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[http://Judicial-Discipline-Reform.org/for\\_Firefox\\_users.pdf](http://Judicial-Discipline-Reform.org/for_Firefox_users.pdf)

See a list of key articles below

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## The *DeLano* Case

a hands-on, role-playing,  
fraud investigation and expository course  
for law, journalism, and accounting school students

[http://Judicial-Discipline-Reform.org/DeLano\\_course/14Law/1DrCordero-Dean.pdf](http://Judicial-Discipline-Reform.org/DeLano_course/14Law/1DrCordero-Dean.pdf)

Dear Dean,

I am a lawyer and researcher-writer and would like to propose teaching The *DeLano* Case, a hands-on, role playing, fraud investigation and expository course. I developed it based on a cluster of cases that I have prosecuted from bankruptcy court to the U.S. Supreme Court and that reveal the harmful effect on judicial process of the two most insidious forces of corruption: lots of money and unaccountable power to dispose of it.

So, in the 220 years since the creation of the Federal Judiciary in 1789, of the thousands of judges that have served –2,153 federal judges and magistrates were in office in 2008-, only 7 have been impeached and removed. (<http://www.fjc.gov/history/home.nsf> >Judges of the U.S. Courts> Impeachments of Federal Judges; as to the number of judges)

Likewise, of the 9,466 judicial misconduct complaints filed in the reported 1oct96-30sep08 12-year period, 99.83% were dismissed with no investigation and no private or public discipline. ([http://Judicial-Discipline-Reform.org/DeLano\\_course/14Law/1DrCordero-Dean.pdf](http://Judicial-Discipline-Reform.org/DeLano_course/14Law/1DrCordero-Dean.pdf) >Dn:12; see also the graphs infra.)

Moreover, the federal courts of appeals get rid of about 75% of the appeals **by summary order: a form with mostly a mere "Affirmed"** and not even a reference to the issues presented.

(Dn:13-14; e.g. *Ricci*; [http://Judicial-Discipline-Reform.org/docs/Ricci\\_v\\_DeStefano\\_CA2.pdf](http://Judicial-Discipline-Reform.org/docs/Ricci_v_DeStefano_CA2.pdf))

The course's significance is revealed by the fact that I argued *DeLano* before then CA2 Judge Sotomayor. (Dn:11) She found that case so incriminating that she withheld it from the Senate Judiciary Committee. (Dn: 7-10)

A Judiciary that unaccountably disregards the law to allocate annually **\$10's of bls. exercises absolute power, which corrupts absolutely, and mocks every professor's R&W and teaching.** The students should be prepared to deal with, and try to correct, this situation.

*DeLano* key documents from a record of over 2,500 pages constitute the core teaching materials. Teams of students are taught to apply ever-greater perceptiveness, inquisitiveness, and discernment as they compete with each other to pierce apparently lawful acts and statements so as to find the facts behind them and realize their generating force: a bankruptcy fraud scheme run care-free by insiders of the bankruptcy and legal systems that assure their own immunity.

([http://Judicial-Discipline-Reform.org/JNinfo/25Committee/2DrCordero-petition\\_25feb9.pdf](http://Judicial-Discipline-Reform.org/JNinfo/25Committee/2DrCordero-petition_25feb9.pdf)  
>N: 51¶¶1-4; N: 39 and 47)

The course instructs students also in collaborating to organize a public **presentation to expose how judges with unaccountable power over people's** property, liberty, and even lives wield it in coordination as cause or effect of the vicious circle of abusing it in some judicial acts and having to cover it up in others, thereby denying both litigants and the public at large due process of law and economic rights.

**Thus, the presentation will endow the students' course experience with the moral and practical value of work in the public interest.** The stakes warrant considering the course as preparation for a test case over the **Judiciary's commitment to "Equal Justice Under Law".**

To evaluate The *DeLano* Case course, please see also at [http://Judicial-Discipline-Reform.org/DeLano\\_course/14Law/1DrCordero-Dean.pdf](http://Judicial-Discipline-Reform.org/DeLano_course/14Law/1DrCordero-Dean.pdf):

- **The Salient Facts** of *DeLano* for instructors (Dn: 2);
- the Course Description for students (Dn:3); the table of contents of the Instructions for the Instructor (Dn: 4-5); and
- **online** the Syllabus with work for the classroom and the organization of the public presentation **for each of a semester's 15 weeks.**  
[http://Judicial-Discipline-Reform.org/DeLano\\_course/14Law/5DrCordero\\_syllabus.pdf](http://Judicial-Discipline-Reform.org/DeLano_course/14Law/5DrCordero_syllabus.pdf)
- Based thereon you may consider my offer to make a presentation of the case and the course to you and your colleagues and students. (Dn: 6)

While this is my application to teach the course -and Legal R&W- at your law school, its materials and instructions can be bought for another

instructor to teach it. You may assess my academic and professional qualifications by reviewing my posted writings and resume herein.

Hence, I look forward to hearing from you to arrange an interview.

Sincerely,

Dr. Richard Cordero, Esq.  
[Dr.Richard.Cordero.Esq@gmail.com](mailto:Dr.Richard.Cordero.Esq@gmail.com)

**Dr. Cordero is available to teach the *DeLano* course and/or legal research and writing (R&W) even on short notice should the opportunity present itself or is deliberately created through enlightened self-interest and genuine concern for that of the public.**

Indeed, part of the course is the public presentation by law, journalism, and/or accounting students in their university auditorium of their findings upon taking the course. The latter includes studying the submitted evidence of how the Federal Judiciary tolerates, or participates in, withholding material information, concealment of assets, and peer partiality. Cf. [http://Judicial-Discipline-Reform.org/DeLano\\_course/14Law/1DrCordero-Dean.pdf](http://Judicial-Discipline-Reform.org/DeLano_course/14Law/1DrCordero-Dean.pdf) >7-10

Their presentation can have a significant positive impact on the millions of debtors and creditors that are party to over one million new bankruptcy cases filed annually as well as on the general public to whom they pass on their losses and everybody else who is affected by judicial wrongdoing. *Id.* >13-14.

