

October 23, 2020

**Judge Amy Coney Barrett sits on the 7<sup>th</sup> Circuit Court of Appeals, whose tables of complaints against federal judges show that she has condoned the systematic dismissal of 100% of complaints, thus protecting herself and her fellow judges, who remain unaccountable through abusive self-exemption from any discipline; harming complainants and the rest of the public, who are left unheard, uncompensated, and exposed to judges ever more emboldened to abuse; and impairing her and the other judges' integrity, which is bound by her oath to "administer justice without respect to persons, and do equal right to the poor and to the rich [in relations to judges]"<sup>1</sup>, and to "avoid impropriety and even the appearance of impropriety"<sup>2</sup>†**

### **A. Judges' power to hold themselves and be held unaccountable**

1. You may be affiliated with one or the other party or be an independent or even hold no political views at all and still recognize the factual accuracy of the aphorism: "Power corrupts and absolute power corrupts absolutely"(\*>jur:27<sup>28</sup>). The enabling circumstance of absolute power is unaccountability. The latter is the faculty of exercising one's power however and for whatever purpose one wants with the certainty that one will suffer no adverse consequences from anyone: one can get away with anything. Unaccountability is substantially different from independence in exercising one's power without being directed by anybody to do so one way or the other. Judges are not independent from the fundamental requirement of the rule of law: its fair and impartial application, even to themselves. That requirement is expressed in the inscription on the frieze of the Supreme Court building thus: Equal Justice Under Law<sup>3</sup>.
2. Nobody has as much power as a single federal judge: One of them, District J. James Robart of Seattle, Washington State, suspended *nationwide* the Muslim travel ban ordered by President Trump, who had campaigned on issuing it and was elected by more than 62.5 million voters; three circuit judges on a three-judge federal appellate panel upheld the suspension, although only two would have sufficed to uphold it nationwide. Now imagine how much power all the federal judges wield.
3. Republican and Democratic politicians in Washington and everywhere else are equally to blame for having allowed judges to become so powerful. Politicians recommend, endorse, nominate, and confirm candidates for federal judgeships and justiceships and, after their confirmation, protect them as '*our* men and women on the bench': The judges appointed by one party are the ones expected to declare the constitutionality of the respective party's laws and subpoenas, and the winning of its electoral candidate; and hold those of other party unconstitutional and its candidate the loser. Judges' counter-expected declarations constitute the key source of their power of devastating retaliation against politicians and parties that try to limit their unaccountability. This is how judges give practical effect to the gang mentality that Then-Judge Neil Gorsuch manifested when he said: "An attack on one of our brothers and sisters of the robe is an attack on all of us."(†>OL2:546)
4. This explains how in the last 231 years since the creation of the Federal Judiciary in 1789 the number of federal judges impeached and removed from office is 8!<sup>4</sup> To gauge that number's implications compare it against the 2,340 federal judicial officers on the bench on September 30, 2019.<sup>5</sup> Politicians have heard loudly and clearly judges' menacing cry: «*Don't you ever mess with us!*»
5. Another source of judges' power is the Constitution. In Article III, Section 1<sup>6</sup>, it authorizes judges to hold office for life. Actually, they are the only officers in our country with life-tenure, whether through appointment or election. However, their holding of office is "during good Behaviour" only. This constraint is a source<sup>7</sup> of politicians' constitutional right to exercise checks and balances

on judges by investigating and removing them for ‘bad Behaviour’. But exercising that right makes a politician, all his or her supporters, and their party as a whole run the risk of antagonizing judges and provoking their retaliation. So, in the interest of their own preservation, politicians have abdicated their duty of interbranch supervision by entrusting judges with a unique power: to administer self-discipline. This has been in defiance of common sense and knowledge of human nature, expressed in the axiom: “Nobody can be an impartial judge of himself, his friends, or his peers”.

6. Judges have strong motives for protecting their unaccountability: self-interest and example. By so doing they ensure a benefit to them: the approval by their fellow judges. That protects them from judges’ retaliation against judges who dare denounce their abuse of power, who can be deemed traitors and ostracized as pariahs. To ensure continued social acceptance by fellow judges, judges keep silent. Progressively, the abuse that they condone becomes normal. Their integrity is impaired by the example of abusive judges. It becomes ineffectual at keeping them as only silent abettors of the principals’ abuse. They commit the abuse that they allow others to commit. From ‘live and let live’, for ‘it is what *they* do’, they transition to «*I too grab all I can!*», for ‘that’s what *we* do’. Far from only looking away in silence, they join the others in bragging about how smart they are at grabbing. Integrity is corrupted by watching in silence the abuse of one’s friends and peers.
7. This is shown in both the table<sup>‡</sup> and the two-volume study\* <sup>†</sup> of judges and their judiciaries that support this article, both based on original law research and writing, and strategic thinking:

**Exposing Judges’ Unaccountability and Consequent Riskless Abuse of Power:  
Pioneering the news and publishing field of judicial unaccountability reporting\* <sup>†</sup>**

