

## Judges' Systematic Dismissal Without Investigation of 99.82% of Complaints Against Them

Table S-22 [previously S-23 & S-24]. Report of Complaints Filed and Action Taken Under 28 U.S.C. §351 for the 12-mth. Period Ended 30sep97-07 & 10may08.  
<http://www.uscourts.gov/judbususc/judbus.html>; collected at [http://Judicial-Discipline-Reform.org/statistics&tables/judicial\\_misconduct.pdf](http://Judicial-Discipline-Reform.org/statistics&tables/judicial_misconduct.pdf)<sup>1</sup>

Complaints filed in the 13 Cir. and 2 Nat. Courts	'96-97	'97-98	'98-99	'99-00	'00-01	'01-02	'02-03	'03-04	'04-05	'05-06	'06-07	'07-5/8	'96-5/8	n/11.6
<b>Complaints Pending</b> on each Sep. 30 of 1996-2008*	109	214	228	181	150	262	141	249	212	210	241	333	2530	218
<b>Complaints Filed</b>	679	1,051	781	696	766	657	835	712	642	643	841	491	8794	758
Complaint Type														
Written by Complainant	678	1,049	781	695	766	656	835	712	642	555	841	491	8701	750
On Order of Chief Judges	1	2	0	1	0	1	0	0	0	88	0	0	93	8
Officials Complained About**														
Judges														
Circuit	461	443	174	191	273	353	204	240	177	141	226	112	2995	258
District	497	758	598	522	563	548	719	539	456	505	792	344	6841	589
National Courts	0	1	1	1	3	5	1	0	0	3	4	0	19	1.6
Bankruptcy Judges	31	28	30	26	34	57	38	28	31	33	46	24	406	35
Magistrate Judges	138	215	229	135	143	152	257	149	135	159	197	105	2014	174
Nature of Allegations**														
Mental Disability	11	92	69	26	29	33	26	34	22	30	20	16	408	35
Physical Disability	4	7	6	12	1	6	7	6	9	3	1	4	66	5.7
Demeanor	11	19	34	13	31	17	21	34	20	35	22	5	262	23
Abuse of Judicial Power	179	511	254	272	200	327	239	251	206	234	261	242	3176	274
Prejudice/Bias	193	647	360	257	266	314	263	334	275	295	298	232	3734	322
Conflict of Interest	12	141	29	48	38	46	33	67	49	43	46	25	577	50
Bribery/Corruption	28	166	104	83	61	63	87	93	51	40	67	51	894	77
Undue Decisional Delay	44	50	80	75	60	75	81	70	65	53	81	45	779	67
Incompetence/Neglect	30	99	108	61	50	45	47	106	52	37	59	46	740	64
Other	161	193	288	188	186	129	131	224	260	200	301	225	2486	214
<b>Complaints Concluded</b>	482	1,002	826	715	668	780	682	784	667	619	752	552	8529	735
<b>Action By Chief Judges</b>														
Complaint Dismissed														
Not in Conformity With Statute	29	43	27	29	13	27	39	27	21	25	18	13	311	27
Directly Related to Decision or Procedural Ruling	215	532	300	264	235	249	230	295	319	283	318	236	3476	300
Frivolous	19	159	66	50	103	110	77	112	41	63	56	23	879	76
Appropriate Action Already Taken	2	2	1	6	4	3	3	3	5	5	3	3	40	3.4
Action No Longer Needed Due to Intervening Events	0	1	10	7	5	6	8	9	8	6	6	4	70	6
Complaint Withdrawn	5	5	2	3	3	8	8	3	6	9	3	5	60	5
Subtotal	270	742	406	359	363	403	365	449	400	391	404	288	4840	417
<b>Action by Judicial Councils</b>														
Directed Chief Dis. J. to Take Action (Magistrates only)	0	0	0	0	0	0	0	0	0	1	0	0	1	.09
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	0	1	.09
Privately Censured	0	0	0	0	1	0	0	0	0	0	0	0	1	.09
Publicly Censured	0	1	0	2	0	2	0	0	0	0	0	1	6	0.5
Ordered Other Appropriate Action	0	0	0	0	0	0	1	0	0	0	2	0	3	0.26
Dismissed the Complaint	212	258	416	354	303	375	316	335	267	227	344	263	3670	316
Withdrawn	n/a	n/a	4	0	1	0	0	0	0	0	2	0	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	264	3689	318
Special Investigating Committees Appointed	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	7	5	2	14	1.2
<b>Complaints Pending on each September 30 of 1997-08</b>	306	263	183	162	248	139	294	177	187	234	330	272	2795	241

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

<sup>1</sup>With statistics from 11may-30sep08; cf. [http://Judicial-Discipline-Reform.org/JNinfo/25Committee/2DrCordero-petition\\_25feb9.pdf](http://Judicial-Discipline-Reform.org/JNinfo/25Committee/2DrCordero-petition_25feb9.pdf)

**2<sup>nd</sup> Circuit Judicial Council & J. Sotomayor's Denial of 100% of Petitions for Review of Systematically Dismissed Misconduct Complaints Against Their Peers & 0 Judge Disciplined in the Reported 12 Years<sup>1</sup>**

Table S-22 [previously S-23 & S-24]. Report of Complaints Filed and Action Taken Under 28 U.S.C. §351 for the 12-mth. Period Ended 30sep97-07 & 10may08  
<http://www.uscourts.gov/judbususc/judbus.html>; collected at [http://Judicial-Discipline-Reform.org/statistics&tables/judicial\\_misconduct.pdf](http://Judicial-Discipline-Reform.org/statistics&tables/judicial_misconduct.pdf)

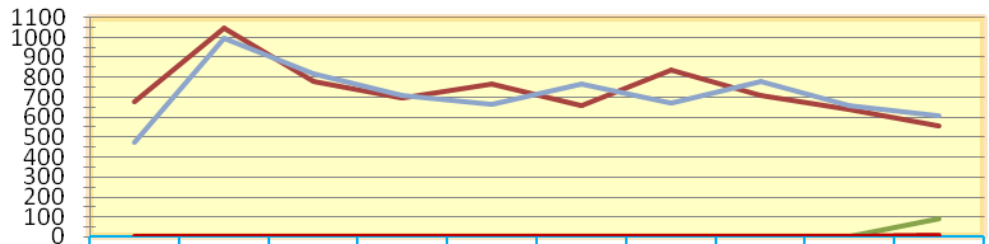
<b>Data of Judicial Council 2<sup>nd</sup> Cir. for AO; 28 U.S.C. §332(g)</b>	96-97	97-98	98-99	99-00	00-01	01-02	02-03	03-04	04-05	05-06	06-07	07-5/8	96-5/8	Avg.
<b>Complaints Pending on each September 30 of 1996-2008*</b>	5	10	23	65	33	60	29	34	57	31	28	13	388	32
<b>Complaints Filed</b>	40	73	99	59	102	62	69	23	36	14	22	4	603	50
<b>Complaint Type</b>														
Written by Complainant	40	73	99	59	102	62	69	23	36	0	22	4	589	49
On Order of Chief Judges	0	0	0	0	0	0	0	0	0	14	0	0	14	1.8
<b>Officials Complained About**</b>														
<b>Judges</b>														
Circuit	3	14	23	9	31	10	8	4	7	0	6	1	116	9.7
District	27	56	63	41	52	41	49	15	23	10	12	3	392	33
National Courts	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bankruptcy Judges	2	1	2	2	2	1	1	1	0	0	0	0	12	1
Magistrate Judges	8	8	11	7	17	10	11	3	6	4	4	0	89	7.5
<b>Nature of Allegations**</b>														
Mental Disability	1	9	26	2	5	4	6	3	3	1	1	1	62	5.2
Physical Disability	0	1	2	1	0	0	1	2	0	0	0	1	8	.7
Demeanor	2	2	2	3	14	3	4	6	0	0	0	0	36	3
Abuse of Judicial Power	25	30	7	29	28	57	20	6	3	0	1	1	207	17
Prejudice/Bias	32	36	34	28	24	40	20	35	43	28	30	5	355	30
Conflict of Interest	0	0	5	11	10	18	3	4	5	1	1	0	58	4.8
Bribery/Corruption	0	0	10	21	2	15	4	5	2	2	1	1	63	5.2
Undue Decisional Delay	0	4	0	11	6	15	9	5	8	2	3	3	66	5.5
Incompetence/Neglect	4	1	3	1	5	2	3	3	4	0	3	2	31	2.6
Other	0	11	3	5	0	0	4	33	80	38	47	14	235	20
<b>Complaints Concluded</b>	33	56	57	80	75	93	42	51	91	45	50	17	690	57
<b>Action By Chief Judges</b>														
Complaint Dismissed														
Not in Conformity With Statute	3	4	0	0	4	1	1	6	5	8	1	2	35	2.9
Directly Related to Decision or Procedural Ruling	12	19	19	29	17	23	14	18	46	15	10	9	231	19
Frivolous	0	1	19	0	13	9	7	3	1	3	2	1	59	4.9
Appropriate Action Already Taken	0	0	0	0	0	0	0	1	0	1	0	0	2	0.2
Action No Longer Needed Due to of Intervening Events	0	0	3	1	0	2	0	0	0	1	0	0	7	0.6
Complaint Withdrawn	0	0	0	0	0	2	0	1	2	0	0	0	5	0.4
Subtotal	15	24	41	30	34	37	22	29	54	28	13	12	339	28
<b>Action by Judicial Councils</b>														
Directed Chief Dis. J. to Take Action (Magistrates only)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
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	0	0	0	0	0	0	0	0	0	0	0	0	0
Privately Censured	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Publicly Censured	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ordered Other Appropriate Action	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dismissed the Complaint	18	32	16	50	40	56	20	22	37	17	37	6	351	29
Withdrawn	n/a	n/a	0	0	1	0	0	0	0	0	0	0	1	.08
Referred Complaint to Judicial Conference	0	0	0	0	0	0	n/a	0	0	n/a	0	0	0	0
Subtotal	18	32	16	50	41	56	20	22	37	17	37	6	352	29
Special Investigating Committees Appointed	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1	1	0	2	.17
<b>Complaints Pending on each 30sep of 1997-2008</b>	12	27	65	44	60	29	56	6	2	0	0	0	301	25