In addition, the *DeLano* materials lend themselves quite appropriately for an R&W course. They can be used for the students to express not only their understanding of a complex case, but also to condense and clarify it in order to convince a professional public of what its evidence shows and even persuade that public to take action in behalf of what the case reveals is at stake, namely, the integrity of both the Judiciary and its judicial process. The students would aim to accomplish that feat of effective communication by designing, writing, and producing a professional brochure that at the end of the R&W course could be mailed to the target public. *Id.* >2.

Just as in school clinics students litigate cases in court, draw up contracts, and mediate disputes, an R&W course using the *DeLano* materials could be taught as a clinic intended to have a concrete and significant impact on our legal system through a written exposé. Its objective would be high, justified, and inspiring: to bring about relief from systemic denial of due process of law by de facto unimpeachable judges who assure their own immunity from discipline. *Id.* >12. If the *DeLano* course is taught too, the

writing would also include the promotional materials for, and individualized invitations to, the presentation.

Either scenario includes teaching an **essential skill in today's business world**: how lawyers, financial experts, other professionals, and their clients collaborate through electronic means of communication to draft, comment on, and produce a single, 'team piece' of writing on a tight schedule, such as an annual report, a prospectus, or a regulatory filing.

Likewise, the writing and presenting students with the courageous support of their dean and faculty could enhance considerably their school's reputation as the one that took responsible action of enduring civil merit by performing fraud and forensic accounting, evidentiary analysis and a 'closing argument', and an in-depth journalistic investigation and reporting in order to expose the undermining of, and propose safeguards for, the integrity of both our legal system and the fundamental tenet of its process: Equal Justice Under Law.

Therefore, prior and with a view to the school reaching an appointment decision or for the purpose of informing the members of an entity or the public at large, Dr. Cordero can make a presentation of the *DeLano* course and the case. *Id.* >6.

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**Judge Sotomayor**  
**earned \$3,773,824 since 1988 + received \$381,775 in loans =**  
**\$4,155,599 + her 1976-1987 earnings,**  
**yet disclosed assets worth only \$543,903**  
**thus leaving unaccounted for in her answers to the Senate**  
**Judiciary Committee**  
**\$3,611,696 - taxes and the cost of her reportedly modest living**  
**and**  
**likewise withheld from it the *DeLano* Case,**  
**which reveals her participation in**  
**a cover-up of concealment of assets as part of**  
**a judicially run and tolerated bankruptcy fraud scheme**

[http://Judicial-Discipline-Reform.org/SCt\\_nominee/JSotomayor\\_integrity/12table\\_JSotomayor-financials.pdf](http://Judicial-Discipline-Reform.org/SCt_nominee/JSotomayor_integrity/12table_JSotomayor-financials.pdf)  
See also [http://Judicial-Discipline-Reform.org/SCt\\_nominee/Senate/1DrCordero-Senate.pdf](http://Judicial-Discipline-Reform.org/SCt_nominee/Senate/1DrCordero-Senate.pdf)

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## **The Choice: Judge Sotomayor's Ethnicity v. Equal Justice Under Law**

([http://Judicial-Discipline-Reform.org/SCt\\_nominee/JSotomayor\\_v\\_Equal\\_Justice\\_26may9.pdf](http://Judicial-Discipline-Reform.org/SCt_nominee/JSotomayor_v_Equal_Justice_26may9.pdf))

1. Pro-forma justice through summary judgment orders and unpublishable opinions.
2. Non-publication of orders and opinions protects their cursoriness.
3. T-1080 Motion Information Statement to avoid reading by circling DENIED or GRANTED.
4. Incrimination in tolerating or running a bankruptcy fraud scheme.
5. Systematic self-exemption from judicial discipline.
6. Judge Sotomayor's participation in a bankruptcy fraud scheme cover-up.

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## **Can the new Code of Conduct for U.S. Judges that will enter into effect in July introduce self-discipline in the federal judiciary?**

An example of the application of its provisions to a case before the Supreme Court on petition for certiorari

excerpts from

[http://Judicial-Discipline-Reform.org/US\\_writ/2DrCordero-SCt\\_rehear\\_23apr9.pdf](http://Judicial-Discipline-Reform.org/US_writ/2DrCordero-SCt_rehear_23apr9.pdf)

“Violation of the Code of Conduct for U.S. Judges by even giving the appearance of impropriety diminishes public confidence in the judiciary and injures our system of government under law”, Canons 1 and 2

On March 17, 2009, the Chief Justice of the U.S. Supreme Court and all the chief judges of the circuit and national courts together with representative district judges meeting in the Judicial Conference of the U.S. agreed that the notion of “appearance of impropriety” contained in the [Code of Conduct for U.S. Judges](#)<sup>1</sup> had to be reinvigorated together with others aimed at achieving one objective, which it expressed thus in Canon 1 and emphasized by rephrasing it as a recurrent theme throughout the Code.

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<sup>1</sup> With useful bookmarks and the newsrelease of the Judicial Conference that adopted

it on March 17, 2009, at:

[http://Judicial-Discipline-Reform.org/docs/Code\\_Conduct\\_Judges\\_09.pdf](http://Judicial-Discipline-Reform.org/docs/Code_Conduct_Judges_09.pdf).

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## **How do Federal Judges Violate Due Process and Get Away With It?**

[http://Judicial-Discipline-Reform.org/Follow\\_money/why\\_j\\_violate\\_due\\_pro.pdf](http://Judicial-Discipline-Reform.org/Follow_money/why_j_violate_due_pro.pdf)

The answer to that question is that they have nothing to fear from violating due process.