## **B. Judges self-exonerate from all complaints to ensure their unaccountability**

8. Any complaint against a federal circuit, district, bankruptcy, or magistrate judge must be filed with the clerk of the court of appeals for the circuit where the judge sits<sup>8</sup>, as provided for under the Judicial Conduct and Disability Act of 1980 (the Act; 28 U.S.C. §§351-364)<sup>9</sup>. The complaint is processed, in the first instance, by the circuit chief judge. Any petition for review of his or her decision is determined by the circuit judicial council<sup>10</sup>, composed of circuit and district judges, including the chief. Each circuit court must prepare its statistics on the handling of complaints against judges in the circuit; and send them to the Administrative Office of the U.S. Courts (AO)<sup>11</sup>, as provided for in §604(h)(2). AO compiles and reports them in the Annual Report<sup>12</sup> of its Director, who is appointed by the chief justice of the Supreme Court. The chief justice is the presiding member of the Judicial Conference<sup>13</sup> of the U.S., §331, which is the highest policy making body of the Federal Judiciary and includes all the circuit chief judges and one district judge per circuit. The Director must submit his Report to the Conference and Congress, §604(a)(3, 4); it is a public document.
9. The complaint statistics appear on Table S-22 of the Report. Since 1996 they are available online. I have collected all of them and made them available in one running file with links to the originals in AO<sup>14</sup>. In addition, I have made tables that aggregate their values for all the circuits for all the years and for some circuits for some years<sup>15</sup>. The table<sup>16</sup> supporting and accompanying this article<sup>‡</sup> collects all the statistics on the complaints that were processed between May 11, 2008 and September 30, 2019, in Judge Barrett’s Court of Appeals for the 7<sup>th</sup> Circuit, with links to the originals<sup>17</sup>.
10. Covering decades, these statistics show that even in consecutive years judges have dismissed 100% of complaints and denied 100% of dismissal review petitions; this justifies rounding up the mathematical average of 99.83%. Such consistency in 13 circuits and two national courts across the country cannot be achieved but for an institutionalized policy of the Federal Judiciary. Its adoption is facilitated by the secrecy that pervades the Judiciary: It holds all its policy-making, adminis-

trative, disciplinary, and adjudicative meetings behind closed doors and holds no press conference. Although "Justice should not only be done, but should manifestly and undoubtedly be seen to be done"<sup>18</sup>, judges ensure that what they do is not to be seen. The Judicial Conference meets secretly, thus setting the example for the rest of the Judiciary and its judges. Justice Brandeis said "Sunshine is the best disinfectant" precisely because secrecy breeds the mold of conspiratorial corruption.

11. So, circumstantial evidence gives probable cause to believe that the policy institutionalizes judges' implicit or explicit complicit agreement for reciprocal exoneration from all complaints: 'Today I exempt you from the complaint against you, and tomorrow you exempt me and my friends from any complaint against us, no matter the nature, extent, and gravity of the abuse complained-about'; cf. "Allegations" listed in the official Tables (and at table infra, Lines A21-40=A21-40).

### **C. J. Barrett has condoned judges' self-exoneration & compromised her integrity**

12. In the 7<sup>th</sup> Circuit during the more than 11 years covered by the table, 984 complaints were filed (O3), but only 3 judges were censured or reprimanded (O89). Its chief judges dismissed 902 complaints in whole or in part (O48); 4 (N1) were pending on September 30, 2019. Only 5 Special Investigative Committees were appointed (O63), but only 1 report was submitted to the circuit judicial council (O70). Of the 476 dismissal review petitions (O71), 475 were denied (O75). "Denied" is the only operative word, with no reasoning, that appears in the 5¢ preprinted, pro forma notification of denial: *a dumping form!*<sup>19</sup>, issued as a kneejerk reaction to review petitions. The 7<sup>th</sup> Circuit judicial council was a dead end, for it did not return any complaint to the chief judge for appointment of an Investigative Committee (O77). Dismissal without investigation was systematic.
13. The systematic complaint-dismissal by the chiefs and petition denial by the council were a cover-up operation to protect their fellow judges. They arrogated to themselves the power to abrogate in effect the Act of Congress. Complainants never had a chance of establishing their complaints, let alone getting compensation. The judges ran a deceptive complaint mechanism. It was a sham<sup>20</sup>.
14. One cannot know whether Judge Barrett has been complained-about because complaints are kept secret, not even the names<sup>21</sup> of the complained-against judges are disclosed. This facilitates covering up their abuse<sup>22</sup>, be it an illegal or unethical act or an impropriety. But she has imputed knowledge of judges' complicit reciprocal exoneration agreement and of the sham. Indeed, she began her legal career as an insider of the courts, clerking in 1997-1998 for Circuit Judge Laurence H. Silberman at the U.S. Court of Appeals for the District of Columbia Circuit<sup>23</sup>, and in 1998-1999 for Justice Antonin Scalia at the Supreme Court. She worked as a lawyer at a top law firm and was a law professor for almost 17 years. She took the bench on November 2, 2017<sup>24</sup>, as a circuit judge of the 7<sup>th</sup> Circuit Court of Appeals, where the circuit complaint statistics are prepared.
15. Judge Barrett has participated in the judges' secret meetings. She has met with judges in the lounge, their chambers, and the corridors, where they formally and informally have discussed, among other things, the complaint filed against any of them and where they have reassured each other: 'Don't sweat it. The chief and the council will get rid of it, as they always do.' Willful ignorance or blindness (\*>jur:90§§b, c) are of no avail to her. It was impossible for her not to know how complainants had been abused and would be further abused by their complaints and review petitions getting '*dumped by form*'. Knowingly, she failed her duty to report<sup>25</sup> the judges and joined the dumping as an accessory: By looking the other way in silence after the complained-about abuse, she facilitated the judges' keeping and enjoying the gain or convenience that they had grabbed, thus becoming an accessory after the fact. Her silence informed them or others that she would not report them if they committed another abuse, encouraging them as an accessory before the fact. Through both dumpings, she harmed abusees. She also harmed the Judiciary's and her own integrity (supra ¶6).