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

<sup>1</sup> Cf.: [http://Judicial-Discipline-Reform.org/SCT\\_nominee/Senate/26evidence/1DrCordero-Senate.pdf](http://Judicial-Discipline-Reform.org/SCT_nominee/Senate/26evidence/1DrCordero-Senate.pdf)

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

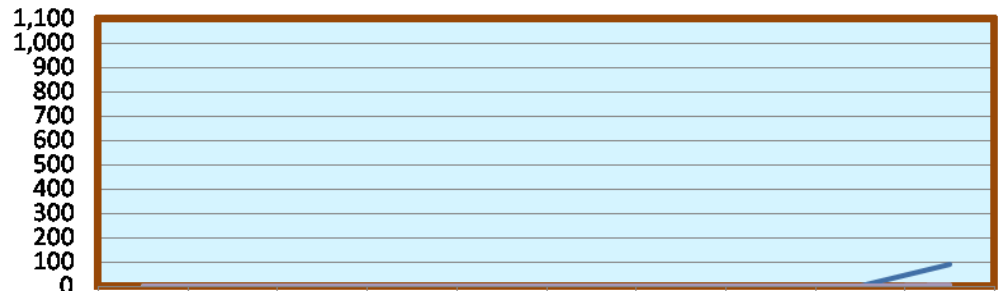
Number of complaints:



	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

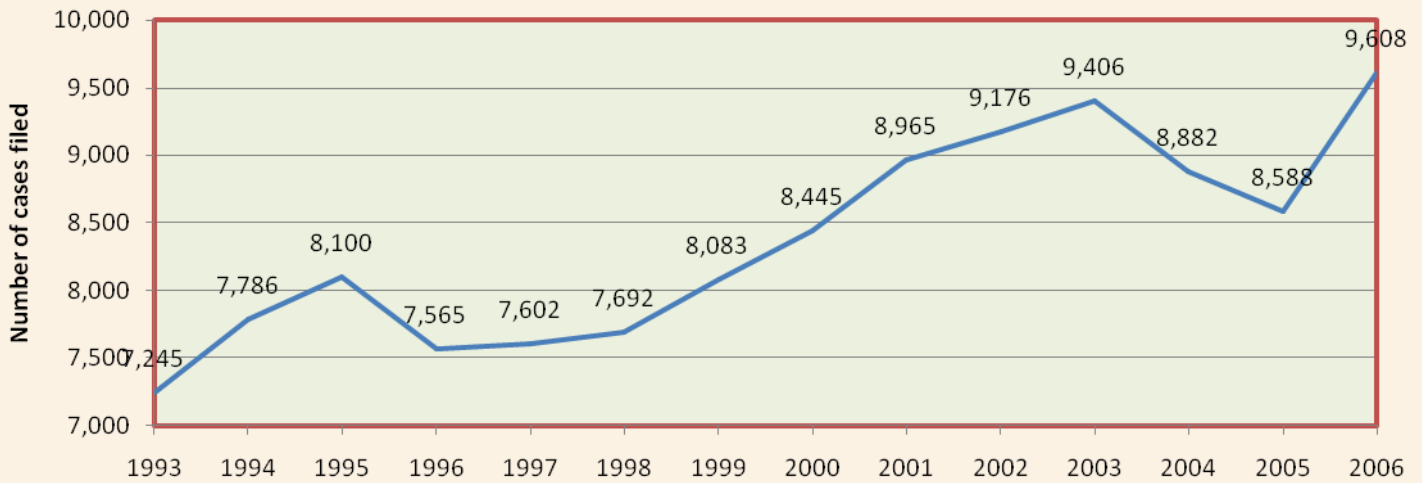
Number of complaints



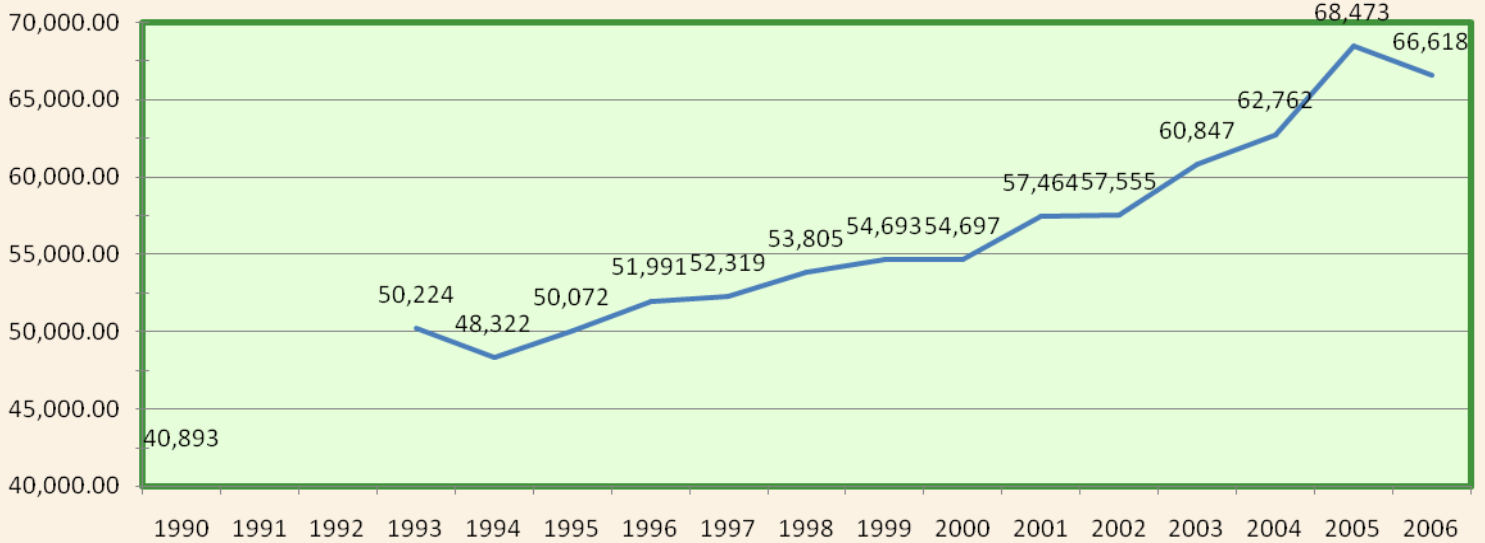
	97	98	99	00	01	02	03	04	05	06
— filed by chief judges	1	2	0	1	0	1	0	0	0	88
— directed chief district judge to take action (magistrate judges only)	0	0	0	0	0	0	0	0	0	1
— certified disability	0	0	0	0	0	0	0	0	0	0
— requested voluntary retirement	0	0	0	0	0	0	0	0	0	0
— ordered temporary suspension of case assignment	0	1	0	0	0	0	0	0	0	0
— privately censured	0	0	0	0	1	0	0	0	0	0
— publicly censured	0	1	0	2	0	2	0	0	0	0
— ordered other appropriate action	0	0	0	0	0	0	1	0	0	0
— referred complaint 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

Source: Tables of the Adm. Off. of the U.S. Courts; collected in [http://Judicial-Discipline-Reform.org/judicial\\_complaints/DrCordero\\_revised\\_rules.pdf](http://Judicial-Discipline-Reform.org/judicial_complaints/DrCordero_revised_rules.pdf)

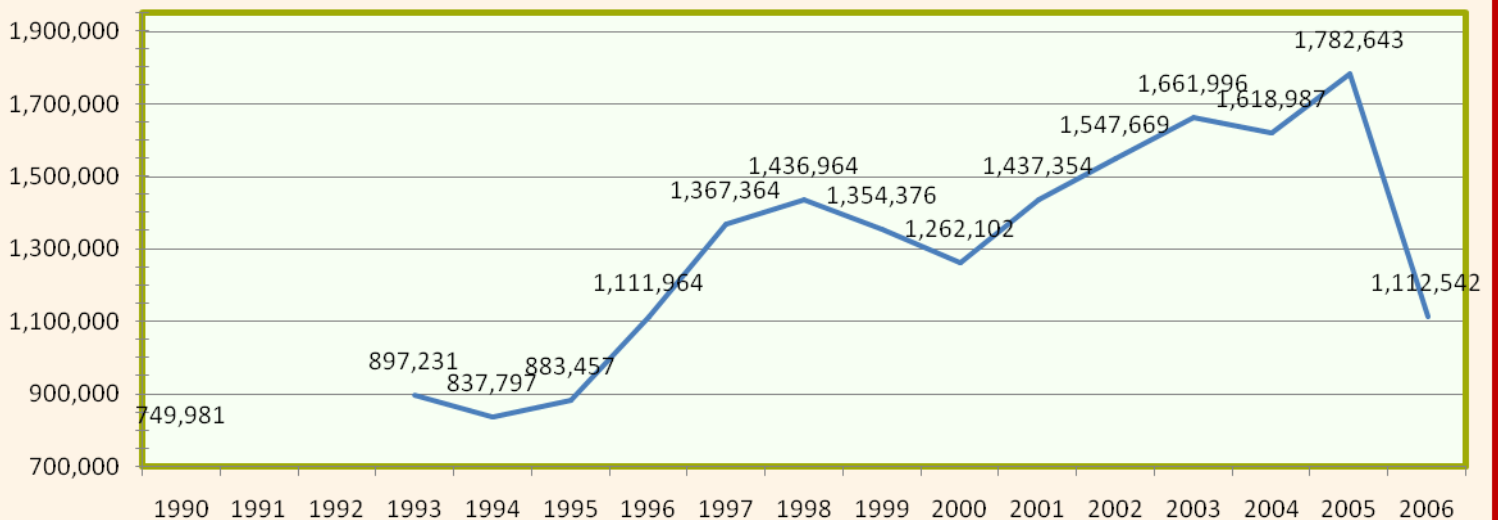
**Cases Filed in the Supreme Court Between 93-06 showing a 33% increase**