...a judge may further his wrongdoing through a blatant, intentional violation of a party's Constitutional guarantee of due process of law and realistically face nothing other than a reversal of a decision. If the case is remanded, it may be even back to him so that he may give the appealing party another round of violations of due process that will wear him down emotionally and deplete his economic resources.

...Such reversal is totally inconsequential, for it is not other judges who evaluate the reversed judge's performance and make any recommendation for his promotion to a higher court, not to mention promote him to it...

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## **A Watergate-like *Follow the money!* Journalistic Investigation Into Institutionalized Judicial Wrongdoing**

[http://Judicial-Discipline-Reform.org/Follow\\_money/DrCordero-journalists.pdf](http://Judicial-Discipline-Reform.org/Follow_money/DrCordero-journalists.pdf)

...You can use the *DeLano* case<sup>1</sup> to conduct a pinpointed Watergate-like *Follow the money!* journalistic investigation reminiscent of that led once by Bob Woodward and Carl Bernstein. The exposure of coordinated or tolerated wrongdoing by judges all the way to the judiciary's top can cause such public outrage as to pressure law enforcement authorities and Congress into opening their own investigations; their findings can cause politicians to adopt legislation to render judges accountable for their actions and amenable to discipline. The reaction to the AIG bonuses illustrates the soundness of this strategy.

...For the bloggers and investigative journalists that expose evidence of coordinated judicial wrongdoing there are rewards awaiting them: 15 minutes of fame; a Pulitzer Prize; a bestseller or movie hit like *All the President's Men*; the title of 'Our Generation's Woodward/Bernstein'; and the most lasting and meritorious one of the recognition of a grateful nation for contributing to bringing our legal system closer to the inspirational ideal of "Equal Justice Under Law".

<sup>1</sup>[http://Judicial-Discipline-Reform.org/US\\_writ/1DrCordero-SCt\\_petition\\_3oct8.pdf](http://Judicial-Discipline-Reform.org/US_writ/1DrCordero-SCt_petition_3oct8.pdf)

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# **Judicial Unaccountability and Self-exemption from Discipline**

**resulting from the judges' concerted circumvention of  
the Judicial Conduct and Disability Act and its Rules of application**

De facto guaranteed immunity from accountability and discipline for  
the exercise of judicial power over people's property, liberty, and even  
lives,

as shown by the official statistics on the judges' disposition of complaints  
against them,

has given rise to institutionalized coordinated wrongdoing in the federal  
judiciary.

**"Power corrupts, and absolute power",  
whose essential quality is unaccountability,  
"corrupts absolutely".**

*Lord Acton, Letter to Bishop Mandell Creighton, April 3, 1887*

[http://Judicial-Discipline-Reform.org/Follow-money/unaccount\\_jud\\_nonjudActs.pdf](http://Judicial-Discipline-Reform.org/Follow-money/unaccount_jud_nonjudActs.pdf)

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## **Petition for review**

**of February 25, 2009**

**to the Committee on Judicial Conduct and Disability  
of the Judicial Conference of the United States**

concerning the judicial misconduct complaint against

**U.S. Bankruptcy Judge John C. Ninfo, II, WBNY**

for bias, prejudice, and abuse of power in support of a bankruptcy fraud scheme

[http://Judicial-Discipline-Reform.org/JNinfo/25Committee/2DrCordero-petition\\_25feb9.pdf](http://Judicial-Discipline-Reform.org/JNinfo/25Committee/2DrCordero-petition_25feb9.pdf)

**and how to use it as a template**

**by**

**Dr. Richard Cordero, Esq.**

[Dr.Richard.Cordero.Esq@Judicial-Discipline-Reform.org](mailto:Dr.Richard.Cordero.Esq@Judicial-Discipline-Reform.org)

The following petition for review to the above-captioned Committee can function as a template that other judicial misconduct complainants can adapt to their own petition to that Committee.

Before petitioning to it, a complainant must have:

1. filed a judicial conduct or disability complaint with the chief judge of the federal circuit where the federal judge or magistrate serves or where his or her misconduct or disability occurred, and the chief judge must have issued a final order;
2. filed a petition for review of that order to the judicial council of the chief judge's circuit; and
3. been aggrieved by an action of the council or otherwise learned that the council entered a reviewable order.

See Judicial Conduct and Disability Act  
(<http://Judicial-Discipline-Reform.org/docs/28usc351-364.pdf>) and  
the Rules for Conduct and Disability Proceedings  
([http://Judicial-Discipline-Reform.org/docs/Rules\\_complaints.pdf](http://Judicial-Discipline-Reform.org/docs/Rules_complaints.pdf)).

In the petition, the emphasis must be placed on arguing that the Committee has, and should exercise, jurisdiction over it based on the facts of the complaint and applicable provisions of the Act and the Rules. The February 25 petition, whose introduction and table of contents appear below, show how to do so.

[http://Judicial-Discipline-Reform.org/JNinfo/25Committee/2DrCordero-petition\\_25feb9.pdf](http://Judicial-Discipline-Reform.org/JNinfo/25Committee/2DrCordero-petition_25feb9.pdf)

That petition was also revised in order to submit it as a petition for review to the Judicial Conference itself. It was sent with a cover letter to Chief Justice John Roberts, Jr., as its presiding officer, and to other members of that body. The letter highlights the legal basis for that petition and requests that the members cause the Conference to exercise jurisdiction over the petition, discuss it, and decide to investigate the underlying complaint when the Conference meets next Tuesday, March 17, at the Supreme Court.