16. Nothing protects integrity: Politicians' self-preservation interest leaves judges unrestrained to give free rein to their pursuit of the motive of gain and convenience at every opportunity by abusing their means: their enormous power over people's property, liberty, and all the rights and duties that frame their lives and shape their identities. Hence, judges start chipping away at their duties. Gradually, discharging them becomes optional<sup>26</sup>; grabbing takes precedence. Instead of working as public servants in "government of, by, and for the people"(\*>jur:82<sup>172</sup>), they work as free agents for life for their own account. They maximize the return on their investment of abuse of power.
17. In fact, a politician as knowledgeable about financial matters as Sen. Elizabeth Warren dare denounce in her "I have a plan for the Federal Judiciary too"<sup>27</sup> how federal judges fail to recuse themselves from cases in which they own stock in one of the companies that is a party to the case before them in order to resolve the ensuing conflict of interests in their favor by protecting or increasing their stock's value. Sen. Warren refers to such practice throughout the Federal Judiciary as judges' abusive self-enrichment. She attributes it to their unaccountability. Such self-enrichment necessarily entails their commission of the crimes of concealment of assets, tax evasion, money laundering, fraud, and breach of contract for judicial services, of public trust, and of the oath of office. But it is riskless for judges. So they become predators, always prowling for the next prey.
18. In addition to abusing for gain, judges also abuse for convenience: Circuit judges defraud appellants of their filing fees by disposing of 93% of appeals in decisions that are "procedural [mostly the catchall pretext of "lack of jurisdiction"], unsigned, unpublished, without comment, and by consolidation"<sup>28</sup>. Unreasoned, they are unprecedential, ad hoc, arbitrary fiats. They cause injury in fact to the people whose money they grab and the participants in judicial process, whose effort, time, and money spent on discovery, briefs, court and attorney's fees, etc., they render wasteful.
19. Judge Barrett has compromised her integrity by in self-interest failing to denounce her fellow judges' unaccountability and abuse of power. If she is confirmed as a Supreme Court justice and you filed a petition for certiorari challenging judges' unaccountability and abuse of power, would it be reasonable to expect her to vote against even taking up your petition for review? For the rest of her life-appointment, she must avoid by all means the risk of incriminating herself by allowing the investigation of current and even new judges, each of whom knows or can find out from other judges about her own abuse and shout at her menacingly: "If you let them take me down, I'll bring you with me!" She is extortionable. To preserve herself, she will not supervise the abuse of the judges of the circuit to which she will be allotted as circuit justice<sup>29</sup>. She will have to resist any attempts of Congress, law enforcement authorities, and the media and academia conducting unprecedented citizens hearings<sup>30</sup>, to investigate her, any of her fellow judges, and the Judiciary itself. She must strive to preserve by law and by fact the independence and secrecy of the Judiciary so that she and her fellow judges continue to be an unaccountably grabbing State within *the state*.
20. At her confirmation hearings, Judge Barrett answered senators' questions by affirming that her integrity would not have allowed her to be nominated to carry out the mission of declaring *Roe v. Wade* [allowing abortions] and the Affordable [Health] Care Act/Obamacare unconstitutional, and P. Trump the winner of a suit over the election outcome. Her self-serving affirmation is doubtful because the facts show that her integrity is apt to compromise: Instead of abiding by her oath to administer "Equal Justice under Law", she has joined her fellow judges in providing themselves *Unequal Protection from the Law* to keep grabbing. This begs the questions whether if confirmed, Justice Barrett can be impeached and removed for materially deceiving the Senate about her integrity; and whether answering it can start now by investigating judges' unaccountability and abuse, including 100% dismissal of complaints and denial of review petitions, as proposed<sup>31</sup>.

*Dare trigger history!...and you may enter it.*



October 21, 2020

**Table collecting the official statistics of the U.S. Court of Appeals for the 7<sup>th</sup> Circuit, where Judge Amy Coney Barrett sits, on its handling of complaints against federal judges in the Circuit between May 11, 2008, and September 30, 2019, for presentation to Congress in the Annual Reports of the Director of the Administrative Office of the U.S. Courts, showing the systematic dismissal of 100% of those complaints and denial of 100% of petition for review of dismissals‡**