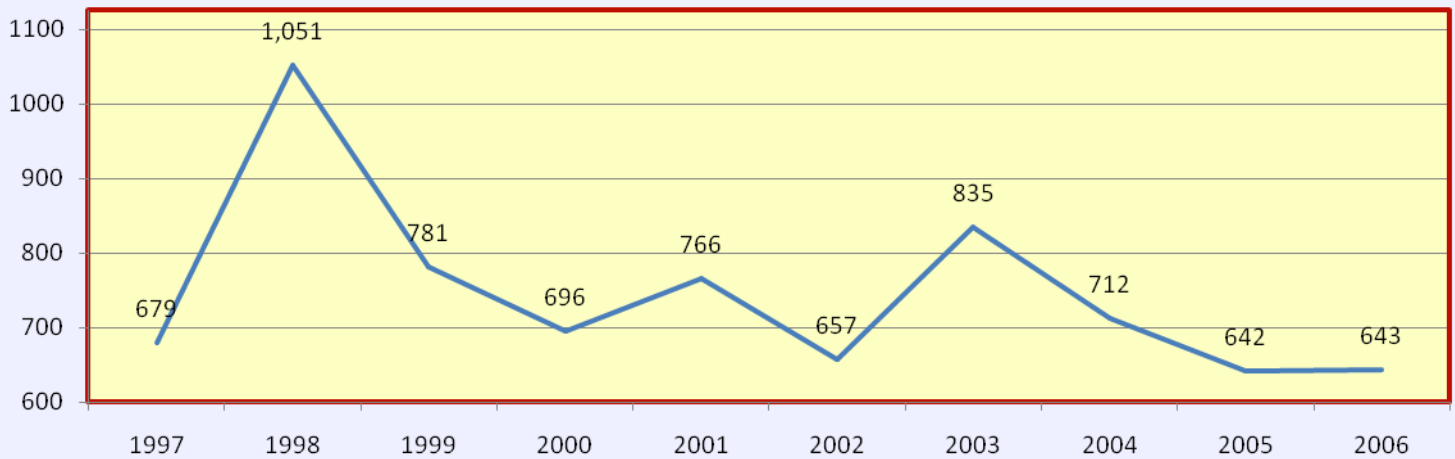
**Cases Filed in the Court of Appeals Between 90-06 Showing a 63% Increase**



**Cases Filed in Bankruptcy Courts Between 90-06 Showing a 138% Increase at Peak**



## Complaints Filed Between 97-06 Showing a *Decrease of 5%*



[Footnotes in the originals]

NOTE: EXCLUDES COMPLAINTS NOT ACCEPTED BY THE CIRCUITS BECAUSE THEY DUPLICATED PREVIOUS FILINGS OR WERE OTHERWISE INVALID FILINGS.

\* REVISED. [regarding complaints pending]

\*\* EACH COMPLAINT MAY INVOLVE MULTIPLE ALLEGATIONS AGAINST NUMEROUS JUDGES. NATURE OF ALLEGATIONS IS COUNTED WHEN A COMPLAINT IS CONCLUDED.

Source: For Tables 1, 2, and 6, Judicial Business of U.S. Courts, 1997-2006 Annual Reports of the Director, Administrative Office of the United States Courts.

For Tables 3, 4, 5, 2005-2006 Judicial Facts and Figures, Administrative Office of the U.S. Courts.

The original Tables are collected and reproduced in [http://Judicial-Discipline-Reform.org/judicial\\_complaints/DrCordero\\_revised\\_rules.pdf](http://Judicial-Discipline-Reform.org/judicial_complaints/DrCordero_revised_rules.pdf), wherein they are accompanied by links to the originals.

Tables 1, 2, and 6, supra, 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. (Cf. 28 U.S.C. §§351(d)(1) and 363)

†The category “Special Investigating Committees Appointed” first appears in the 2006 Table.

The number of cases in Tables 3-5 do not even include cases filed with Article I courts, which are part of the Executive, not the Judicial, Branch, such as the U.S. Tax Court, established in 1969 (after it was created as the Board of Tax Appeals in 1924 and its name was first changed to Tax Court of the U.S. in 1942). Another such court is the U.S. Claims Court, established as an Article I court in 1982, and renamed U.S. Court of Federal Claims in 1992. Likewise, the U.S. Court of Veterans' Appeals was established as an Article I court in 1989 and then renamed the Court of Appeals for Veterans Claims in 1998.

They too support the conclusion to be drawn from these statistics: The significant increase in cases filed with these courts every year attests to the litigiousness of the American society. They belie the judges' report that in the '97-'06 decade Americans have filed a steady number of complaints against them hovering around the average (after eliminating the outlier) of only 712 complaints. The explanation lies in the first footnote in the originals, above: Judges have arbitrarily excluded an undetermined number of complaints. The fact that they have manipulated these statistics is also revealed by the first table above: After 9 years during which the judges filed less than one complaint a year, they jumped to 88 in 2006...and that same year it just so happened that complainants filed the lowest number of complaints ever, 555! *Implausible!* Yet, the judges did not discipline a single peer, just one magistrate.

March 25, 2017

**Justiceship Nominee Neil Gorsuch reportedly said:**

«An attack on one of our brothers and sisters of the robe is an attack on all of us».

**Guided by that we-against-the-rest-of-the-world mentality, he and his peers in the 10<sup>th</sup> Circuit have protected each other by disposing of the 573 complaints filed against any of them during the 1oct06-30sep16 11-year period through self-exemption from any discipline except for one single reprimand, a 99.83% dismissal rate; and dispose of 93% of appeals with reasonless decisions.**

**The concern is not whether Judge Gorsuch favors big corporations over the little guy, but whether anybody protects us from them:**

**UNACCOUNTABLY INDEPENDENT JUDGES, WHO RISKLESSLY ENGAGE IN WRONGDOING.**

**The demand for public hearings of complainants and parties that he and his peers have for their own benefit dumped out of court**

1. After President Trump issued his first immigration ban, Federal District Judge James Robart of the 9<sup>th</sup> Circuit suspended it nationwide. The President referred to him disparagingly as “this so-called judge”. When his justiceship nominee, Judge Neil Gorsuch, who sits on the Court of Appeals for the 10<sup>th</sup> Circuit, paid a goodwill visit to Congress in anticipation of his confirmation hearings, he was asked about the President’s reference. He reportedly remarked that “An attack on one of our brothers and sisters of the robe is an attack on all of us”. His remark was confirmed by the conduct of the three-judge appellate panel of 9<sup>th</sup> Circuit judges who unanimously upheld the nationwide suspension to send Trump a warning: ‘*Don’t you ever mess with us!*’
2. J. Gorsuch too has been practicing his remark. As a circuit judge for the last 11.5 years, he has tolerated and/or participated in the systematic dismissal of the 573([Line:3](#) of the table below) complaints against judges in his circuit and the systematic denial of petitions to review such dismissals([L:65, 68](#)). He and his peers have protected their own, taking only one corrective action, a reprimand. Their system of self-exemption from discipline is 99.83% perfect in effect. That statistic is representative of judges’ abusive dismissal of complaints against them([stat:1-60](#), [the official tables](#), [infra](#)). Their self-ensured unaccountability leads to their riskless wrongdoing.
3. Each circuit collects its statistics and sends them to the Administrative Office of the U.S Courts (AO)<sup>1</sup>. The latter’s director is appointed by the chief justice of the Supreme Court and must include them in his Annual Report to the Judicial Conference of the U.S., which is presided over by the chief justice and gathers the chief circuit judges and representative district, bankruptcy, and magistrate judges. The Report is also submitted to Congress and the public. So, J. Gorsuch and all his peers send annually an unambiguous, unabashed message to all politicians and us:

We have rendered the Judicial Conduct and Disability Act that you, politicians, passed in 1980<sup>2</sup> to set up the complaint mechanism useless. You, the public, waste your time complaining against us, for we take care of our own. We are so powerful that we can just as easily suspend a presidential order nationwide as doom to failure a whole legislative agenda by declaring each of its laws unconstitutional. And we are untouchable! In the last 228 years since the creation of the Federal Judiciary in 1789, only 8 of us judges have been impeached and removed(\*[jur:22fn14](#)). We can engage in any wrongdoing, for we are our own police. We are the Judges Above the Law of the State Within the state.