[http://Judicial-Discipline-Reform.org/JNinfo/25Committee/7DrCordero-JConference\\_28feb9.pdf](http://Judicial-Discipline-Reform.org/JNinfo/25Committee/7DrCordero-JConference_28feb9.pdf)

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**PETITION FOR REVIEW**  
**to the Judicial Conference of the United States**  
and its Committee on Judicial Conduct and Disability

of the denial of January 9, 2009  
by the Judicial Council of the Second Circuit

of the petition for review of November 12, 2008

of the dismissal of October 7, 2008  
by CA2 Chief Judge Dennis Jacobs

of the judicial misconduct complaint of June 9, 2008  
**against U.S. Bankruptcy Judge John C. Ninfo, II, WBNY**

docket number 02-08-90073-jm [1]

[http://Judicial-Discipline-Reform.org/JNinfo/25Committee/7DrCordero-JConference\\_28feb9.pdf](http://Judicial-Discipline-Reform.org/JNinfo/25Committee/7DrCordero-JConference_28feb9.pdf)

Dr. Richard Cordero, Esq., Complainant and Petitioner, affirms under penalty of perjury as follows:

1. On January 9, 2009, the Judicial Council of the Second Circuit (the **Council**) **denied (N:48) Dr. Cordero's above-**captioned petition (N:36) to review under §352(c) of the Judicial Conduct and Disability Act (the Act), 28 U.S.C. §351-364 (28 U.S.C. §# = §#) the dismissal (N:32) by CA2 Chief Judge Dennis Jacobs (the Chief Judge) of his judicial misconduct complaint (N:1) against Bankruptcy Judge John C. Ninfo, II, WBNY, for bias, prejudice, and abuse of judicial power in support of a bankruptcy fraud scheme and its cover up in connection with *In re David and Mary Ann DeLano*, docket no. 04-20280, WBNY (*DeLano*).

To do so, the Council used its dismissal form and stated no reasons whatsoever, for it had none: According to its own statistics (N:39), reported pursuant to §332(g) to the Administrative Office of the U.S. Courts, which published them [2] pursuant to §604(h)(2), in the last 11 years, from October 1, 1996 to September 30, 2007, the Council publicly **and privately censured 0 judges, "Ordered Other Appropriate Action" in 0** complaints, denied 100% of petitions for review for a total of 345, and referred 0 complaints to the Judicial Conference of the U.S. (the Conference) or its Committee on Judicial Conduct and Disability (the Committee).

2. This is a petition under §357 and Rule 21 of the Rules for Judicial Conduct and Disability Proceedings (Rule #) to the Conference and its Committee [3] for review of the Council denial and the appointment of a **special committee given that both Judge Ninfo's misconduct as described in**

the complaint (N:1) and the Council's systematic denial of 100% of review petitions (N:39) constitute "conduct prejudicial to the effective and expeditious administration of the business of the courts" under §351(a) and the denial aggrieved Complainant Dr. Cordero.

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## **Advice on Filing a Judicial Misconduct Complaint Against a Federal Judge**

[http://Judicial-Discipline-Reform.org/Follow\\_money/complaint\\_advice.pdf](http://Judicial-Discipline-Reform.org/Follow_money/complaint_advice.pdf)

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## **OFFICIAL STATISTICS OF JUDICIAL MISCONDUCT COMPLAINTS**

filed and disposed of in the 13 circuits and 2  
national courts  
between 1oct96 and 30sep07

showing the systematic dismissal by federal judges of complaints against their peers, thus proving that people cannot be entrusted with the duty to discipline their peers and colleagues.

[http://Judicial-Discipline-Reform.org/JNinfo/21appeal/2DrCordero\\_JudCoun\\_10nov8.pdf](http://Judicial-Discipline-Reform.org/JNinfo/21appeal/2DrCordero_JudCoun_10nov8.pdf)

[http://Judicial-Discipline-Reform.org/Follow\\_money/Dynamics\\_of\\_corruption.pdf](http://Judicial-Discipline-Reform.org/Follow_money/Dynamics_of_corruption.pdf)

Table S-22 [previously S-23 & S-24]. Report of Complaints Filed and Action Taken Under 28 U.S.C. §351 for the 12-Month Period Ended Sep. 30 1997-2007.

<http://www.uscourts.gov/judbususc/judbus.html>;

collected at [http://Judicial-Discipline-](http://Judicial-Discipline-Reform.org/statistics&tables/jud_complaints/complaint_graphs_tables.pdf)

[Reform.org/statistics&tables/jud\\_complaints/complaint\\_graphs\\_tables.pdf](http://Judicial-Discipline-Reform.org/statistics&tables/jud_complaints/complaint_graphs_tables.pdf)

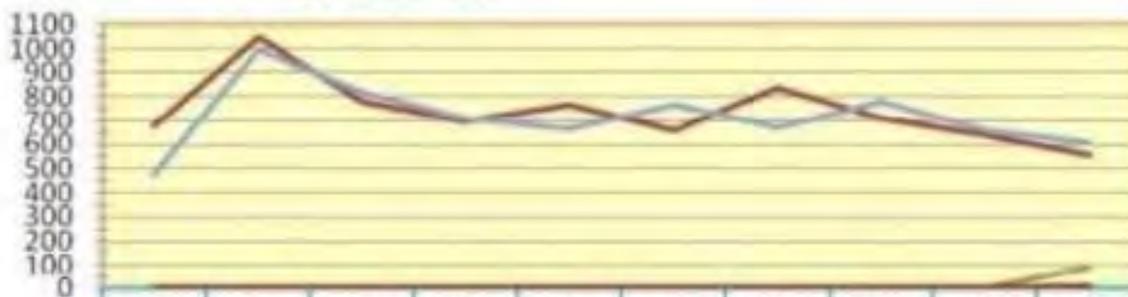
Table S-22 [previously S-23 & S-24]. Report of Complaints Filed and Action Taken Under 28 U.S.C. §351 for the 12-Month Period Ended Sep. 30 1997-2007. <http://www.uscourts.gov/judbususc/judbus.html>; collected at [http://Judicial-Discipline-Reform.org/judicial\\_complaints/complaint\\_tables.pdf](http://Judicial-Discipline-Reform.org/judicial_complaints/complaint_tables.pdf)