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
Line	Data of the Judicial Council, 7th Cir., filed with AO <sup>1</sup> [from previous Oct. 1 to Sep. 30 of year stated here] <sup>32</sup>	'09A 33	'09B	'10 <sup>34</sup>	'11 <sup>35</sup>	'12 <sup>36</sup>	'13 <sup>37</sup>	'14 <sup>38</sup>	'15 <sup>39</sup>	'16 <sup>40</sup>	17 <sup>41</sup>	18 <sup>42</sup>	19 <sup>43</sup>	totals
1.	Complaints Pending on Sep. 30 of previous fiscal year <sup>44*</sup>	0	36	10	10 <sup>†</sup>	9	14	12	15	9	11	8	4	
2.	Complaints Concluded/Terminated by final action	0	136	105	77	102	92	105	83	98	46	80	66	990
3.	Complaints Filed <sup>45</sup>	46	111	110	71	93	103	114	81	101	50	77	73	984
4.	Complaint Type/Source <sup>47</sup>													
5.	Written/Filed by Complainants		110	110	71	93	103	114	81	100	50	76	73	
6.	On Order of/Identified by Circuit Chief Judges		1	0	0	0	0	0	0	1	0	1		
7.	Complainants**													
8.	Prison inmates		49	19	20	31	32	63	38	39	16	24	19	
9.	Litigants		60	85	50	55	67	44	42	60	32	71	49	
10.	Attorneys		1	5	1	4	2	0	0	1	1	3	4	
11.	Public Officials		0	0	0	0	0	1	0	0	0	0	0	
12.	Other		4	0	0	3	5	8	1	1	1	2	5	
13.	Judges Complained About **													
14.	Circuit Judges		44	30	15	30	16	31	14	26	5	18	15	
15.	District Judges		59	54	45	53	72	63	53	69	37	49	39	
16.	Court of International Trade Judges		0	0	0	0	0	0	0	0	0	0	0	
17.	Court of Federal Claims Judges		0	0	0	0	0	0	0	0	0	0	0	
18.	Bankruptcy Judges		3	11	6	2	3	6	2	2	5	3	9	
19.	Magistrate Judges		5	15	5	8	12	14	12	4	3	7	10	
20.	Tax Court Judges		n/i	n/i	n/i	n/i	n/i	n/i	n/i		0	0		
21.	Nature of Allegations													
22.	Data of the Judicial Council, 7th Cir., filed with AO	'09A	'09B	'10	'11	'12	'13	'14	'15	'16	'17	'18	'19	totals
23.	Delayed Decision		18	0	2	5	9	17	8	1	1	1	2	
24.	Failure to Give Reasons for Decision		0	0	0	0	0	0	0	0	0	0	0	
25.	Improper Discussions With Party or Counsel		2	2	0	2	1	4	1	0	0	1	1	
26.	Hostility Toward Litigant or Attorney		3	2	4	3	5	0	1	0	0	2	1	
27.	Racial, Religious, or Ethnic Bias		2	2	0	1	1		0	2	1	0	0	
28.	Personal Bias Against Litigant or Attorney		32	2	7	7	9	4	1	1	1	2	1	
29.	Conflict of Interest (Including Refusal to Recuse)		1	2	2	0	0	1	0	2	2	0	0	
30.	Failure to Meet Financial Disclosure Requirements		0	0	0	0	0	0	0	0	0	0	0	
31.	Improper Outside Income		0	0	0	0	0	0	0	0	0	0	0	
32.	Partisan Political Activity or Statement		0	0	0	0	0	0	0	0	0	0	0	
33.	Acceptance of a Bribe		3	1	0	0	0	2	0	0	0	0	0	
34.	Effort to Obtain Favor for Friend or Relative		0	0	0	0	0	0	0	0	0	0	0	

OL2:1180 ‡ [http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest\\_Jud\\_Advocates.pdf](http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf) >all prefixes:# up to OL:393

‡ [http://Judicial-Discipline-Reform.org/OL2/DrRCordero\\_JgACBarrett\\_condonation\\_judges\\_power\\_abuse.pdf](http://Judicial-Discipline-Reform.org/OL2/DrRCordero_JgACBarrett_condonation_judges_power_abuse.pdf)

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
35.	Data of the Judicial Council, 7th Cir., filed with AO	'09A	'09B	'10	'11	'12	'13	'14	'15	'16	'17	'18	'19	totals
36.	Solicitation of Funds for Organization		0	0	0	0	0	1	0	0	0	0	0	
37.	Violation of Other Standards		2	5	1	4	0	0	0	1	1	1	2	
38.	Retaliation against complainant, witness, or others involved in the process		n/i	n/i	n/i	n/i	n/i	n/i	n/i	n/i	0	0	0	
39.	Other Misconduct <sup>48</sup>		74	105	66	72	7	5	8	7	3	0	0	
40.	Disability		2	1	0	1	1	0	0		0	0	0	
41.	<b>ACTIONS REGARDING THE COMPLAINTS</b>													
42.	Withdrawn		n/i		n/i	n/i	1	0		0		0	0	
43.	<b>Concluded/Terminated by Complainant or Subject Judge/Withdrawn</b>		0	0	0	0					0			
44.	Complaint Withdrawn with Consent of Circuit Chief Judge		0	0	0	0	1	0	0	0	0	0	0	
45.	Withdrawal of Petition for Review		0	0	0	0		0	0	0	0	0	0	
46.	<b>Actions by Chief Circuit Judge</b>													
47.	Matters Returned from Circuit Judicial Council/or Judicial Conference Committee		0	0	0	0	0	0	0	0	0	0	0	
48.	<b>Complaint Dismissed ♦ in Whole or in Part</b>		113	100	73	87	86	98	72	92	35	77	69	902
49.	Not in Conformity With Statute/Not Misconduct or Disability	0	5	4	3	9	1	10	4	6	6	7	16	71
50.	Directly Related to Decision or Procedural Ruling/ Merits Related	0	89	94	68	66	80	63	45	53	23	58	57	696
51.	Frivolous	0	28	35	2	1	9	9	16	22	0	5	2	129
52.	Lacked Factual Foundation/Allegations Lack Sufficient Evidence	0	9	2	1	10	6	15	10	14	8	9	4	88
53.	Allegations Incapable of Being Established	n/i	0	0	0	0	0	0	1		0	0	0	
54.	Filed in Wrong Circuit	n/i	0	0	0	0	0	0	0	0	0	0	0	0
55.	Otherwise Not Appropriate	n/i	2	0	4	3	0	5	0	1	0	1	0	16
56.	<b>Complaints Concluded in Whole or in Part</b>	n/i	1	0	0	0	1	0	0	1	0	0	0	3
57.	Informal Resolution Before Complaint Filed <sup>49</sup>	n/i	0	0		0	0	0	0	0	0	0	0	
58.	Voluntary Corrective Action Taken	n/i	1	0		0	0	0	0	1	0	0	0	1
59.	Action No Longer Necessary Because of Intervening Event	0	0	0		0	0	0	0	0	0	0	0	0
60.	Appropriate Action Already Taken	0		n/i		n/i	n/i	n/i	n/i					
61.	Complaint Withdrawn	0	n/i	n/i		n/i	n/i	n/i	n/i					
62.	Subtotal		n/i											
63.	<b>Special Investigative Committee Appointed/Complaint Referred to Special Committee</b>	0	0	0		0	0	0	0	2	0	1	2	5
64.	<b>Actions by Special Committees</b>													
65.	Matter Returned from Circuit Judicial Council		0	0	0	0	0	0	0	0	0	0	0	
66.	New Matter Referred to Circuit Chief Judge		0	0	0	0	0	0	0	0	0	0	0	
67.	<b>Circuit Judicial Council Proceedings</b>													
68.	Matter Returned from Judicial Conference		0	0	0	0	0	0	0	0	0	0	0	0
69.	Complaint Transferred to/from Another Circuit		0	0	0	0	0	0	0	0	0	0	0	
70.	Special Committee Reports Submitted to Circuit Judicial Council		0	0	0	0	0	0	0	1	0	0	0	1
71.	Received Petition for Review <sup>50</sup>		53	54	45	42	73	60	27	49	20	32	21	476
72.	Withdrawn	0	n/i	n/i	n/i	n/i	n/i	n/i	n/i	n/i				