4. J. Gorsuch stated as a badge of honor at the hearings that of the 2,700 cases in which he has been one of the appellate panel judges 97% have been decided unanimously. He added with pride “that’s the way we do things in the West”. He did not mean ‘in the West we morph into each other to surmount the differences inherent in being appointed by either Republican or Dem-



ocratic politicians, discarding the different views that we held in college, which led me to found the opposition paper *The Federalist*.' Rather, he confirmed the statistics that show that circuit judges dispose of 93% of appeals in decisions "on procedural grounds [e.g., "for lack of jurisdiction or jurisdictional defect"], by consolidation, unsigned, unpublished, without comment" (<sup>†</sup>>ol2:455). The majority of these decisions are reasonless, fiat-like summary orders (<sup>\*</sup>>jur:43§1). They fit the front of a 5¢ form, with the only operative word rubberstamped, mostly 'the decision below is Affirmed or the motion is Denied'. The rest of those decisions have an opinion so arbitrary, ad-hoc to reach a desired result, or unlawful that they may not be relied upon in other cases; so they too are marked "not-precedential". Only the remaining 7% are signed, published, and intended to pass media scrutiny, be discussed in law journals, and end up in law school casebooks.

5. What criteria does J. Gorsuch use to treat parties so unequally: dumping their appeals with a meaningless decision or sweating it out on a meaningful one? In fact, he also bragged that in 99% of his cases he had been in the majority. This means that in only 1% of them he felt so strongly about the issues or the parties to bother to dissent, thus being in the minority. Yet, he remained a typical judge, for the 2% of cases where it was one of the other two panel members who dissented can be distributed equally by allocating 1% to each. For him and his peers getting along with each other and taking it easy with 93% of appeals are more appealing attitudes than a principled discharge of their duty. The latter requires reading the briefs, doing legal research, and coming to the panel conference prepared to advocate "a result compelled by the law", which he said a good judge pursues. No wonder he shied away from the exacting and socially lethal action of denouncing any of his peers or even protesting publicly their systematic dismissal of complaints against them, which would have led to a lot of controversy and his outcast as a traitor.
6. So the question for the senators to ask before voting on J. Gorsuch is not whether what got under his skin in that 1% of cases in which he stood up for something other than his camaraderie with his peers was a big corporation or a little guy. Rather, it is how he could claim commitment to rule of law results, never mind integrity, although during the past 11.5 years on the bench he has seen his peers dismiss on average one complaint a week of those 573 against them, but has simply looked the other way or even joined the other bullies in abusing their judicial power to silence complainants by resorting to false pretenses (L:44-50) to dump their complaints. Why did he tolerate, or participate in, the cheating of parties out of the meaningful appellate service to which their payment of the filing fee entitled them contractually? By ensuring his and his peers' unaccountability they have turned their independence into a cover for their riskless wrongdoing.
7. It is not by mounting a filibuster against J. Gorsuch that senators, or by watching it while remaining inactive that the House members, should handle his confirmation. It is by holding public hearings for the complainants and the parties to appeals that he and his peers have dumped out of court and deprived of equal justice under law. Holding those hearings will not be an attack on judicial independence. As representatives of *We the People*, the only source of sovereign power and the masters of "government of, by, and for the people", Congress has the duty to defend and enforce the *People's* right to hold all their public servants accountable and liable for their wrongdoing. It will be an overdue application of the principle that in 'government, not of men and women, but by the rule of law', judges are not allowed to arrogate to themselves unaccountable independence. Their holding of office as public servants depends on their faithfully and competently serving their masters, *the People*. P. Trump said in his inaugural speech, "We are transferring power from Washington and giving it back to you, *the People*". Let's demand that he and Congress hold hearings to find out the masters' experience at the mercy of their judicial servants, who have trampled justice to climb to a position intrinsically for wrongdoers: Judges Above the Law.

*Dare trigger history!*(<sup>\*</sup>>jur:7§5)...and you may enter it. Sincerely, Dr. Richard Cordero, Esq.

<sup>\*</sup> [http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest\\_Jud\\_Advocates.pdf](http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf) >all prefixes:page# up to ol:393 ol2:547

March 25, 2017

**Table<sup>1</sup> of Complaints<sup>2</sup> Against Judges in the 10<sup>th</sup> Circuit, where Judge N. Gorsuch<sup>3</sup> sits, showing how he and his peers systematically dismiss 99.83% of them to exempt themselves from any discipline, thus protecting their unaccountable independence and becoming Judges Above the Law**

Line	Data of the Judicial Council <sup>4</sup> , 10 <sup>th</sup> Cir., filed with AO <sup>1</sup>	'06 <sup>5</sup>	'07 <sup>6</sup>	'08A <sup>7</sup>	'08B <sup>8</sup>	'09A <sup>9</sup>	'09B	'10 <sup>10</sup>	'11 <sup>11</sup>	'12 <sup>12</sup>	'13 <sup>13</sup>	'14 <sup>14</sup>	'15 <sup>15</sup>	'16 <sup>16</sup>	totals
1.	<b>Complaints Pending</b> on Sep. 30 of preceding year *	2	14	7	-	0	52	18	26 <sup>†</sup>	8	9	11	17	12	176
2.	<b>Complaints Concluded</b>					0	-								
3.	<b>Complaints Filed<sup>17</sup></b>	49	37	17	58	18	73	62	64	33	59	33	37	51	573
4.	<b>Complaint Type/Source</b>														
5.	Written/Filed by Complainants	49	37	17	58		71	61	64	33	59	33	37	51	570
6.	On Order of/Identified by Circuit Chief Judges	0	0	0	0		2	1	0	0	0	0	-	0	
7.	<b>Complainants**</b>														
8.	Prison inmates				50		47	26	37	13	27	15	22	13	250
9.	Litigants				8		23	33	19	25	25	16	11	20	180
10.	Attorneys				0		0	0	1	0	7	3	4	2	17
11.	Public Officials				0		0	0	0	0	0	0	0	1	1
12.	Other				0		3	2	7	0	0	0	0	4	16
13.	<b>Judges Complained About **</b>														
14.	Circuit Judges	24	18	3	29		21	10	12	3	28	1	4	14	167
15.	District Judges	40			27		43	34	35	22	16	23	29	22	291
16.	Bankruptcy Judges	2			0		3	1	2	2	1	0	0	3	14
17.	Magistrate Judges	8	12	7	2		6	17	15	6	14	9	4	12	112
18.	<b>Nature of Allegations</b>														
19.	Erroneous Decision				2		46	50	57	30	53	16	28	46	328
20.	Delayed Decision	1	7	4	1		5	10	1	4	7	4	6	0	50
21.	Failure to Give Reasons for Decision				0		1	0	0	0	0	3	0	0	4
22.	Improper Discussions With Party or Counsel				4		9	6	6	6	8	7	2	0	48
23.	Hostility Toward Litigant or Attorney				0		7	6	7	3	6	14	4	1	48
24.	Racial, Religious, or Ethnic Bias	14	19	13	28		2	3	9	0	1	3	4	3	99
25.	Personal Bias Against Litigant or Attorney				3		13	20	21	7	14	18	5	10	111
26.	Conflict of Interest (Including Refusal to Recuse)	2	4	1	0		7	4	5	1	4	10	2	3	43
27.	Failure to Meet Financial Disclosure Requirements				0		2	0	0	1	0	0	0	0	3
28.	Improper Outside Income				0		0	1	0	1	0	0	0	0	2
29.	Partisan Political Activity or Statement				0		4	1	1	0	0	0	1	0	7
30.	Acceptance of a Bribe				0		0	0	0	0	0	1	0	2	3
31.	Effort to Obtain Favor for Friend or Relative				0		0	1	0	0	0	0	1	4	6
32.	Solicitation of Funds for Organization				0		0	0	0	0	0	0	0	0	0
33.	Violation of Other Standards				0		1	1	2	1	0	10	0	1	16
34.	Other Misconduct				57		48	23	28	14	23	0	25	40	258
35.	Disability				5		5	0	7	0	0	0	2	10	29
36.	<b>ACTIONS REGARDING THE COMPLAINTS</b>														
37.	<b>Concluded/Terminated by Complainant or Subject Judge/Withdrawn</b>				0		0	0	3	0	0	0	0	0	3



