Dr. Richard Cordero, Esq. **Judicial Discipline Reform**

Ph.D., University of Cambridge, England M.B.A., University of Michigan Business School D.E.A., La Sorbonne, Paris

www.Judicial-Discipline-Reform.org

2165 Bruckner Blvd., Bronx, NY 10472-6506 DrRCordero@Judicial-Discipline-Reform.org tel. (718)827-9521; follow @DrCorderoEsq

June 15, 2020

Forms of unaccountable judges' riskless abuse of power summarized from the articles describing them in detail found in the study of judges:

Exposing Judges' Unaccountability and Consequent Riskless Abuse of Power: Pioneering the news and publishing field of judicial unaccountability reporting* †

A. Sample of forms of judges' abuse of power

1. This sample of forms of judges' abuse will inform and outrage the national public. Each provides the basis for further investigation(*>OL:194§E) conducted jointly by the proposed international team(†>OL2:1108) of multidisciplinary experts from academia, the media, and the professions. Our findings can become our Emile Zola's *I accuse!*-like(*>jur:98\\ 2) denunciation of such abuse.

1. Sen. E. Warren's denunciation of judges' abusive self-enrichment

- 2. Sen. Elizabeth Warren has a "plan for the Judiciary too". She dare denounce federal judges for failing to recuse themselves from cases in which they hold shares in the company of one of the parties before them and resolving such conflict of interests in their own favor so as to protect or enhance the value of their shares. Sen. Warren explains judges' abusive self-enrichment by their reliance on their unaccountability. Her plan envisages the adoption of legislation to hold judges accountable for enriching themselves abusively(†>OL2:998, 1003*).
 - http://Judicial-Discipline-Reform.org/OL2/DrRCordero-media_DARE.pdf
- 3. Sen. Warren's denunciation unwittingly validates the key finding of my study* †: The class of judges acting collectively, as opposed to rogue judges acting individually, have institutionalized their abuse of power as their and their judiciary's modus operandi for their gain and convenience.
- 4. Their abusive self-enrichment necessarily entails judges' committing in an organized way the crimes of concealment of assets, tax evasion, money laundering, breach of trust, and fraud.
- 5. A key circumstance enabling these crimes is that judges file misleading annual financial disclosure reports(*>jur:65^{107c}) required by the Ethics in Government Act(jur:65^{107d}).
 - a. Though public documents(jur:105^{213a}), those reports are filed pro forma with, since they are approved as a matter of course by, not independent non-judges, but rather other judges. The latter are the members on the committee to review those reports just as they are the filers' peers, colleagues, and friends; the reviewers too are subject to the same filing obligation(jur:102§a; ^{213b}).
 - b. Since filers and reviewers commit and cover up crimes(jur:88§§a-c), they are parties to an interdependent survival agreement that assures them of reciprocal exoneration from any reporting abuse and other complaints(infra §7). The ensuing unaccountability removes the moral reins on greed and allows it to run amok into corruption.

2. Judges' bankruptcy fraud scheme and its spread to Covid-caused bankruptcies: the abuse of pro ses and represented parties

6. This scheme(†>OL2:614)* involves annually hundreds of thousands of cases filed in the 90 federal bankruptcy courts -776,674 in the 1oct18-30sep19 fiscal year, bound to increase, e.g., Nieman Marcus and J. Crew- and \$100s of billions in controversy between creditors and debtors(jur:27\section2). http://Judicial-Discipline-Reform.org/OL2/DrRCordero_how_fraud_scheme_works.pdf