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
73.	<b>Data of the Judicial Council, 7th Cir., filed with AO</b>	'09A	'09B	'10	'11	'12	'13	'14	'15	'16	'17	'18	'19	totals
74.	<b>Action on Petition for Review</b>													
75.	Dismissed Complaint <sup>†</sup> /Petition Denied		57	58	39	43	55	60	34	49	25	35	20	475
76.	Matter Returned to Circuit Chief Judge		0	0	0	0	0	0	0	0	0	0	0	
77.	Matter Returned to Circuit Chief Judge for Appointment of Special Committee		0	0	0	0	0	0	0		0	0	0	
78.	Ordered Other Appropriate Action/Other		0	0	0	0	0	0	0	0	0	0	0	
79.	Received Special Committee Report/Special Committee Reports Submitted to Judicial Council		0	0	0	0	0		0	1	0	0	0	
80.	<b>Remedial Action Taken/Action on Special Committee Report</b>			0	0				0	1	0		2	
81.	<b>Complaint Dismissed</b>	0	0	n/i	0	0	0	1	0	0		0	0	
82.	Not Misconduct or Disability		0	0	0	0	0	1	0	0	0	0	0	
83.	Merits Related		0	0	0	0	0	0	0	0	0	0	0	
84.	Allegations Lack Sufficient Evidence		0	0	0	0	0	0	0	0	0	0	0	
85.	Otherwise Not Appropriate		0	0	0	0	0	0	0	0	0	0	0	
86.	<b>Corrective Action Taken or Intervening Events</b>		0	0	0	0	0	0	0	1	0	0	0	
87.	<b>Referred Complaint to Judicial Conference</b>	0	0	0	0	0	0	0	0	0	0	0	0	
88.	<b>Remedial Action Taken</b>		0						0				0	
89.	Censure or Reprimand		0	0	0	0	0	0	0	0	1	0	2	3
90.	Privately Censured	0	n/i	n/i	n/i	n/i	n/i	n/i	n/i			0		
91.	Publicly Censured	0	n/i	n/i	n/i	n/i	n/i	n/i	n/i			0		
92.	Suspension of Assignments	0	0	0	0	0	0	0	0	0	0	0	0	
93.	Directed Chief District Judge to Take Action (Magistrates only)/Action Against Magistrate Judge	0	0	0	0	0	0	0	0	0	0	0	0	
94.	Removal of Bankruptcy Judge		0	0	0	0	0	0	0	0	0	0	0	
95.	Request of Voluntary Retirement	0	0	0	0	0	0	0	0	0	0	0	0	
96.	Certification of Disability of Circuit or District Judge	0	0	0	0	0	0	0		0	0	0	0	
97.	<b>Additional Investigation Warranted</b>		0											
98.	Returned to Special Committee		0	0	0	0	0	0	0	0	0	0	0	
99.	Retained by Circuit Judicial Council		0	0	0	0	0	0	0	0	0	0	0	
100.	<b>Actions by Chief Justice</b>						1	0						
101.	Transferred to Judicial Council		0	0		0	0	n/i	0	0				
102.	Received from Circuit Judicial Council		0	0		0	1	n/i	0	0	0	0	0	
103.	<b>Complaints Concluded/Terminated by Final Action</b>													
104.	During 12-month Period Ending Sep. 30 of reported year	0	136	105	77	102	92	105	83	98	46	80	66	
105.	<b>Complaints Pending on Sep. 30</b> [end of reported year]	0	11	15	4	0	25	21	13	12	15	4	9	
106.	<b>Data of the Judicial Council, 7th Cir., filed with AO</b>	'09A	'09B	'10	'11	'12	'13	'14	'15	'16	'17	'18	'19	totals
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O

[These notes are in the official Tables.]

♦ Each complaint may involve multiple reasons for dismissal.