38.	Data of the Judicial Council, 10th Cir., filed with AO	'06	'07	'08 A	'08 B	'09 A	'09 B	'10	'11	'12	'13	'14	'15	'16	totals
39.	Complaint Withdrawn with Consent of Chief Circuit Judge			0		0	0	3	0	0	0	0	0	0	0
40.	Withdrawal of Petition for Review			0		0	0	0	0	0	0	0	0	0	0
41.	<b>Actions by Chief Circuit Judge</b>														
42.	Matters Returned from Judicial Council/or Judicial Conference Committee			0		0	0	1	0	0	0	0	0	1	
43.	<b>Complaint Dismissed ♦ in Whole or in Part</b>			32		78	51	75	33	57	26	42	37	431	
44.	Not in Conformity With Statute/Not Misconduct or Disability			1	0	4	4	3	5	0	2	4	2	25	
45.	Directly Related to Decision or Procedural Ruling/ Merits Related			30	0	74	43	68	30	49	21	35	33	383	
46.	Frivolous			1	0	0	0	0	0	17	0	0	0	18	
47.	Lacked Factual Foundation/Allegations Lack Sufficient Evidence			30	0	46	43	61	18	32	19	32	36	317	
48.	Allegations Incapable of Being Established			0	-	0	0	1	2	0	0	0	0	3	
49.	Filed in Wrong Circuit			0	-	0	0	0	0	0	0	0	0	0	
50.	Otherwise Not Appropriate			1	-	0	0	0	0	1	0	0	0	2	
51.	<b>Complaints Concluded in Whole or in Part</b>			0		8		2	0	0	0	2	2	14	
52.	Informal Resolution Before Complaint Filed			0		0		0	0	0	0	0	0	0	
53.	Voluntary Corrective Action Taken			0		4		1	0	0	0	0	1	6	
54.	Action No Longer Necessary Because of Intervening Event			0	0	4	0	1	0	0	0	2	1	8	
55.	Appropriate Action Already Taken			-	0	-	-	-	-	-	-	-	-	0	
56.	Complaint Withdrawn			-	0	-	-	-	-	-	-	-	-	0	
57.	Subtotal			-	0	-	-	-	-	-	-	-	-	0	
58.	Special Investigative Committee Appointed/ <b>Complaint Referred to Special Committee</b>			0	0	2	1	0	1	0	0	0	0	4	
59.	<b>Actions by Special Committees</b>			-											
60.	Matter Returned from Judicial Council			0	-	0	0	0	0	0	0	0	0	0	
61.	New Matter Referred to Chief Judge			0	-	0	0	0	0	0	0	0	0	0	
62.	<b>Judicial Council Proceedings</b>														
63.	Matter Returned from Judicial Conference			0	-	0	0	0	0	0	0	0	0	0	
64.	Complaint Transferred to/from Another Circuit			0	-	0	0	0	0	0	0	0	0	0	
65.	Received Petition for Review <sup>19</sup>	-	-	-	0	-	58	13	43		0	23	13	26	176
66.	Withdrawn					0	-	-	-	-	-	-	-	0	
67.	<b>Action on Petition for Review</b>			0	-									0	
68.	Dismissed Complaint <sup>20</sup> /Petition Denied			21	-	54	19	45	17	37	18	16	15	242	
69.	Matter Returned to Chief Circuit Judge			0	-	0	0	0	0	0	3	0	0	3	
70.	Matter Returned to Chief Judge for Appointment of Special Committee			0	-	0	0	0	0	0	0	0	0	0	
71.	Ordered Other Appropriate Action /Other			0	0	0	0	0	0	0	0	0	0	0	
72.	Received Special Committee Report/Special Committee Reports Submitted to Judicial Council			0	-	0	0	1	0	0	1	0	0	2	
73.	<b>Remedial Action Taken/Action on Special Committee Report</b>			0											
74.	<b>Complaint Dismissed</b>			0	0	0	0	0	0	0	1	0	0	1	
75.	Not Misconduct or Disability			0	-	0	0	0	0	0	1	0	0	1	

\* [http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest\\_Jud\\_Advocates.pdf](http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf) >all prefixes:page# up to ol:393 ol2:549

76.	Data of the Judicial Council, 10th Cir., filed with AO	'06	'07	'08 A	'08 B	'09 A	'09 B	'10	'11	'12	'13	'14	'15	'16	totals
77.	Merits Related				0	-	0	0	0	0	0	0	0	0	0
78.	Allegations Lack Sufficient Evidence				0	-	0	0	0	0	0	0	0	0	0
79.	Otherwise Not Appropriate				0	-	0	0	0	0	0	0	0	0	0
80.	<b>Corrective Action Taken or Intervening Events</b>				0	-	0	0	0	0	0	0	0	0	0
81.	<b>Referred Complaint to Judicial Conference</b>				0	0	0		0	0	0	0	0	0	0
82.	<b>Remedial Action Taken</b>				0	-	0	-	-	-	-	-	-	-	-
83.	Privately Censured				-	0	-	-	-	-	-	-	-	-	-
84.	Publicly Censured				-	0	-	-	-	-	-	-	-	-	-
85.	Censure or Reprimand				0	-	0	0	1	0	0	0	0	0	1
86.	Suspension of Assignments				0	0	0	0	0	0	0	0	0	0	0
87.	Directed Chief District J. to Take Action (Magistrates only)/Action Against Magistrate Judge				0	0	0	0	0	0	0	0	0		0
88.	Removal of Bankruptcy Judge				0	-	0	0	0	0	0	0	0	0	0
89.	Request of Voluntary Retirement				0	0	0	0	0	0	0	0		0	0
90.	Certification of Disability of Circuit or District Judge				0	0	0	0	0	0	0	0		0	0
91.	<b>Additional Investigation Warranted</b>				0	-	0								
92.	Returned to Special Committee				0	-	0	0	0	0	0	0	0	0	0
93.	Retained by Judicial Council				0	-	0	0	0	0	0	0	0	0	0
94.	<b>Actions by Chief Justice</b>							0	-	0	0	0	0	0	0
95.	Transferred to Judicial Council				0	-	0	0	-	0	0	-	0	1	1
96.	Received from Judicial Council				0	-	0	0	-	0	0	-	0	0	0
97.	<b>Complaints Concluded/Terminated by Final Action</b>														
98.	During 12-month Period Ending Sep. 30 of reported year	37	48	24	0	0-	96	50	83	33	57	47	40	36	551 21
99.	<b>Complaints Pending on Sep. 30</b> [end of reported year]				26	0	29	30	7	8	11	18	14	27	170
	<b>Data of the Judicial Council, 10th Cir., filed with AO</b>	'06	'07	'08 A	'08 B	'09 A	'09 B	'10	'11	'12	'13	'14	'15	'16	totals

[These notes are in the original.]

- ♦ 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

The above article is supported by Dr. Cordero's study of judges and their judiciaries, titled:

### Exposing Judges' Unaccountability and Consequent Riskless Wrongdoing: Pioneering the news and publishing field of judicial unaccountability reporting\* †

The above table collecting all the statistics on complaints against federal judges filed in the 10<sup>th</sup> Circuit between 1oct06 through 30sep16 together with its source, namely, the official tables presenting the statistics of the complaints filed in all circuits between 1oct96 through 30sep16 are found in the file at:

[http://Judicial-Discipline-Reform.org/ol2/DrRCordero\\_hearings\\_JGorsuch\\_complainants&parties.pdf](http://Judicial-Discipline-Reform.org/ol2/DrRCordero_hearings_JGorsuch_complainants&parties.pdf)

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<sup>1</sup> This table is based on Table S-22 presenting the statistics on complaints filed against judges and action taken under 28 U.S.C. §604(h)(2). That Table is included in the Annual Report that must be submitted to Congress as a public document, §604(a)(3), by the Director of the Administrative Office of the U.S. Courts (AO), §§601-613. On AO, see also [http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest\\_Jud\\_Advocates.pdf](http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf) >jur:21fn10.

Each of the 12 regional federal judicial circuits and two national courts must file its statistics on complaints against its judges with AO for inclusion in the statistical tables in its Annual Report. The tables for the fiscal years 1oct96-30sep97 and since 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). Hence, readers can conveniently download that file and prepare similar tables for each of the other circuits and any period of years. To that end, that file contains a table template that readers can fill out.

The above table for the 10<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. That constitutes the foundation for the assertion that the judges have proceeded to abuse the self-discipline power granted to them under the Judicial Conduct and Disability Act<sup>2</sup> to exempt themselves from discipline, placing themselves beyond investigation(L:58-61) and above any liability. They hold themselves unaccountable by arrogating to themselves the power to abrogate in practice that Act of Congress. By so doing, they harm the complainants, who are left with no relief from the harmful conduct of the complained-about judge and exposed to his or her retaliation. Likewise, they harm the rest of the public, who is left with judges who know that as a matter of fact they can rely on the protection of their peers to abuse their power and disregard due process and the equal protection of the law, for their are in effect Judges Above the Law.

<sup>2</sup> 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 under the provisions of the Judicial Conduct and Disability Act of 1980, 28 U.S.C. §§351-364; [http://Judicial-Discipline-Reform.org/docs/28usc\\_Judicial\\_Code.pdf](http://Judicial-Discipline-Reform.org/docs/28usc_Judicial_Code.pdf). The complaint is not a means for a party to avoid 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 where a person comes in contact with a judge and for complaints against her to arise is a lawsuit, whether at the trial or appellate level.

In any event, the complaint must be filed with the chief circuit judge of the circuit where the complained-about judge sits. The chief and the complained-about judge may have been colleagues, peers, and friends for 1, 5, 10, 15, 20, 25 years or more. If they hold life-appointments, as circuit and district judges do, they are stuck with each other for the rest of their professional lives. If she is a bankruptcy judge, she was appointed for a renewable term of 14 years by the respective circuit judges under 28 U.S.C. §152. If she is a magistrate judge, the respective district judges appointed her for a renewable term of 8 years under 28 U.S.C. §631(a) and (e).

The very last thing that they want is a peer holding professional and personal grudges against them for their rest of their lives or even for a term of years for failure to dismiss the complaint and insulate her from any discipline. Actually, appointing-judges who hold an appointee of theirs liable for misconduct or incompetence indict their own good judgment and the quality and

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impartiality of their vetting procedure. Think of all the criticism that has been heaped on President Trump for having appointed General Michael Flynn his National Security Advisor allegedly without having found out during the vetting of him that he had had meetings with the Russian ambassador; and for demonstrating a dishonest character when he lied thereabout to the Vice President. The President fired him less than a month after appointing him.

Worse yet, finding that a judge behaved dishonestly or incompetently casts doubt on her character and professional capacity. This provides grounds for every party that has appeared before her to file a motion in his own case for recusal or disqualification, to quash her decision, to reverse and remand for a new trial, for leave to appeal...

*'Why bother!'*, shout the judges handling the complaint. 'It suffices for me as chief circuit judge to dismiss the complaint by signing a decision with boilerplate text alleging that it relates to the merits of the case or lacks any evidence; or by us in the judicial council having an unsigned 5¢ form issued that disposed of the petition for review of such dismissal with one single operative word: Denied. That's how we avoid all the hassle and the bad blood that comes with it.'