- 7. The scheme also involves not only judges, but also bankruptcy professionals, who are insiders of the legal and bankruptcy system, including "attorneys, accountants, appraisers, auctioneers, or other professional persons"(jur:81¹⁶⁹), such as warehousers, bankruptcy form fillers and advisers, etc. They work in coordination to prey easily on bankrupts(*>jur:65§§1-3).
- 8. Covid-19 has made more than 22 million people unemployed and sent millions to food banks. Many will not be able to find a job and will default on their mortgage, rent payments, or medical bills. Many will go bankrupt, as will many of the 30+ millions of small businesses.
- 9. The immense majority of bankrupts will not be able to afford attorneys' fees. So, they will appear in court without legal representation as pro ses, i.e., self-represented. They will very soon be overwhelmed by the unimaginable complexity of:
 - a. the bankruptcy forms which they must fill out(*>jur:28³⁵, 43⁶⁵) and which make reference to:
 - b. the Bankruptcy Code (Title 11 U.S. Code [of federal laws]) and
 - c. the Federal Rules of Bankruptcy Procedure(11 U.S.C. appendix) as supplemented by
 - d. the Federal Rules of Civil Procedure(28 U.S.C. appendix) all as well as
 - e. the rules of the court in which they are filing(*>OL:131), as interpreted by
 - f. judges' procedural and substantive decisions... Stop! Stop!! Get me out of here!!!
- 10. **Judges abuse pro ses**. From the moment a pro se case is filed -hence before any judge or clerk has bothered to ascertain its nature and gravity-, judges(†>OL2:932¶3) apply the official policy of weighting it as only one third of a case(OL2:455§B). This means that judges:
 - a. are authorized to spend on a pro se case only one third of the effort and time, and court resources that they spend on the average case, weighted as one, of a represented case (†>OL2:420¶6);
 - b. are expected not to 'waste' more than a third;
 - c. nevertheless require pro ses to pay the same fees and produce the same briefs as they require of represented parties; thereby
 - d. deny pro ses the equal protection of the law; and
 - e. deprive them of the two central elements of due process by not giving them notice that their cases will be contemptuously dumped and not affording them opportunity to protest.
- 11. Parties represented by attorneys will not fare much better: In most of the 90 bankruptcy courts nationwide(*>jur:20), which are part of the Federal Judiciary, there are three or fewer bankruptcy judges. Attorneys must appear before them time and again(jur:66¶139). Practically none will challenge the judge, never mind appeal from his decision(jur:28§3), because antagonizing the judge results in becoming the target of that judge's and his peers' devastating retaliatory power (*>Lsch:17§C). Hence, attorneys will take their clients' money and give the judge a subservient and fearful "Yes, your Honor. Yes, yes, yes!, your Honor".
- 12. It follows that clients need to 'grill' their attorneys on how vigorously they have represented their previous clients and will dare represent them...but they need to do much more.
- 13. Parties need to know what they are getting into and dealing with, before going to bankruptcy court and while there. They must apply the aphorism KNOWLEDGE IS POWER.
- 14. Parties must learn as much as they can about the process(*>jur:37§§4, 5) and each player in it, as

shown in the seminar on role playing(†>OL2:712§E; OL:359§F).

15. Yet, neither self- nor attorney-represented parties are a match for judges and their cronies(jur:32 §§2, 3), among whom attorneys are. Parties, each proceeding separately, will be picked out one by one by unaccountable judges who abuse their power risklessly for their gain and convenience (OL2:1051). But parties will at least know what hit them and got them *wiped out!*

3. Judges' failure to read the vast majority of briefs

- 16. Judges' failure to read most briefs is demonstrated by 'the math of abuse' (>OL2:608§A). This is an innovative way of analyzing judges' performance by using the objectivity of math rather than the subjectivity of a personal assessment of their decisions.
- 17. Judges require that each party file in support of its case or motion a brief that costs \$Ks and even \$10Ks to produce(†>OL2:760§A)[†] although they know that they will in all likelihood not read it.

 † http://Judicial-Discipline-Reform.org/OL2/DrRCordero_judges_do_not_read.pdf
- 18. Instead, they have their clerks dump most briefs out of the judges' caseload by applying robotically guidelines to identify those cases to be disposed of by the clerks issuing unresearched, unreasoned, arbitrary orders lacking any discussion of the facts and the law, and contained in what the clerks only need to date, fill out the blanks, and rubberstamp: *a dumping form!*

4. Judges' interception and suppression of people's emails and mail

- 19. Judges intercept people's emails and mail to detect and suppress those of their critics so as to protect their pretense of honesty and thereby keep their unaccountability from congressional supervision(†>OL2:1083§§A-B).
 - http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Thomson_Reuters.pdf
- 20. To that end, they abuse their own vast, nationwide computer networks and expertise, which enable the daily filing and retrieval of millions of briefs, motions, records, decisions, orders, docket entries and inquiries, etc.; and the dependency of the intelligence agencies, such as the NSA, for the approval of their secret requests of secret orders for secret surveillance under the Foreign Intelligence Surveillance Act(OL2:781§§A-B)^{\phi} and other subpoenas and warrants.