<b>Complaints filed in the 13 Circuits and 2 National Courts</b>	'96-97	'97-98	'98-99	'99-00	'00-01	'01-02	'02-03	'03-04	'04-05	'05-06	'06-07	'96-07	Avr.
<b>Complaints Pending</b> on each September 30 of 1996-2007*	109	214	228	181	150	262	141	249	212	210	241	2197	199.7
<b>Complaints Filed</b>	679	1,051	781	696	766	657	835	712	642	643	841	8303	754.8
<b>Complaint Type</b>												0	0.0
Written by Complainant	678	1,049	781	695	766	656	835	712	642	555	841	8210	746.4
On Order of Chief Judges	1	2	0	1	0	1	0	0	0	88	0	93	8.5
<b>Officials Complained About**</b>													
<b>Judges</b>													
Circuit	461	443	174	191	273	353	204	240	177	141	226	2883	262.1
District	497	758	598	522	563	548	719	539	456	505	792	6497	590.6
National Courts	0	1	1	1	3	5	1	0	0	3	4	19	1.7
Bankruptcy Judges	31	28	30	26	34	57	38	28	31	33	46	382	34.7
Magistrate Judges	138	215	229	135	143	152	257	149	135	159	197	1909	173.5
<b>Nature of Allegations**</b>													
Mental Disability	11	92	69	26	29	33	26	34	22	30	20	392	35.6
Physical Disability	4	7	6	12	1	6	7	6	9	3	1	62	5.6
Demeanor	11	19	34	13	31	17	21	34	20	35	22	257	23.4
Abuse of Judicial Power	179	511	254	272	200	327	239	251	206	234	261	2934	266.7
Prejudice/Bias	193	647	360	257	266	314	263	334	275	295	298	3502	318.4
Conflict of Interest	12	141	29	48	38	46	33	67	49	43	46	552	50.2
Bribery/Corruption	28	166	104	83	61	63	87	93	51	40	67	843	76.6
Undue Decisional Delay	44	50	80	75	60	75	81	70	65	53	81	734	66.7
Incompetence/Neglect	30	99	108	61	50	45	47	106	52	37	59	694	63.1
Other	161	193	288	188	186	129	131	224	260	200	301	2261	205.5
<b>Complaints Concluded</b>	482	1,002	826	715	668	780	682	784	667	619	752	7977	725.2
<b>Action By Chief Judges</b>													
Complaint Dismissed													
Not in Conformity With Statute	29	43	27	29	13	27	39	27	21	25	18	298	27.1
Directly Related to Decision or Procedural Ruling	215	532	300	264	235	249	230	295	319	283	318	3240	294.5
Frivolous	19	159	66	50	103	110	77	112	41	63	56	856	77.8
Appropriate Action Already Taken	2	2	1	6	4	3	3	3	5	5	3	37	3.4
Action No Longer Necessary Because of Intervening Events	0	1	10	7	5	6	8	9	8	6	6	66	6.0
Complaint Withdrawn	5	5	2	3	3	8	8	3	6	9	3	55	5.0
Subtotal	270	742	406	359	363	403	365	449	400	391	404	4552	413.8
<b>Action by Judicial Councils</b>													
Directed Chief Dis. Judge to Take Action (Magistrate Judges only)	0	0	0	0	0	0	0	0	0	1	0	1	0.1
Certified Disability	0	0	0	0	0	0	0	0	0	0	0	0	0.0
Requested Voluntary Retirement	0	0	0	0	0	0	0	0	0	0	0	0	0.0
Ordered Temporary Suspension of Case Assignments	0	1	0	0	0	0	0	0	0	0	0	1	0.1
Privately Censured	0	0	0	0	1	0	0	0	0	0	0	1	0.1
Publicly Censured	0	1	0	2	0	2	0	0	0	0	0	5	0.5
Ordered Other Appropriate Action	0	0	0	0	0	0	1	0	0	0	2	3	0.3
Dismissed the Complaint	212	258	416	354	303	375	316	335	267	227	344	3407	309.7
Withdrawn	n/a	n/a	4	0	1	0	0	0	0	0	2	7	0.6
Referred Complaint to Judicial Conference	0	0	0	0	0	0	0	0	0	0	0	0	0.0
Subtotal	212	260	420	356	305	377	317	335	267	228	348	3425	311.4
Special Investigating Committees Appointed	n/a	7	5	12	1.1								
<b>Complaints Pending on each September 30 of 1997-07</b>	306	263	183	162	248	139	294	177	187	234	330	2523	229.4

\*Revised. \*\*Each complaint may involve multiple allegations against numerous judicial officers. Nature of allegations is counted when a complaint is concluded.