And then there is the self-serving consideration of reciprocally ensured survival: 'Today I dismiss this complaint against you, and tomorrow, when I am or one of my friends is the target of one of these pesky complaints, you in turn dismiss it'. By so doing, the judges assure each other that no matter the wrongdoing they engage in, their "brothers and sisters of the robe" will exempt them from any discipline and let them go on to do ever graver wrongs. (\* >[jur:68§§a-c](#))

The result is the same: Complainants are left to bear the dire consequences of the misconduct and wrongdoing of judges, and the rest of the public is left at the mercy of a judicial class with ever less integrity and regard for the strictures of due process and equal protection of the law, for the class is composed of Judges Above the Law.

<sup>3</sup> Judge Neil M. Gorsuch received his commission to a seat on the U.S. Court of Appeals for the 10<sup>th</sup> Circuit on August 8, 2006; <https://www.ca10.uscourts.gov/judges/judge-neil-m-gorsuch>. Thereafter he may have served on that Circuit's judicial council; on the administrative, policy-making, and disciplinary functions of judicial councils see ‡ [http://Judicial-Discipline-Reform.org/docs/28usc\\_Judicial\\_Code.pdf](http://Judicial-Discipline-Reform.org/docs/28usc_Judicial_Code.pdf) >28usc§332(g).

However, the website of the 10<sup>th</sup> Circuit does not provide information on its judicial council, let alone on its current membership, much less on its members in previous years. The members of the judicial council are the ones who systematically denied petitions from complainants to review the dismissal by the chief circuit judge of their complaints against judges in the circuit.

<sup>4</sup> On judicial councils see [http://Judicial-Discipline-Reform.org/docs/28usc\\_Judicial\\_Code.pdf](http://Judicial-Discipline-Reform.org/docs/28usc_Judicial_Code.pdf) >28usc§332(g).

<sup>5</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2006>

<sup>6</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2007>

<sup>7</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2008>

<sup>8</sup> The adoption on March 11, 2008, of new rules for filing and processing complaints against judges caused the complaints filed from 1oct07 through 10may08 under the old rules to be reported in Table S-22A in the 2008 Judicial Business Report; and those filed under the new

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rules from 11may-30sep08 to be reported in that year's Table S-22B. The same applies to the corresponding 2009 tables.

<sup>9</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>10</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2010>

<sup>11</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2011>

<sup>12</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>13</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>14</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>15</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>16</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>17</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 explains why some cells have no values, which is indicated by an unobtrusive hyphen - so that it may not be misinterpreted as a failure to include the corresponding value. In the same vein, 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 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.

\* [http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest\\_Jud\\_Advocates.pdf](http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf) >all prefixes:page# up to ol:393 ol2:553



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The new rules was a ruse by the judges to dissuade 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 inexistence as it had been since the creation of the Federal Judiciary in 1789, a period during which there was no formal mechanism for complaining against judges; see the history of, and a 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>18</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>19</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>20</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).

<sup>21</sup>To the 551 «Complaints Concluded/Terminated by Final Action»(L98) there have been added the 1 «Complaint Dismissed»(L74) and the 14 «Complaints Concluded in Whole or in Part»(L51) to arrive at the total of 566 complaints terminated before and through final action.

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September 15, 2018

**The official statistics<sup>1</sup> of the U.S. District of Columbia Circuit show that Judge Brett Kavanaugh<sup>2</sup>, Chief Judge Merrick Garland, and their peers recieved 478 complaints<sup>3</sup> about judges in their Circuit during the 1oct06/30sep17 11-year period, but abused their power by dismissing 100% of them regardless of allegation gravity and without investigation. They have impugned their impartiality with their policy of covering up for abusive judges while leaving parties at their mercy.** Congress should hold televised public hearings on whether unaccountable federal judges have institutionalized abuse by making it their modus operandi.

Line	All current and some old tabulating entries, mostly in their current order <sup>4</sup>	'07 <sup>5</sup>	'08A <sup>6</sup>	'08B <sup>7</sup>	'09A <sup>8</sup>	'09B	'10 <sup>9</sup>	'11 <sup>10</sup>	'12 <sup>11</sup>	'13 <sup>12</sup>	'14 <sup>13</sup>	'15 <sup>14</sup>	'16 <sup>15</sup>	'17 <sup>16</sup>	totals
1.	Complaints Pending on Sep. 30 of preceding year *	6	12	-17	0	2	5	21	7	4	6	15	27	3	
2.	Complaints Concluded	21	14	0	0	35	75	73	48	36	24	34	77	21	
3.	Complaints Filed <sup>18</sup>	30	17	20	19	48	93	56	43	42	35	46	61	38	
4.	Complaint Type/Sources of Complaints														
5.	Written/Filed by Complainants	30	17	20		48	93	56	43	42	35	46	61	38	
5a	On Order of/Identified by Circuit Chief Judges	0	0	0		0	0	0	0	0	0	0	0	0	
6.	Complainants**	-	-												
7.	Prison inmates	-	-	4		9	25	4	1	0	0	0	1	0	
8.	Litigants	-	-	14		38	66	51	42	35	32	47	41	37	
9.	Attorneys	-	-	1		1	1	1	0	2	10	0	18	2	
10.	Public Officials	-	-	0		0	0	0	0	0		0	1	0	
11.	Other	-	-	1		0	1	0	0	17	2	0	9	0	
12.	Judges Complained About **														
13.	Circuit Judges	14	4	5		10	43	22	10	6	5	12	38	17	
14.	District Judges	22	12	14		34	48	32	29	33	27	34	23	20	
15.	Court of International Trade Judges	0	0	0		0	0	0	0	0	0	0	0	0	
16.	Court of Federal Claims Judges	0	0	0		0	0	0	0	0	0	0	0	0	
17.	Bankruptcy Judges	1	0	0		1	1	1	0	0	2	0	0	1	
18.	Magistrate Judges	2	1	1		3	1	1	4	3	1	0	0	0	
19.	Tax Court Judges	-	-	-		-	-	-	-	-	-	-	-	0	
20.	Nature of Allegations														
21.	Erroneous Decision	-	-	13		18	57	24	15	21	11	19	36	12	
22.	Delayed Decision/Undue Decisional Delay	2	-	1		6	5	0	4	6	0	10	2	4	
23.	Failure to Give Reasons for Decision	-	-	0		0	0	0	0	0	0	0	0	0	
24.	Incompetence/Neglect	0	2	-											
25.	Improper Discussions With Party or Counsel	-	-	1		2	11	1	1	1	2	5	4	0	
26.	Hostility Toward Litigant or Attorney	-	-	1		3	11	4	2	4	2	3	4	2	
27.	Prejudice/Bias	13	2	-	-	-	-	-	-	-	-	-	-	-	
28.	Racial, Religious, or Ethnic Bias	-	-	4		1	1	2	1	1	0	12	3	0	
29.	Personal Bias Against Litigant or Attorney	-	-	5		6	8	4	3	0	2	4	5	7	
30.	Conflict of Interest (Including Refusal to Recuse)	0	0	3		2	1	1	0	1	5	3	1	8	
31.	Failure to Meet Financial Disclosure Requirements	-	-	0		0	0	0	0	0	0	0	0	0	
32.	Improper Outside Income	-	-	0		0	0	0	0	0	0	0	0	0	
33.	Partisan Political Activity or Statement	-	-	3		0	0	0	0	0	0	0	1	1	

34.	Data of the DCC Judicial Council filed with AO	'07	'08 A	'08 B	'09 A	'09 B	'10	'11	'12	'13	'14	'15	'16	'17	totals
35.	Acceptance of a Bribe	-	-	0		1	2	0	0	0	2	0	0	0	
36.	Bribery/Corruption	1	0	-											
37.	Effort to Obtain Favor for Friend or Relative	-	-	0	-	1	8	1	0	2	1	2	0	0	
38.	Solicitation of Funds for Organization	-	-	0	-	0	0	0	0	0	0	0	0	0	
39.	Retaliation Against Complainant, Witness, or Others Involved in the Process	-		-	-	-	-	-	-	-	-		-	1	
40.	Violation of Other Standards	-	-	1	-	-	-	0	0	0	-	1	0	0	
41.	Other/Other Misconduct	0		1		27	43	36	24	17	22	19	44	18	
42.	Demeanor	0	0	-	-	-	-	-	-	-	-	-	-	-	
43.	Abuse of Judicial Power	9	11	-	-	-	-	-	-	-	-	-	-	-	
44.	Disability			0		0	0	0	1	0	1	1	0	1	
45.	Mental	0	0	-	-	-	-	-	-	-	-	-	-	-	
46.	Physical	0	0	-	-	-	-	-	-	-	-	-	-	-	
47.	ACTIONS REGARDING THE COMPLAINTS														
48.	Concluded/Terminated by Complainant or Subject Judge/Withdrawn	21	-	1	-	0	0	0	0	0	0	0	0	0	
49.	Complaint Withdrawn with Consent of Chief Circuit Judge	0	0	1	0	0	0	0	0	0	0	0	0	0	
50.	Withdrawal of Petition for Review	0	0	0	0	0	0	0	0	0	0	0	0	0	
51.	Actions by Chief Circuit Judge														
52.	Matters Returned from Judicial Council/or Judicial Conference Committee	-	-	0	-	0	0	0	0	0	0	0	0	0	
53.	Complaint Dismissed♦ in Whole or in Part³	18 <sup>20</sup>	3	13	0	48	67	75	40	39	34	24	82	35	478
54.	Not in Conformity With Statute/Not Misconduct or Disability	0	0	0	0	0	3	0	0	1	1	4	0	0	
55.	Directly Related to Decision or Procedural Ruling/ Merits Related	12	3	10	0	22	45	46	25	25	25	15	39	15	
56.	Frivolous	4	0	0	0	0	0	1	0	0	0	0	0	1	
57.	Lacked Factual Foundation/Allegations Lack Sufficient Evidence	-	0	5	0	37	42	47	30	35	28	16	68	33	
58.	Allegations Incapable of Being Established	-	-	0		0	0	0	0	0	0	0	0	0	
59.	Filed in Wrong Circuit	-	-	0		0	0	0	0	0	0	0	0	0	
60.	Otherwise Not Appropriate	-	-	1		2	2	2	0	0	0	0	0	0	
61.	Complaints Concluded in Whole or in Part			0		0	6	0	0	0	0	0	5	2	
62.	Informal Resolution Before Complaint Filed	-	-	0	-	0	0	0	0	0	0	0	0	0	
63.	Voluntary Corrective Action Taken	-	-	0	-	0	0	0	0	0	0	0	0	0	
64.	Action No Longer Necessary Because of Intervening Event	2	0	0	0	0	6	0	0	0	0	0	5	2	
65.	Appropriate Action Already Taken	0	0	0	0	-	-	-	-	-	-	-	-	-	
66.	Complaint Withdrawn	0	0	-	0	-	-	-	-	-	-	-	-	-	
67.	Subtotal														
68.	Special Investigative Committee Appointed/Complaint Referred to Special Committee	0	0	0	0	0	0	0		1		0	0	0	
69.	Actions by Special Committees												0	0	
70.	Matter Returned from Judicial Council	--		0		0	0	0	0	0	0	0	0	0	
71.	New Matter Referred to Chief Judge	-		0		0	0	0	0	0	0	0	0	0	

