL:42, 60) |
| 2) talkshow hosts(OL:146) | 5) political candidates (jur:ii; OL:121) | |
| 3) public interest entities (jur:86§4; OL:127) | 6) veterans meetings (OL:90, 94) | |
| | 7) advocates of honest judiciaries(OL:142) | |

b. topics of presentations:

- 1) the available(jur:21§§A-B) evidence of judges' abuse of power individual and coordinated among themselves and others(jur:81¹⁶⁹) and in connivance with politicians;
- 2) the two unique national stories of P. Obama-J. Sotomayor and the Federal Judiciary-NSA(supra §§A-B); the investigative leads(supra §E); and plan(OL:66);
- 3) the search for campaigning politicians who may want to distinguish themselves from others by making judicial abuse of power and reform a central issue of their platform, and rallying behind them all victims of judges' abuse(OL:125§A; jur:79^{164a}).
- 4) the offering for academic credit of a course(dcc:1), internships, seminars, and clinics (OL:133¶¶7, 15) in which students(jur:129§b) and professors can engage in field and library research(OL:115) of the two stories, in particular, and of judicial abuse exposure and reform, in general;
- 5) the formation of a multidisciplinary academic and business venture(jur:119§1) aimed at Pioneering the news and publishing field of judicial unaccountability reporting(jur:1§1) and advocating judicial reform; and the team(jur:128§4) of professionals and students who should participate in the venture as the precursor to an institute of judicial unaccountability reporting and reform advocacy(jur:130§5);
- 6) elements of judicial reform(jur:158§§6-8);
- 7) organizing a symposium on judicial abuse of power and reform(jur:97§1; dcc:11);
- 8) the proposed documentary Black Robed Predators(OL:85); and
- 9) advocates' participation in a constitutional convention(jur:139^{270>Ln:309}; OL:87§D, 135).

42. Because of their valuable experience and expertise in investigative journalism, in general, and judicial and *Follow the money!* investigations, in particular, a special effort should be made to have in the audience, or present privately to, the following and similarly situated media members:

- a. Columbia University Graduate School of Journalism and School of International Public Affairs(OL:184-189);
- b. Newsday OL:176);
- c. International Consortium of Investigative Journalists(OL:179§C); and
- d. Former CBS Investigative Reporter Sharyl Attkisson, who has sued the U.S. Department of Justice on a claim that it hacked into her work and home computers to find out about

investigations of hers that embarrassed the Obama administration, in particular the DoJ Bureau of Alcohol, Tobacco, and Firearms Fast and Furious sale of assault weapons to drug traffickers([jur:168²⁹⁵](#)), which led Congress to hold DoJ Secretary Eric Holder in contempt for refusing to produce requested documents, the first time ever that a member of the cabinet is so held by Congress; and the killing of the American ambassador to Libya and three other American officers at Benghazi by Islamic militants([jur:139²⁷⁰](#)>[Ln:331](#)).

H. Persuading the media to investigate the two unique national stories

43. Presentations at a press conference and to individual journalists and media outlets have a multiplier effect because if they report on the topics presented, many more people are informed about them. That effect is magnified if journalists start investigating those topics on their own. Thus, a main purpose of the presentations is to persuade the audience to further investigate the two unique national stories([supra §§A,B,E](#)), especially journalists –who must persuade their assigning editors– given their superior skills and means to investigate and disseminate information; and graduate students([jur:129§b](#)) because of their youthful idealism, belief that they can change the world for the better, and willingness to do their best, and knowledgeable professors([jur:131§b](#)). They must be convinced that the more of them join the investigation, the less judges can retaliate against them, for powerful though judges are, they cannot retaliate against everybody simultaneously without revealing their unlawful motive and abuse of power to conceal their abuse.