♦♦ Number of complainants may not equal total number of filings because each complaint may have multiple complainants.

♦\*Revised

Note: Excludes complaints not accepted by the circuits because they duplicated previous filings or were otherwise invalid filings.

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

Each complaint may involve multiple allegations. Each complaint may have multiple reasons for dismissal.

## ENDNOTES

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- <sup>1</sup> 28 U.S.C. §453. Oaths of justices and judges; this is title 28 of the code of federal laws, section 453. This title is known as the Judicial Code; <https://uscode.house.gov/download/download.shtml;jsessionid=527DE001938E7042255B83AAF055949A;> [http://Judicial-Discipline-Reform.org/docs/28usc\\_Judicial\\_Code.pdf](http://Judicial-Discipline-Reform.org/docs/28usc_Judicial_Code.pdf).
- <sup>2</sup> Code of Conduct of United States Judges, Canon 2; <https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges>; and [\\*>jur:68](http://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges)<sup>123a</sup>.
- <sup>3</sup> See the photo of the frieze at [†>OL2:1040](https://www.supremecourt.gov/); <https://www.supremecourt.gov/>.
- <sup>4</sup> Federal Judicial Center, the research and education agency of the judicial branch of the U.S. government; <https://www.fjc.gov/history/judges/impeachments-federal-judges>
- <sup>5</sup> Administrative Office of the U.S. Courts, Judicial Business 2019, official statistics on circuit, district, bankruptcy, and magistrate judges; <https://www.uscourts.gov/statistics-reports/judicial-business-2019>; [http://Judicial-Discipline-Reform.org/statistics&tables/number\\_jud\\_officers.pdf](http://Judicial-Discipline-Reform.org/statistics&tables/number_jud_officers.pdf).
- <sup>6</sup> [http://Judicial-Discipline-Reform.org/docs/US\\_Constitution.pdf](http://Judicial-Discipline-Reform.org/docs/US_Constitution.pdf)
- <sup>7</sup> Id., see also U.S. Constitution, Article II, Section 4; and [http://Judicial-Discipline-Reform.org/OL2/DrRCordero\\_no\\_judicial\\_immunity.pdf](http://Judicial-Discipline-Reform.org/OL2/DrRCordero_no_judicial_immunity.pdf).
- <sup>8</sup> Each of the 11 numbered regional federal judicial circuits, the District of Columbia Circuit, the Federal Circuit, and the two national courts, i.e., the U.S. Court of International Trade and the U.S. Court of Federal Claims, must file its statistics on complaints against its judges; <https://www.uscourts.gov/about-federal-courts/federal-courts-public/court-website-links#appeals>.
- <sup>9</sup> Under the Act([supra fn. 1](#)), any person, whether a party to a case or a non-party, even a judge, can file a complaint against the conduct or disability of a federal judge. The complaint is not a means of avoiding an appeal on the merits from a judge's decision. In fact, the complaint need not be related to any lawsuit at all; e.g., it may concern the attendance of a judge at a seminar where she became drunk and disorderly or at a fund raising meeting in favor of a political candidate or against a given issue where the judge appeared to breach her impartiality or place the prestige of judicial office in favor or against thereof. But it is obvious that the most frequent occasion when a person comes in contact with a judge and complaints against her arise is a lawsuit, whether at the trial or the appeal level.
- <sup>10</sup> On judicial councils see [\\*>jur:57](#)<sup>96</sup> and [supra endnote 1 >28usc§332](#). Judicial councils of circuits.
- <sup>11</sup> On AO, see [\\*>jur:21](#)<sup>10</sup> and <https://www.uscourts.gov/>.
- <sup>12</sup> <https://www.uscourts.gov/statistics-reports/analysis-reports/directors-annual-report>
- <sup>13</sup> [https://judicial-discipline-reform.org/Follow\\_money/JConf\\_systematic\\_dismissals.pdf](https://judicial-discipline-reform.org/Follow_money/JConf_systematic_dismissals.pdf)
- <sup>14</sup> The tables for the fiscal years 1oct96-30sep2019 have been collected in the file at [http://Judicial-Discipline-Reform.org/statistics&tables/statistical\\_tables\\_complaints\\_v\\_judges.pdf](http://Judicial-Discipline-Reform.org/statistics&tables/statistical_tables_complaints_v_judges.pdf). In that file, Table S-22 for each year also has the link to the original held at AO (Administrative Office). Readers can conveniently download that file to verify the data presented in this table and to prepare similar tables for each of the other circuits and courts and any period of years. To that end, that file contains a table template that readers can fill out.