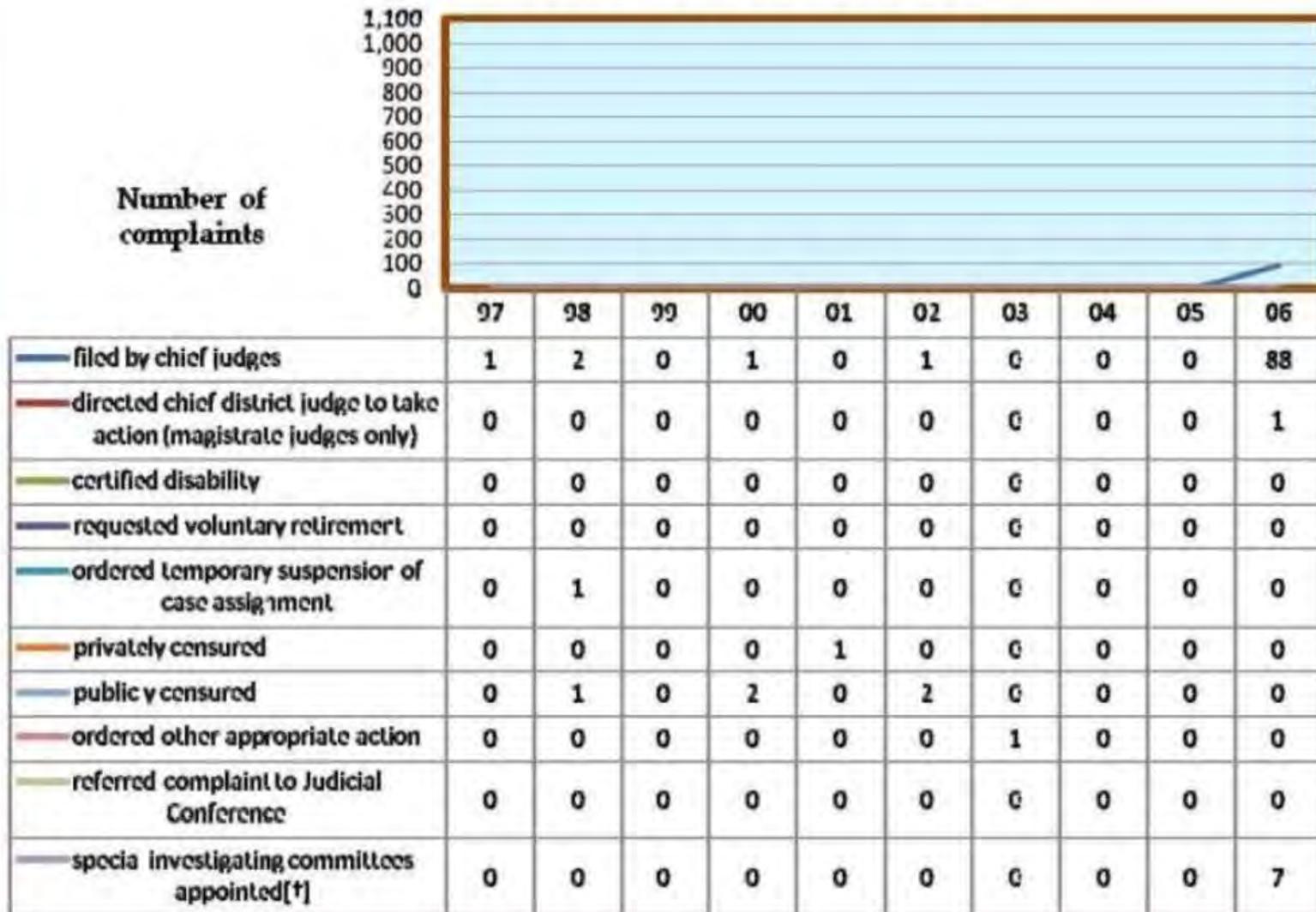
### Number of Complaints Filed by Complainants and Systematically Dismissed by Chief Judges and Judicial Councils Between '97 and '06

Number of complaints:



	97	98	99	00	01	02	03	04	05	06
— filed by complainants	678	1,049	781	695	766	656	835	712	642	555
— filed by chief judges	1	2	0	1	0	1	0	0	0	88
— dismissed by chief judges & judicial councils	477	995	820	710	663	770	673	781	661	609
— referred to Judicial Conference	0	0	0	0	0	0	0	0	0	0
— special investigating committees appointed[*]	0	0	0	0	0	0	0	0	0	7

## Judicial Councils' Action Against Complained-about Judges From 1997-2006



- a. Source: Judicial Business of U.S. Courts, 1997-2006 Annual Reports of the Director, Administrative Office of the United States Courts (AO). These tables report on complaints filed and processed in the Federal Circuit, the District of Columbia, the 1st-11th circuits, the U.S. Claims Court, and the Court of International Trade. The tables from the AO sources are collected and reproduced in [http://Judicial-Discipline-Reform.org/judicial\\_complaints/complaint\\_tables.pdf](http://Judicial-Discipline-Reform.org/judicial_complaints/complaint_tables.pdf) , wherein they are accompanied by links to the originals.
- b. [http://Judicial-Discipline-Reform.org/judicial\\_complaints/complaint\\_graphs.pdf](http://Judicial-Discipline-Reform.org/judicial_complaints/complaint_graphs.pdf)
- †The category “Special Investigating Committees Appointed” appears for the first time in the 2006 Table.
- c. Other tables similar to those above and accessible through the link below show the constant increase in the number of cases filed in federal courts and the contrast with the manipulated steady and decreased number of judicial misconduct complaints. Their source is 2005-2006 Judicial Facts and Figures, Administrative Office of the U.S. Courts. [http://Judicial-Discipline-Reform.org/judicial\\_discipline/Facts\\_Figures\\_05-06.pdf](http://Judicial-Discipline-Reform.org/judicial_discipline/Facts_Figures_05-06.pdf) .
- d. In the 219 years since the creation of the Federal Judiciary in 1789, of all the thousands of federal judges that have served only 7 have been impeached and removed from the bench. On average that is 1 every 31 years, a period much longer than the average number of years of service of judges. <http://www.fjc.gov/history/home.nsf> >Judges of the U.S. Courts>Impeachments of Federal Judges. Currently there are 2,180 judges subject to the Judicial Conduct and Disability Act of 1980 (28 U.S.C. §§351-364). [http://Judicial-Discipline-Reform.org/judicial\\_complaints/number\\_jud\\_officers.pdf](http://Judicial-Discipline-Reform.org/judicial_complaints/number_jud_officers.pdf)
- e. The Act is found at <http://Judicial-Discipline-Reform.org/docs/28usc351-364.pdf> . See [http://Judicial-Discipline-Reform.org/docs/SCt\\_knows\\_of\\_dismissals.pdf](http://Judicial-Discipline-Reform.org/docs/SCt_knows_of_dismissals.pdf) .
- f. The Rules for Conduct and Disability Proceedings are at [http://Judicial-Discipline-Reform.org/judicial\\_complaints/adopted\\_rules\\_11mar8.pdf](http://Judicial-Discipline-Reform.org/judicial_complaints/adopted_rules_11mar8.pdf) . See Dr. Cordero's comment on it at [http://Judicial-Discipline-Reform.org/judicial\\_complaints/DrCordero\\_revised\\_rules.pdf](http://Judicial-Discipline-Reform.org/judicial_complaints/DrCordero_revised_rules.pdf)
- g. See above, letter to Chief Justice Roberts, ftnt. [5] Letter of AO Director James Duff of 28aug8 to Dr. Cordero; [http://Judicial-Discipline-Reform.org/JNinfo/18Responses/11AODir\\_JDuff\\_28aug8.pdf](http://Judicial-Discipline-Reform.org/JNinfo/18Responses/11AODir_JDuff_28aug8.pdf) .
- h. All the names, court addresses, and phone numbers there of the current members of the Judicial Conference and of other key officers are contained in the Service List at [http://Judicial-Discipline-Reform.org/JNinfo/DrCordero\\_JNinfo\\_6jun8.pdf](http://Judicial-Discipline-Reform.org/JNinfo/DrCordero_JNinfo_6jun8.pdf).