1. Journalists can make scoops that establish their names nationally

44. The presentations must appeal to the personal, professional, and commercial interests([OL:3§F](#)) of ambitious and principled journalists and media outlets. Each one of them will want to make the scoop of a lifetime([jur:xxi§5](#)), whether it is the one that brings down a justice of the Supreme Court of the U.S. for tax evasion and money laundering([jur:65^{107a,c}](#); [OL:5¹⁰](#)); the one that shows that the President and senators knew it but lied about it to the American public([jur:77§§5-6](#)); or...
45. ...the one revealing that the Federal Judiciary interferes with the communications of the critics of judges and transfers concealed assets to and from hidden and declared accounts electronically by abusing its and/or NSA's computer network and expertise([supra §B](#)). That revelation will be more outrageous than that by Edward Snowden of NSA's dragnet collection of communications data of scores of millions of Americans because the judges' abuse of power has no "national security" redeeming value whatsoever. It is nothing but criminal activity in crass self-interest aggravated by concealment of assets, betrayal of public trust, and theft of services through misuse of public property. So, that revelation will cause a scandal that will provoke more national outrage and deepen the people's distrust of government more than any other scandal heretofore.

2. The media can advance their commercial interests through the stories

46. Indirectly through presentations to journalists or directly to their assigning editors, media outlets must be shown that by investigating those stories they can achieve a business administration goal of all well-run media outlets: perform a cost-benefit analysis to allocate their resources of journalists, money, effort, and time so as to attain most effectively their mixed target of revenue, prestige, editorial agenda, etc. That analysis will show that the benefits of investigating those stories cannot be surpassed by those of any other story given their uniqueness, national scope, and current public mood and economic and political context. To obtain those benefits, an outlet can:
 - a. take the lead in the investigation so as to develop a knowledge base, sources, and audience loyalty and growth that place its reporting ahead of its competitors', attract more advertisers

- to whom higher advertising fees can be charged, thus increasing its revenue and enhancing its prestige, which will include the credit for having broken the stories;
- b. publish an article or a serial on the available(jur:21§§A-B) evidence of judges' abuse, which can take the form of an Emile Zola's *I accuse!*-like(jur:98§2) denunciation of it;
 - c. contribute its findings to a documentary as it participates in its making(OL:85);
 - d. investigate whether *WP*, *NYT*, and Politico entered into a quid pro quo with the Obama administration, the Judiciary, or its judges to drop their stories(jur:65^{107a}) suspecting J. Sotomayor of concealing assets in exchange for some benefit or to avoid some harm(jur:xlvi);
 - e. use its connections to talkshow hosts(OL:146) to:
 - 1) present on their shows the evidence and findings; and what from a media standpoint is
 - 2) more imaginative and promising, promote the holding of regular(OL:73) shows that repeat the amazing experience of the talkshow host(jur:2¹) who invited his audience to share on the air their stories of abuse by judges;
 - 3) turn talkshows into rallying points for victims of judges' abuse; and thus spark the formation of a civic movement(OL:29) that advocates judicial reform, in general, and the establishment of citizen boards of judicial accountability and discipline(jur:160§8), in particular;
 - f. use the stories of victims of judges' abuse, including those posted to its website in reaction to its reporting on the two unique national stories, as the raw material to:
 - 1) devise templates(jur:122§2) for:
 - a) facilitating people's storytelling about judges' abuse of power; and
 - b) aiding journalists and researchers in the comparative analysis of stories in search for points of connection, patterns, and trends of abuse of power; and
 - 2) be verified and collected for publication in the Annual Report on Judicial Unaccountability and Consequent Abuse of Power in America(jur:126§3);
 - g. cause the two stories to make judges' abuse in connivance with politicians the dominant issue of the electoral campaigns and a decisive factor in voters' Election Day conduct;
 - h. win a Pulitzer Prize;
 - i. write a book on the investigation and see it become a bestseller(jur:4¶¶10-14);
 - j. be portrayed in a blockbuster film by an A-list actor or actress(id.); and
 - k. earn any of many other material and moral rewards(OL:3§F).

I. From a journalist leader to a Watergate-like generalized media investigation

47. The journalist and media outlet taking the lead in the investigation of the two unique national stories(supra §§A,B) will provoke public outrage. Ever more media members will climb on their investigative bandwagon rather than lose audience to competitors who carry the latest developments in the emerging scandal. That is how the investigation of those stories will become a Watergate-like(jur:4¶¶10-14) generalized and first-ever media investigation(jur:100§§3-4) of the Federal Judiciary(OL:149§E) and its judges in connivance with politicians and their agents, e.g., NSA. It will lead to historic reform of the Judiciary, in particular, and government, in general.