 \[
 \phi \text{http://Judicial-Discipline-Reform.org/OL2/DrRCordero judges intercepting emails mail.pdf}
 \]
- 21. With these interception and suppression, judges breach their oath and duty to safeguard the Constitution in behalf of *We the People*, and instead, protect their personal and class interest in concealing and continuing their abuse of power.
- 22. In so doing, they trample on Americans' most cherished rights, namely, those under the First Amendment guaranteeing "freedom of speech, of the press, the right of the people peaceably to assemble [by email and on social media too], and to petition the Government [of which judges are the third branch] for a redress of grievances [including their payment of compensation]" (†>OL2:792¶1).
- 23. Exposing their interception and suppression will cause national outrage graver than that resulting from Edward Snowden's leak of documents showing the NSA's unlawful surveillance of scores of millions of phone calls to collect their metadata, e.g., phone numbers of callers and callees, duration of the call, call origin and destination, but without suppressing any call at all.

5. The sham hearings in Congress and the Federal Judiciary on judicial accountability

- 24. Sham hearings on judicial accountability have been held by politicians and the judges that they put and protect on the bench. They entail judges/politicians connivance and fraud on witnesses and the public(†>OL2:1056). Aside from Sen. Warren, politicians do not dare criticize judges: The former fear the latter's retaliation(*>Lsch:17§C) to assert their unaccountability(*>jur: 23^{17a}).
 - a. A single federal judge suspended nationwide the Muslim travel ban of a president who had campaigned on issuing it and was elected by more than 62.5 million voters; three circuit judges upheld the suspension nationwide, although only two on a three-judge federal appellate panel would have sufficed.
 - b. Then-Justice nominee and Now-Justice Neil Gorsuch expressed judges' gang mentality when he said, "An attack on one of our brothers and sisters of the robe is an attack on all of us"(†>OL2:546). This 'we against the rest of the world' attitude excludes the possibility for court/law clerks and parties to lawsuits of a fair and impartial hearing of their grievances against judges(OL2:1056).
 - [†] http://Judicial-Discipline-Reform.org/<mark>OL2</mark>/DrRCordero-**reporters_clerks**.pdf

6. Invoking in one's own trial the precedents set by the Chief Justice while presiding over the impeachment trial of President Trump

25. After the courts reopen for business, parties can invoke as precedent for their own benefit the disregard by Chief Justice John G. Roberts, Jr., during the Senate impeachment trial of "traditional notions of fair play and substantial justice"(†>OL2:1040\, 1045); and his application in connivance with the Senate of a mutual self-serving live and let live complicit arrangement:

'I will let you run the impeachment trial however you want, and you let us, the judges, run the Judiciary however we want, regardless of due process and equal protection requirements.'

† http://Judicial-Discipline-Reform.org/OL2/DrRCordero-parties_invoking_impeachment_trial.pdf

7. Judges' abusive self-exoneration by dismissing 100% of complaints against them and its cover-up by politicians

26. Judges ensure their unaccountability by dismissing 100% of complaints against them, which must be filed with them, and denying 100% of petitions to review those dismissals(jur:10-14; OL2:548, 748). Through such systematic self-exoneration, their power of retaliation, and their connivance with politicians, they protect and run what they have built for themselves: a State within the state. http://Judicial-Discipline-Reform.org/OL2/DrRCordero-11Circuit.pdf

8. Judges' pervasive secrecy breeds abuse

27. Judges' **pervasive secrecy**. Judges hold all their administrative, policy-making, adjudicative, and disciplinary meetings behind closed doors and refuse to hold press conferences, never mind take questions from a pool of journalists(*>jur:27\setae). Their secrecy enables their coordination of abuse. It betrays Justice Brandeis's dictum "Sunlight is the best disinfectant"(jur:158\square\s

B. From impunity >outrage >investigations >transformative change

28. All this brings us to the one single statistic that people need to keep in mind who understand human nature and can draw implications from facts as if they were using data to make a mathematical