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- <sup>15</sup> See this table collected to similar tables for all and other individual circuits at [http://Judicial-Discipline-Reform.org/OL2/DrRCordero\\_complaint\\_dismissal\\_statistics.pdf](http://Judicial-Discipline-Reform.org/OL2/DrRCordero_complaint_dismissal_statistics.pdf) .
- <sup>16</sup> [http://Judicial-Discipline-Reform.org/OL2/DrRCordero\\_JgACBarrett\\_condonation\\_judges\\_power\\_abuse.pdf](http://Judicial-Discipline-Reform.org/OL2/DrRCordero_JgACBarrett_condonation_judges_power_abuse.pdf)
- <sup>17</sup> The table for the 7<sup>th</sup> Circuit is representative of the other circuits' systematic dismissal of complaints against their respective judges and their judicial councils' systematic denial of petitions for review of those dismissals.
- <sup>18</sup> *Ex parte McCarthy*, [1924] 1 K. B. 256, 259 (1923). Cf. "Justice must satisfy the appearance of justice", *Aetna Life Ins. v. Lavoie et al.*, 475 U.S. 813; 106 S. Ct. 1580; 89 L. Ed. 2d 823 (1986).
- <sup>19</sup> Cf. [http://Judicial-Discipline-Reform.org/OL2/DrRCordero\\_judges\\_do\\_not\\_read.pdf](http://Judicial-Discipline-Reform.org/OL2/DrRCordero_judges_do_not_read.pdf) >OL2:608¶5
- <sup>20</sup> [http://Judicial-Discipline-Reform.org/OL2/DrRCordero-reporters\\_clerks.pdf](http://Judicial-Discipline-Reform.org/OL2/DrRCordero-reporters_clerks.pdf)
- <sup>21</sup> By contrast, neither the law nor judges raise any objections to the disclosure of the names of, and the complaints themselves concerning, those accused of malpractice or abuse, whether they are doctors and their hospitals; lawyers and their law firms; police officers and their departments; pedophilic priests and their churches; greedy Wall Street financiers and their firms; corner-cutting pharmaceutical and polluting oil companies and their officers; and everybody else, including you ...that is, if you are not a member of judges' class. Its privilege of unaccountability, arrogated to themselves through the threat of retaliation and the abuse of self-discipline, provides. Benefiting from, and condoning, it impairs the integrity of every judge.
- <sup>22</sup> Nevertheless, complainants can make their complaints against judges public on grounds of equal protection of the law and through the exercise of their 1<sup>st</sup> Amendment right of "freedom of speech, of the press, the right of the people peaceably to assemble [on the Internet and social media too], and to petition the Government [of which judges are the third branch] for a redress of grievances [including their request for compensation from judges and their judiciaries]"; [http://Judicial-Discipline-Reform.org/docs/US\\_Constitution.pdf](http://Judicial-Discipline-Reform.org/docs/US_Constitution.pdf); [http://Judicial-Discipline-Reform.org/OL2/DrRCordero\\_inform\\_outrage\\_be\\_compensated.pdf](http://Judicial-Discipline-Reform.org/OL2/DrRCordero_inform_outrage_be_compensated.pdf)
- <sup>23</sup> Cf. Complaint filed with Supreme Court Chief Justice John G. Roberts, Jr., and the U.S. Court of Appeals for the District of Columbia Circuit; [http://Judicial-Discipline-Reform.org/OL2/DrRCordero-SupCt\\_CJ\\_JGRoberts.pdf](http://Judicial-Discipline-Reform.org/OL2/DrRCordero-SupCt_CJ_JGRoberts.pdf)
- <sup>24</sup> <http://www.ca7.uscourts.gov/judges-biographies/biographies7.htm> and <https://www.fjc.gov/history/judges/barrett-amy-coney>
- <sup>25</sup> 18 U.S.C. §3057; <https://uscode.house.gov/download/download.shtml;jsessionid=527DE001938E7042255B83AAF055949A>; and supra endnote 2, Code of Conduct for Judges, Canon 3B(6).
- <sup>26</sup> [http://Judicial-Discipline-Reform.org/OL2/DrRCordero\\_judicial\\_accountability\\_presentation.pdf](http://Judicial-Discipline-Reform.org/OL2/DrRCordero_judicial_accountability_presentation.pdf) >OL2:455§§B, D
- <sup>27</sup> <https://elizabethwarren.com/plans/restore-trust?source=soc-WB-ew-tw-ro>
- <sup>28</sup> Table B-12 of AO's Annual Report, reproduced at †>OL2:462 and commented on at 457§D.
- <sup>29</sup> 28 U.S.C. §42. Allotment of Supreme Court justices to circuits
- <sup>30</sup> [http://judicial-discipline-reform.org/OL2/DrRCordero\\_your\\_story\\_for\\_Reuters.pdf](http://judicial-discipline-reform.org/OL2/DrRCordero_your_story_for_Reuters.pdf) >¶73c