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# Chapters of a Book in Progress

## Part I. The Facts of Coordinated Judicial Wrongdoing

1. [The Dynamics of Organized Corruption in the Courts](#): How judicial wrongdoing tolerated in one instance gives rise to the mentality of judicial impunity that triggers generalized wrongdoing and weaves relationships among the judges of multilateral interdependency of survival where any subsequent unlawful act is allowed and must be covered up
2. The Supreme Court Justices and the Chief Judges Have Semi-annually Received Official Information About [the Self-immunizing Systematic Dismissal of Judicial Conduct Complaints](#), But Have Tolerated It With Disregard for the Consequent Abuse of Power and Corruption
3. The official statistics of judicial complaints filed and action taken that the judicial councils have produced and the Administrative Office published for 1997-2006 show that federal judges have engaged in the systematic dismissal of the [7,462 complaints filed, out of which they have disciplined only 9 peers!](#) (page 8§III) Thereby judges have [become unaccountable](#) in their exercise of judicial power subject to no control, which is the hallmark of absolute power that corrupts absolutely.
4. Such unaccountability encompasses both [judicial and non-judicial acts](#) and thus, the whole of a judge's conduct. It also includes the meetings of the Federal Judiciary's highest court administration policy-making body, namely, the Judicial Council of the United States, composed of the 13 chief circuit judges, the chief judge of the Court for International Trade, 12 representative district judges, and the Chief Justice of the Supreme Court, who is its presiding member.
5. Unimpeachable judges are [judges above the law](#), Yet the Constitution provides judges with [no immunity](#), nonetheless through the self-exemption from discipline judges have managed the feat that in the 218 years since the creation of the federal judiciary the number of judges impeached and removed from the bench is 7!
6. The Judicial Conduct and Disability Study Committee and the Committee on Judicial Conduct and Disability of the Judicial Conference of the United States had access to, and actual or constructive knowledge of, the official statistics showing the systematic dismissal by judges of complaints against them, yet they issued the Breyer Report and [the Draft Rules Governing the Processing of Complaints](#), respectively, that pretended that the system of judicial self-discipline has worked effectively and can even be improved through the Draft Rules as if judges had ever been and were now willing to risk self-incrimination through the exercise of self-discipline...*a sham!*

- a. [The Revised Rules](#) Governing the Processing of Judicial Misconduct Complaints Adopted by the Judicial Conference of the U.S. on March 11, 2008, Will Not Stop Judges From Systematically Dismissing Them. Rule 2(b) provides that the rules are mandatory unless there is a finding of "exceptional circumstances", which is an easy finding to make since no two cases are ever identical. Through that pretext, "a chief judge, a special committee, a judicial council, the Committee on Judicial Conduct and Disability, or the Judicial Conference", that is, any judge or judicial body that handles complaints can suspend the application of any rule. In practice, the rules will be optional. The "mandatory" nature of the rules is illusory!

Detailed analysis of the revised rules is available at [http://Judicial-Discipline-Reform.org/judicial\\_complaints/DrCordero\\_revised\\_rules.pdf](http://Judicial-Discipline-Reform.org/judicial_complaints/DrCordero_revised_rules.pdf).

See what to do about the rules at [http://Judicial-Discipline-Reform.org/judicial\\_complaints/how\\_petition\\_redress.pdf](http://Judicial-Discipline-Reform.org/judicial_complaints/how_petition_redress.pdf).

- b. Why there is a need and [how to join forces to inform](#) the public as well as members of Congress that the Revised Rules in effect authorize the systematic dismissal by federal judges of judicial misconduct and disability complaints against their peers. A new and effective system of judicial accountability and discipline must be adopted to replace the current system of judicial self discipline set up by the Judicial Conduct and Disability Act of 1980 (28 U.S.C. §351-364). This Act of Congress has been in practice abrogated by the Judiciary through such the judges' systematic dismissal of complaints against them: The [official statistics](#) of the Administrative Office of the U.S. Courts and the [graphs based thereon](#) (supra) show that in the 10-year period 1997- 2006, there were filed 7,462 judicial complaints, but the judges disciplined only 9 of their peers!, thus dismissing 99.88% of all complaints!

7. Evidence of [AG Michael Mukasey](#)'s incapacity to investigate former colleagues in the judiciary engaged in wrongdoing, lest he incriminate himself.