72.	Data of the DCC Judicial Council filed with AO	'07	'08 A	'08 B	'09 A	'09 B	'10	'11	'12	'13	'14	'15	'16	'17	totals
73.	Action by Judicial Council/Jud. Council Proceedings	-													
74.	Matter Returned from Judicial Conference	-		0		0	0	0	0	0	0	0	0	0	
75.	Complaint Transferred to/from Another Circuit	-	-	0		0	0	0	0	0	0	0	0	0	
76.	Special Committee Reports Submitted to Judicial Council	-	-	0		0	0	0	0	0	1	0	0		
77.	Received Petition for Review <sup>21</sup>	-	-	0		8	17	36	18	15	18	18	28	12	
78.	Withdrawn	0	0	-	-	-	-	-	-	-	-	-	-	-	
79.	Action on Petition for Review														
80.	Dismissed Complaint <sup>22</sup> /Petition Denied	3	11	8	0	8	18	37	17	16	13	24	28	8	
81.	Matter Returned to Chief Circuit Judge	-	-	0		0	0	0	0	0	0	0	0	0	
82.	Matter Returned to Chief Circuit Judge for Appointment of Special Committee	-	-	0		0	0	0	0	0	0	0	0		
83.	Ordered Other Appropriate Action /Other	0	0	0	0	0	0	0	0	0	0	0	0	0	
84.	Received Special Committee Report/Special Committee Reports Submitted to Judicial Council	-	-	0		0	0	0	0	0	1	0	0	0	
85.	Withdrawn	-	-												
86.	Remedial Action Taken/Action on Special Committee Report	-	-	0								0	0	0	
87.	Complaint Dismissed	-	-	0	0	0	0	0	0	0	1	0	0	0	
88.	Not Misconduct or Disability			0		0	0	0	0	0	1	0	0	0	
89.	Merits Related			0		0	0	0	0	0	0	0	0	0	
90.	Allegations Lack Sufficient Evidence	-	-	0		0	0	0	0	0	0	0	0	0	
91.	Otherwise Not Appropriate	-	-	0		0	0	0	0	0	0	0	0	0	
92.	Corrective Action Taken or Intervening Events	-	-	0		0	0	0	0	0	0	0	0	0	
93.	Referred Complaint to Judicial Conference	0	0	0	0	0	0	0	0	0	0	0	0	0	
94.	Remedial Action Taken	-	-	0		0									
95.	Privately Censured	0	0	-	0	-	-	-	-	-	-	-	-	-	0
96.	Publicly Censured	0	0	-	0	-	-	-	-	-	-	-	-	-	0
97.	Censure or Reprimand	-	-	0	-	0	0	0	0	0	0	0	0	0	0
98.	Suspension of Case Assignments	0	0	0	0	0	0	0	0	0	0	0	0	0	0
99.	Directed Chief District J. to Take Action (Magistrates only)/Action Against Magistrate Judge	0	0	0	0	0	0	0	0	0	0	0	0	0	0
100.	Removal of Bankruptcy Judge	-	-	0	0	0	0	0	0	0	0	0	0	0	0
101.	Request of Voluntary Retirement	0	0	0	0	0	0	0	0	0	0	0	0	0	0
102.	Certification of Disability of Circuit or District Judge	0	0	0	0	0	0	0	0	0	0	0	0	0	0
103.	Additional Investigation Warranted	-	-	-	-	0									0
104.	Returned to Special Committee	-	-	-	-	0	0	0	0	0	0	0	0	0	
105.	Retained by Judicial Council	-	-	-	-	0	0	0	0	0	0	0	0	0	
106.	Actions by Chief Justice	-	-	-	-		0	0	0	0	0	0	-	-	
107.	Transferred to Judicial Council	-	-	-	-	0	0	0	0	1	-	0	0	-	
108.	Received from Judicial Council			-	-	0	0	0			-	0	1	0	
109.	Complaints Concluded/Terminated by Final Action														
110.	During 12-month Period Ending Sep. 30 of reported year	21	14	-	0	35	75	73	48	36	24	34	77	21	
111.	Complaints Pending on Sep. 30 [end of reported year]	15	15	6	0	15	23	4	2	10	17	27	11	20	
	Data of the DCC Judicial Council filed with AO	'07	'08 A	'08 B	'09 A	'09 B	'10	'11	'12	'13	'14	'15	'16	'17	totals

[The following notes are in the official statistical Table S-22; see *infra*, endnote 1.]

- ♦ Each complaint may involve multiple allegations. Each complaint may have multiple reasons for dismissal.
- ♦♦ Number of complainants may not equal total number of filings because each complaint may have multiple complainants.
- ♦‡<sup>2</sup> 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.

Endnotes by Dr. Cordero

‡ See the equivalent table of complaints concerning Then-Judge Sonia Sotomayor of the 2<sup>nd</sup> Circuit(\*>jur:11); Then-Judge Neil Gorsuch of the 10<sup>th</sup> Circuit(†>OL2:548); and all circuits (jur:10 12-14; 21§a). These tables are supported by Dr. Cordero's study of judges and their judiciaries, titled and downloadable thus:

**Exposing Judges' Unaccountability and Consequent Riskless Wrongdoing:**  
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- <sup>1</sup> a. This table is based on Table S-22 in the Annual Report, 28 U.S.C. §604(a)(3), submitted to Congress as a public document by the Director of the Administrative Office of the U.S. Courts (AO), §§601-613(\*>jur:21<sup>10</sup>). The Report must include the statistics on complaints filed against judges and action taken; §604(h)(2). This table supports the main article at [http://Judicial-Discipline-Reform.org/retrieve/DrRCordero\\_JJ\\_Kavanaugh-Garland\\_exoneration\\_policy.pdf](http://Judicial-Discipline-Reform.org/retrieve/DrRCordero_JJ_Kavanaugh-Garland_exoneration_policy.pdf).
- b. Each of the federal District of Columbia Circuit, the Federal Circuit, the 11 numbered regional circuits and the two national courts, i.e., the Court for International Trade and the Federal Claims Court, must file its statistics on complaints about its judges with AO for inclusion in the statistical tables of its Annual Report. The tables for the 1oct96-30sep17 21-year period have been collected at [http://Judicial-Discipline-Reform.org/retrieve/DrRCordero\\_collected\\_statistics\\_complaints\\_v\\_judges.pdf](http://Judicial-Discipline-Reform.org/retrieve/DrRCordero_collected_statistics_complaints_v_judges.pdf). Readers can download that file and prepare similar tables for any circuit and court, and any period of years, using the corresponding statistics to fill out the template at [http://Judicial-Discipline-Reform.org/retrieve/DrRCordero\\_template\\_table\\_complaints\\_v\\_judges.pdf](http://Judicial-Discipline-Reform.org/retrieve/DrRCordero_template_table_complaints_v_judges.pdf).
- c. The above table for the District of Columbia Circuit is representative of the other courts' policy of dismissing complaints against their respective judges and their judicial councils' policy of denying the petitions for review of those dismissals. That constitutes the foundation for the assertion that the judges have proceeded to abuse the self-discipline power granted to them under the Judicial Conduct and Disability Act(28usc351-364 at \*>jur:24§b) to exempt themselves from discipline, placing themselves beyond investigation to assure their impunity. They hold themselves unaccountable by arrogating to themselves the power to abrogate in practice that Act of Congress. Thus, they harm the complainants, who are left with no relief from the harmful conduct of the complained-about judge and exposed to his or her retaliation. Also, they harm the rest of the public, who is left with judges who know that in reliance on their peers' protection, they can abusively disregard the rule of law, e.g., due process and equal protection of the law(†>OL2:455§§B-D) By reciprocally dismissing complaints against them they protect their status as Judges Above the Law.



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<sup>2</sup> On judicial councils see [\\*>jur:57<sup>96</sup>](#) and [id.>28usc§332\(g\)](#).