J. From a media to official investigations and on to reform by *the People's Sunrise*

48. The Federal Judiciary and its judges are the models of their state counterparts: The latter have adopted the federal rules of procedure and evidence. Federal judges' interpretation of the minimum civil right protections and due process requirements of the U.S. Constitution must be complied with by state judges so that their decisions and application of state law may survive if reviewed in federal court on appeal or diversity of jurisdiction. Thus, the more journalists and media outlets join the leaders in the investigation of the two stories([supra §§A,B](#)), the more they will be attracted and induce others to investigate state judges and judiciaries for similar abuse of power.
49. Their combined exposure of judges' abuse will increase the chances of reaching the critical mass of outrageous findings and public outrage needed to stir up the public to force([supra ¶41](#)) politicians to have Congress, DoJ-FBI, and their state counterparts investigate judges at televised hearings. The authorities' coercive investigative powers([OL:157¶f](#)) will expose even more outrageous abuse, which will exacerbate the outrage and determine the public to force reform.
50. Entrusting judges with self-discipline and suing them in court before their peers have been demonstrated to be failed mechanisms to ensure that they are honest and exert public power to serve the people rather than themselves([supra ¶2; §D](#)). Judicial reform([jur:158§§6-8](#)) can correct this failure by empowering *We the People*, the masters in 'government of, by, and for the people'([jur:82¹⁷²](#)), to practice 'reverse surveillance'([OL:73; *>Lsch:2](#)) on their servants –judges and judiciaries– to enforce four principles([225§B](#)): **TRANSPARENCY** by requiring them to hold all meetings open to the public([supra §5](#)), for "Justice should not only be done, but should manifestly and undoubtedly be seen to be done"([jur:44⁷¹](#)); **ACCOUNTABILITY** by establishing citizen boards of judicial accountability and discipline([jur:160§8](#)) that publicly receive complaints against judges, investigate them with power of subpoena, search and seizure, and contempt, and impose **DISCIPLINE**, including suspension, and their **LIABILITY** to compensate their victims([OL:65¶9](#)).
51. Such a far-reaching reform that upsets the conniving relation between politicians and judges to the detriment of the people requires the latter to give themselves a new *We the People*-government relation: The power to impose that relation on, and in spite of the resistance of, judges and politicians can emerge from a self-assertive civic movement: *the People's Sunrise*([OL:73, 29](#)). The precedent that makes it a realistic expectation is the Tea Party and its development into a political powerhouse to be reckoned with. In the Sunrise movement, *the People* shine their light to see everything that occurs in society and their government; illuminate the areas that need services by public servants; and oversee them as they serve for the benefit of *We the People*.

K. Pioneers of judicial unaccountability reporting become Champions of Justice

52. Through separate and concerted action, advocates of honest judiciaries and journalists and media outlets can advance their respective interests by informing the national public of, and outraging it at, judges' abuse of power coordinated among themselves and in connivance with politicians. Advocates can make presentations thereon to journalists, research-capable students and their professors, and others([supra §G](#)); and the media can report on the available evidence of judges' abuse of power and further investigate the two unique national stories([supra §§A,B,E](#)).
53. By so doing, they all will be 'Pioneering the news and publishing field of judicial unaccountability reporting'(*>[Preface:i](#)). Such reporting can become a key defender of American democracy. As a result, a grateful *People* can express their appreciation by granting upon them many material and moral rewards([OL:3§F](#)), the most valuable of which is to be nationally recognized as *the People's Champions of Justice*.
Dare trigger history!(![jur:7§5](#))...and you may enter it!

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Exposing
Judges' Unaccountability
and
Consequent Riskless Abuse of Power

Pioneering
the news and publishing field
of
judicial unaccountability reporting

A study of judges and their judiciaries, who held unaccountable by themselves through their self-exemption from complaints and by politicians, have turned abuse of power into their institutionalized way of doing business; and their exposure by applying a strategy that out of court informs of, and outrages at, judges' abuse the only entity capable of forcing reform and holding them liable:
We the People, the masters of all public servants, including judicial public servants

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