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- <sup>31</sup> [http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Reuters\\_judges\\_investigation.pdf](http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Reuters_judges_investigation.pdf)
- <sup>32</sup> AO (Administrative Office) modifies Table S-22, mostly by adding line entries or rewording their description. As a result, if an entry had not yet been included in the Table used in a reported year, the corresponding cell in this table for that year shows the value “n/i” for “not included”.
- <sup>33</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2009>. While the 2009 Judicial Business Report covers only the fiscal year that started on October 1, 2008, its table on complaints against judges includes the complaints filed under the new rules during May 11 through September 30, 2008. This period alone is reported in Table S-22B of 2008.
- <sup>34</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2010>
- <sup>35</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2011>
- <sup>36</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2012> >Complaints against judges, Table 10 Judicial Complaints Commenced, Terminated, and Pending Fiscal Years 2010-2012 >Table S-22, <http://www.uscourts.gov/statistics/table/s-22/judicial-business/2012/09/30>
- <sup>37</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2013> >Complaints against judges, <http://www.uscourts.gov/statistics-reports/complaints-against-judges-judicial-business-2013> >Table 10 Judicial Complaints Commenced, Terminated, and Pending Fiscal Years 2011-2013 >Table S-22, <http://www.uscourts.gov/statistics/table/s-22/judicial-business/2013/09/30>
- <sup>38</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2014> >Complaints against judges, <http://www.uscourts.gov/statistics-reports/complaints-against-judges-judicial-business-2014> >Table 10 Judicial Complaints Commenced, Terminated, and Pending Fiscal Years 2012–2014 >Table S-22, <http://www.uscourts.gov/statistics/table/s-22/judicial-business/2014/09/30>
- <sup>39</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2015> >Complaints against judges, <http://www.uscourts.gov/statistics-reports/complaints-against-judges-judicial-business-2015> >Table 10 Judicial Complaints Commenced, Terminated, and Pending Fiscal Years 2013-2015 >Table S-22, <http://www.uscourts.gov/statistics/table/s-22/judicial-business/2015/09/30>
- <sup>40</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2016> >Complaints against judges, <http://www.uscourts.gov/statistics-reports/complaints-against-judges-judicial-business-2016> >Table 10 Judicial Complaints Commenced, Terminated, and Pending Fiscal Years 2015-2016 >Table S-22, <http://www.uscourts.gov/statistics/table/s-22/judicial-business/2016/09/30>
- <sup>41</sup> <https://www.uscourts.gov/statistics/table/s-22/judicial-business/2017/09/30>
- <sup>42</sup> <https://www.uscourts.gov/statistics/table/s-22/judicial-business/2018/09/30>
- <sup>43</sup> <https://www.uscourts.gov/statistics/table/s-22/judicial-business/2019/09/30>
- <sup>44</sup> There are several instances where the last line of Table S-22 for a given year states that the number of complaints pending on September 30 of that year is X. Yet, the first line of the Table for the following year states a different number of complaints pending on that same date. No explanation has been found for these repeated discrepancies.
- <sup>45</sup> Over the years, the judges have added some headings and removed others to and from the table for reporting the statistics on complaints against judges. This is a composite table that aggregates all headings and entries and place them in the most logical position in the series of headings and
- \* [http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest\\_Jud\\_Advocates.pdf](http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf) >all prefixes:# up to OL:393    OL:1185

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entries. The most significant addition and removal came when the new rules for processing these complaints were adopted in 2008. The use of the new rules became mandatory on May 11, 2008. Since then a new reporting table with more numerous and detailed headings and entries has been used to report the statistics on complaints filed under the new rules.

Although the new rules for filing complaints against federal judges provided more numerous and detailed causes for complaint, the systematic dismissal of them and denial of petitions for review of such dismissals by judges protecting their own as well as themselves –‘I protect you today, and if tomorrow I’m or any of my friends is the one complained against, you protect me or them’– continued unabated. The new rules was a ruse by the judges to dissade Congress from taking action to correct the fact that the judges had applied for over 20 years the Judicial Conduct and Disability Act of 1980 in such a way as to render it useless so that judicial discipline was as inexistent as it had been since the creation of the Federal Judiciary in 1789. During that period there was no formal mechanism for complaining against judges. See the history of, and comment on, the new rules. at [http://Judicial-Discipline-Reform.org/judicial\\_complaints/8-4-3DrRCordero\\_new\\_rules\\_no\\_change.pdf](http://Judicial-Discipline-Reform.org/judicial_complaints/8-4-3DrRCordero_new_rules_no_change.pdf).

<sup>46</sup>Table S-22A(stat:28) for the fiscal year 1oct08-30sep09 deals only with the action taken on the complaints filed under the old rules up to and including May 10, 2008. By definition, none of those complaints could have been filed during that fiscal year. Consequently, that table does not report any complaint filed.

<sup>47</sup> In the original Tables S-22, some headings above a set of related line entries present in their cells the sum of the corresponding columns under them while other headings have their cells blank. This amounts to format inconsistency. This may be intentional but unexplained, or unintentional and careless. In either case it is troubling, for it begs the question: how many other inconsistencies are there in the way of composing each table as well as the several tables over the years?

<sup>48</sup> In several years, the number of “Other Misconduct” is many times larger than the total of all the other entries under “Nature of Allegations”. Throwing together so many complaints of misconduct under such a nondescript entry betrays laziness or the cover-up of entries too embarrassing to identify. In any event, if the other circuits are capable of sorting their complaints under the other descriptive entries, there appears to be no reason why the 7<sup>th</sup> Circuit cannot do likewise.

<sup>49</sup> If a complaint was not filed because before that happened it underwent “informal resolution”, how did it make it to Table S-22? Actually, how did it become considered a “complaint” in the first place?

<sup>50</sup>The table(cf. stat:24) used to report complaints about judges filed under the old rules did not report the number of complainants’ petitions to the judicial circuit to review the unfavorable disposition of their complaints, which consisted in their systematic dismissal without any investigation. Accordingly, it did not report on the disposition by judicial councils of such petitions. The table(cf. stat:26) used for reporting under the new rules began reporting both the number of petitions for review and their disposition. This explains why the number of “Received Petitions for Review” is 176(L65), yet the number of “Petitions Denied” is 242(L68). This illustrates that the circuit and district judges on the judicial council of the respective circuit overwhelmingly disposed of those petitions through their systematic denial. Thereby they attained the same objective: their self-exemption from discipline to ensure their unaccountability as Judges Above the Law.

<sup>51</sup> Cf. stat:28. The entry “Action on Petition for Review: Petition Denied” under the heading Judicial Council Proceedings” first appear in Table S-22B of 2009(stat:30).

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Volume I

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and  
Consequent Riskless Wrongdoing  
Pioneering  
the news and publishing field  
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judicial unaccountability reporting**

A study of coordinated wrongdoing as judges' institutionalized modus operandi and its out-of-court exposure through a multidisciplinary academic and business venture based on strategic thinking centered on dynamic analysis of harmonious and conflicting interests

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