<sup>3</sup> a. 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 under the provisions of the Judicial Conduct and Disability Act of 1980, 28 U.S.C. §§351-364; [http://Judicial-Discipline-Reform.org/docs/28usc\\_Judicial\\_Code.pdf](http://Judicial-Discipline-Reform.org/docs/28usc_Judicial_Code.pdf). 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 where a person comes in contact with a judge and for complaints against her to arise is a lawsuit, whether at the trial or the appeal level.

b. In any event, the complaint must be filed with the chief circuit judge of the circuit where the complained-about judge sits. The chief and the complained-about judge may have been colleagues, peers, and friends for 1, 5, 10, 15, 20, 25 years or more. If they hold life-appointments, as circuit and district judges do, they are stuck with each other for the rest of their professional lives. If she is a bankruptcy judge, she was appointed for a renewable term of 14 years by the respective circuit judges under 28 U.S.C. §152. If she is a magistrate judge, the respective district judges appointed her for a renewable term of 8 years under 28 U.S.C. §631(a) and (e).

c. The very last thing that they want is a peer holding professional and personal grudges against them for their rest of their lives or even for a term of years for failure to dismiss the complaint and insulate her from any discipline. Actually, appointing-judges who hold an appointee of theirs liable for misconduct or incompetence indict their own good judgment and the quality and impartiality of their vetting procedure. Think of all the criticism that has been heaped on President Trump for having appointed General Michael Flynn his National Security Advisor allegedly without having found out during the vetting of him that he had had meetings with the Russian ambassador; and for demonstrating a dishonest character when he lied thereabout to the Vice President. The President fired him less than a month after appointing him.

d. Worse yet, finding that a judge behaved dishonestly or incompetently casts doubt on her character and professional capacity. This provides grounds for every party that has appeared before her to file a motion in his own case for recusal or disqualification, to quash her decision, to reverse and remand for a new trial, for leave to appeal...*'Why bother!'*, shout the judges handling the complaint. 'It suffices for me as chief circuit judge to dismiss the complaint by signing a decision with boilerplate text alleging that it relates to the merits of the case or lacks any evidence; or by us in the judicial council having an unsigned 5¢ form issued that disposed of the petition for review of such dismissal with one single operative word: Denied. That's how we avoid all the hassle and the bad blood that comes with it.'

e. And then there is the self-serving consideration of reciprocally ensured survival: 'Today I dismiss this complaint against you, and tomorrow, when I am or one of my friends is the target of one of these pesky complaints, you in turn dismiss it'. By so doing, the judges assure each other that no matter the wrongdoing they engage in, their "brothers and sisters of the robe" will exempt them from any discipline and let them go on to do ever graver wrongs. ([\\*>jur:68§§a-c](#))

The result is the same: Complainants are left to bear the dire consequences of the misconduct and wrongdoing of judges, and the rest of the public is left at the mercy of a judicial class with ever less integrity and regard for the strictures of due process and equal protection of the law, for the class is composed of Judges Above the Law.

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- <sup>4</sup> The left column of tabulating entries has evolved over the years, with some entries being added, eliminated, or changed in their wording and order. This table's left column contains all current entries in their current order. To enable distribution of all historical data in an effort to achieve completeness of data, accurate tabulation, and comparability of comparable entries, some old entries have been added to their corresponding new ones in the same cells and others are found in their own cells. Old entries appear after the newly added ones and in their appropriate position in the complaint-filing-to-decision process of the authority in question; e.g., if "Withdrawal" referred to the withdrawal of a petition to the judicial council for review of a dismissal by the chief circuit judge, it appears near the bottom of "Judicial Council Proceedings". In case of doubt, simply go to the corresponding year in the row of years at the top of the table, click on the endnote symbol, and click on the corresponding link to download the official statistics for the year in question..or download the file that collects all the 1oct6-30sep17 complaint statistics(supra [OL2:751 endn.1b](#)).
- <sup>5</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2007>
- <sup>6</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2008>
- <sup>7</sup> The adoption on March 11, 2008, of new rules for filing and processing complaints against judges caused the complaints filed from 1oct07 through 10may08 under the old rules to be reported in Table S-22A in the 2008 Judicial Business Report; and those filed under the new rules from 11may-30sep08 to be reported in that year's Table S-22B. The same applies to the corresponding 2009 tables.
- <sup>8</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>9</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2010>
- <sup>10</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2011>
- <sup>11</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>12</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>13</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>14</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>15</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2016> >Complaints against judges, \* [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 OL2:753

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<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>16</sup> <http://www.uscourts.gov/statistics/table/s-22/judicial-business/2017/09/30>

<sup>17</sup> An entry not present in an early version of the table or deleted from a subsequent one is represented with a -. The data for an entry that has changed position may be repeated; e.g.; Line 2 & 109.

<sup>18</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 explains why some cells have no values, which is indicated by an unobtrusive hyphen - so that it may not be misinterpreted as a failure to include the corresponding value. In the same vein, this is a composite table that aggregates all headings and entries and places them in the most logical position in the series of headings and 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 showed more complaint categories, the systematic dismissal of them and denial of petitions for review of such dismissals by judges protecting their own as well as themselves has continued unabated: ‘I protect you today, and if tomorrow I’m or any of my friends is the one complained against, you protect me or them. The new rules was a ruse by the judges to dissuade 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 inexistence as it had been since the creation of the Federal Judiciary in 1789, a period during which there was no formal mechanism for complaining against judges; see the history of, and a 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>19</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>20</sup> [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) >stat:24:

<sup>21</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>22</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).

October 23, 2020

**Judge Amy Coney Barrett sits on the U.S. Court of Appeals for the 7<sup>th</sup> Circuit, whose tables of complaints against federal judges in the Circuit show that she has condoned the systematic dismissal of 100% of those 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 ever more emboldened judges; and impairing her 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, 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>6</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>7</sup>, as provided for under the Judicial Conduct and Disability Act of 1980 (the Act; 28 U.S.C. §§351-364)<sup>8</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>9</sup>, composed of circuit and district judges, including the chief. Each circuit court must prepare its official 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>10</sup>, as provided for in §604(h)(2). AO compiles and reports them in the Annual Report<sup>11</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 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>12</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>13</sup>. The table<sup>14</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>15</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>16</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>17</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.
14. One cannot know whether Judge Barrett has been complained-about because complaints are kept secret, not even the names<sup>18</sup> of the complained-against judges are disclosed. This facilitates covering up their abuse<sup>19</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>20</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>21</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>22</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>23</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>24</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>25</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>26</sup>. She will have to resist any attempts of Congress, law enforcement authorities, and the media and academia conducting unprecedented citizens hearings<sup>27</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>28</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>29</sup>	'09A 30	'09B	'10 <sup>31</sup>	'11 <sup>32</sup>	'12 <sup>33</sup>	'13 <sup>34</sup>	'14 <sup>35</sup>	'15 <sup>36</sup>	'16 <sup>37</sup>	17 <sup>38</sup>	18 <sup>39</sup>	19 <sup>40</sup>	totals
1.	Complaints Pending on Sep. 30 of previous fiscal year <sup>41*</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>42</sup>	43	111	110	71	93	103	114	81	101	50	77	73	984
4.	Complaint Type/Source <sup>44</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>45</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>46</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>47</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>48</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](http://www.uscourts.gov/ol2/1040).
- <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>
- <sup>6</sup> 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>7</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.
- <sup>8</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>9</sup> On judicial councils see [\\*>jur:57](http://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges)<sup>96</sup> and its link to [28usc§332](https://www.uscourts.gov/statistics-reports/judicial-business-2019). Judicial councils of circuits.
- <sup>10</sup> On AO, see [http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest\\_Jud\\_Advocates.pdf](http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf) [>jur:21](http://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges)<sup>10</sup>.
- <sup>11</sup> <https://www.uscourts.gov/statistics-reports/analysis-reports/directors-annual-report>
- <sup>12</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.
- <sup>13</sup> See this table collected to similar tables for all and other individual circuits at [http://Judicial-Discipline-Reform.org/OL2/DrRCordero\\_DrRCordero\\_complaint\\_dismissal\\_statistics.pdf](http://Judicial-Discipline-Reform.org/OL2/DrRCordero_DrRCordero_complaint_dismissal_statistics.pdf).



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- <sup>14</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>15</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>16</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>17</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>18</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>19</sup> Nevertheless, complainants can make their complaints against judges public<sup>19</sup> 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<sup>19</sup> from judges and their judiciaries]".<sup>19</sup> (†>OL2:792¶1).
- <sup>20</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>21</sup> <http://www.ca7.uscourts.gov/judges-biographies/biographies7.htm> and <https://www.fjc.gov/history/judges/barrett-amy-coney>
- <sup>22</sup> 18 U.S.C. §3057; <https://uscode.house.gov/download/download.shtml;jsessionid=527DE001938E7042255B83AAF055949A>; and Code of Conduct for Judges, supra endnote 2, Canon 3B(6).
- <sup>23</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>24</sup> <https://elizabethwarren.com/plans/restore-trust?source=soc-WB-ew-tw-ro>
- <sup>25</sup> Table B-12 of the Annual Report, reproduced at †>OL2:462 and commented upon at 457§D.
- <sup>26</sup> 28 U.S.C. §42. Allotment of Supreme Court justices to circuits
- <sup>27</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
- <sup>28</sup> [http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Reuters\\_judges\\_investigation.pdf](http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Reuters_judges_investigation.pdf)
- <sup>29</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".

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<sup>30</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>31</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2010>

<sup>32</sup> <http://www.uscourts.gov/statistics-reports/judicial-business-2011>

<sup>33</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>34</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>35</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>36</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>37</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>38</sup> <https://www.uscourts.gov/statistics/table/s-22/judicial-business/2017/09/30>

<sup>39</sup> <https://www.uscourts.gov/statistics/table/s-22/judicial-business/2018/09/30>

<sup>40</sup> <https://www.uscourts.gov/statistics/table/s-22/judicial-business/2019/09/30>

<sup>41</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>42</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 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.

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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>43</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>44</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>45</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>46</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>47</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>48</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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