[Go back to the top](#)

## **Part II. A judicial misconduct complaint that illustrate judges' disregard for the law resulting from their unaccountability**

1. The corruptive effect of unaccountable judicial power is illustrated by the judicial misconduct complaint against [Bankruptcy Judge John C. Ninfo, II, WBNY \[1\]](#), for his bias and abuse of judicial power in his support of toleration of a bankruptcy fraud scheme. It was filed, as required by the Judicial Conduct and Disability Act of 1980 (28 U.S.C. §351), with the chief circuit judge of the federal circuit court that reappointed that judge to a second term of 14 years (cf. [28 U.S.C. §152](#)).

2. That constitutes an insurmountable conflict of interests, for if the chief circuit judge were to investigate the bankruptcy judge, the chief and his circuit judge peers could end up being incriminated in having supported or tolerated the bankruptcy fraud scheme. That conflict derives from, and in turn reinforces, the [dynamics of corruption](#) in a close-knit group of people. As a result of such disregard for legality and conflict of interest, the complaint has been lingering with CA2 Chief Judge Dennis Jacobs since June 8, 2008, despite the requirement under the Act and the [Rules for Conduct and Disability Proceedings](#), that such complaints be dealt with "promptly" and "expeditiously" [1]

[1] [http://Judicial-Discipline-Reform.org/JNinfo/10status\\_inquiry\\_15aug8/5toCJ\\_Jacobs\\_15aug8.pdf](http://Judicial-Discipline-Reform.org/JNinfo/10status_inquiry_15aug8/5toCJ_Jacobs_15aug8.pdf)

See also Open Letter to Supreme Court Chief Justice John G. Roberts, Jr., as presiding officer of the Judicial Conference of the U.S., the highest court administration policy-making body of the Federal Judiciary, which on March 11, 2008, adopted the revised rules for processing misconduct and disability complaints filed by any person against a federal judge:

[http://Judicial-Discipline-Reform.org/judicial\\_complaints/DrCordero\\_CJRoberts\\_27mar8.pdf](http://Judicial-Discipline-Reform.org/judicial_complaints/DrCordero_CJRoberts_27mar8.pdf)

[http://Judicial-Discipline-Reform.org/judicial\\_complaints/DrCordero\\_CJRoberts\\_9feb8.pdf](http://Judicial-Discipline-Reform.org/judicial_complaints/DrCordero_CJRoberts_9feb8.pdf) .

### **Part III. *In re DeLano* or the case of a judicially supported bankruptcy fraud scheme**

1. The Salient Facts of The DeLano Case showing a [bankruptcy fraud scheme](#) as well as the support or toleration of [bankruptcy, district, and circuit judges](#) that show [how a bankruptcy fraud scheme works](#)
2. Judges that [impair even the appearance of justice](#) administered in public by disposing of motions with the circling of the words "Denied" or "Granted" and of cases with a summary order form of "Affirmance" or "Reversal" under Local Rule 0.23 and without any oral argument under Local Rule 34 of the Court of Appeals for the Second Circuit
3. [Issues Presented For Review to the Court of Appeals](#) for the Second Circuit in *Dr. Richard Cordero v. David and Mary Ann DeLano*, [docket no. 06-4780-bk, CA2; appellant's brief](#)
4. How a court of appeals runs into [a disqualifying conflict of interests](#) when asked to review the decision of a bankruptcy judge, its appointee under 28 U.S.C. §152, who has supported or participated in a bankruptcy fraud scheme.

## Part IV. A Plan of Action to Counter Judicial Wrongdoing

1. Analysis of Judicial Misconduct by Identifying [Motive and Strategy](#) to Expose it Through the Joint Effort of Judicial Misconduct Complainants and Citizens Concerned About Judicial Integrity
2. Two Approaches to [Reforming the Judiciary](#): from inside the courts and [from the outside](#)
3. [Programmatic Proposal](#) to Unite Entities and Individuals to Use Their Resources Effectively in Our Common Mission to Ensure Integrity in Our Courts by Engaging in Specific Activities and Achieving Concrete Objectives. [http://Judicial-Discipline-Reform.org/docs/Programmatic\\_Proposal.pdf](http://Judicial-Discipline-Reform.org/docs/Programmatic_Proposal.pdf)
4. Synopsis of the proposal for a [Watergate-like Follow the Money! investigation](#) from the mandatory annual financial disclosure reports of judges, filed in Washington, DC, through the public property registries of county clerks' offices, to wherever concealed assets are found and can help answer the question whether for lack of accountability and discipline a federal judgeship become a safe haven for the coordinated wrongdoing
5. How You Can Help to Take the First Concrete Step Toward the Implementation of the Programmatic Proposal Through [the Formation of the Virtual Firm](#) on the Internet of Investigative Journalists and Lawyers to Expose Judges Engaged in Coordinated Wrongdoing and Thereby Cause Official Investigations that End Up in the Enactment of Judicial Discipline and Accountability Legislation
  - a. Table of [Division of Labor](#) for the Formation of the Virtual Firm of Investigative Journalists and Lawyers described in the Programmatic Proposal
  - b. [Summarize your judicial misconduct complaint in 350 or fewer words](#) to convince newspapers and bloggers of the need to investigate how judges engage in misconduct and self-exempt from any discipline
6. Proposal for a [Citizens Board of Judicial Accountability and Discipline](#), composed of individuals unrelated and unresponsive to judges and not appointed by them, to process in public judicial conduct and disability complaints by requiring judges to account for their conduct and meting out discipline
7. [Why editors and investigative journalists](#) should investigate the use by federal judges of the new rules that became effective on April 10 for processing misconduct and disability complaints against their peers which will allow them to *continue* both to exempt themselves from any discipline and to support or tolerate with impunity their coordinated judicial wrongdoing (also at [http://Judicial-Discipline-Reform.org/judicial\\_complaints/to\\_editors\\_investigators\\_17apr8.pdf](http://Judicial-Discipline-Reform.org/judicial_complaints/to_editors_investigators_17apr8.pdf)).