- demonstration: In the last 231 years since the creation of the Federal Judiciary in 1789, the number of federal judges impeached and removed is 8!(*>jur:22¹⁴)
- 29. It follows that once a judicial candidate is nominated and confirmed to the bench, he or she can do whatever they want in reliance on that historical record and the assurance that "their brothers and sisters of the robe" will close ranks behind them to defend their impunity.
- 30. As a reminder of their gang duty to mutually ensure their survival, judges have written on their foreheads a threat screaming: 'I and my friends know enough about the abuse that you and your friends have committed or covered up. So, if you let anybody bring me down, I'll take you with me!'
- 31. The articles proposed for publication do not charge any one judge with abuse of power. Rather, they show that all judges commit it or cover up that of their peers, colleagues, and friends. By coordinating their abuse and executing it as principals or accessories for their gain or convenience, they run their branch as a racketeering enterprise(supra §F; OL2:1051).
- 32. Exposing them as members of it can turn that threat on their foreheads into the most self-destructive state of mind for any organization: *Every man for himself!* When that happens, they may topple themselves as a row of dominoes or resign jointly or severally. This is a reasonable expectation: The articles can launch its realization, just as the publication by *The New York Times* and *The New Yorker* of their exposés of Harvey Weinstein' abuse sparked the *MeToo!* movement.
- 33. In the same vein, the articles can so inform and outrage the public as to prompt a Ukrainian scandal-like generalized media investigation into judges' abuse(*>OL:194§E). Its findings can lead, not to the impeachment of one top officer, but rather to making "the appearance of impropriety" censured by Canon 2 of the Code of Conduct for Judges(*>jur:68¹²³) so flagrant as to render untenable holding on to office. Based on the precedent of the resignation of Supreme Court Justice Abe Fortas on May 14, 1969(*>jur:92§d), the forced consequence can be the resignation of judges, justices, and even the Supreme Court itself.
- 34. That is how by publishing the articles, you and your colleagues can become the historic agents that set in motion transformative change in the system of justice.

C. My offer of a presentation on what is in it for you and your colleagues

- 35. It will be a scoop to expose judges as unaccountable abusers of power who for their gain and convenience have turned the Federal Judiciary into a racketeering enterprise(†>OL2:1051) while harming those who entrusted that power to them: *We the People*. You can open the door to that scoop and to winning a Pulitzer Prize. You can even make history as an agent of transformative change(OL2:1069§E) in the system of justice: by helping turn the millennial impossible of holding judges accountable into the reality of holding them so accountable as to be liable to compensate the victims of their abuse. Your choice and legacy.
- 36. I offer to make via video conference for you and your guests a presentation on why it is in your commercial and reputational interest to expose judges' abuse. You may use the information in the letterhead to contact me and discuss the presentation's terms and conditions, and its scheduling.
- 37. To help you decide whether to organize it, you may share with your colleagues and others the proposal to expose judges' abuse, and watch my video together with its slides(†>OL2:958)‡:

http://Judicial-Discipline-Reform.org/OL2/DrRCordero_judges_abuse_video.mp4 http://Judicial-Discipline-Reform.org/OL2/DrRCordero_judges_abuse_slides.pdf

D. A popular website further developed as set forth in a business plan for "Making Money While Doing Justice"

- 38. Many of the above-referenced articles have been posted to my website **Judicial Discipline Reform** at http://www.Judicial-Discipline-Reform.org. They have elicited such a positive reaction in the numberless visitors to it that 32,116 have become subscribers to it.
- 39. That website offers content for free and has proven its appeal to the public here and abroad. It can be further developed by a larger company or venture capitalists investing in it to provide advanced services for a fee and sell goods to visitors and all the more so to subscribers. As provided in the business plan(†>OL2:1022), such development can turn the website into:
 - a. a clearinghouse for complaints(†>OL2:918) about judges by victims of, and statements of witnesses to, their abuse. Today they are held by judges secretly. However, they can be uploaded for free by the victims and the witness exercising their 1st Amendment right to freedom of speech, of the press, the right of the people peaceably to assemble [by email and on social media too], and to petition the Government [of which judges are the third branch] for a redress of grievances [including the payment of compensation]"(OL2:792¶1);
 - b. **a research center** that upon payment of a one-time or subscription fees enables users to audit(*>OL:274-280, 304-307) many complaints in search of(*> jur:131\\$b, *>OL:255) the most persuasive type of evidence, i.e., patterns(†>OL2:792\\$A), trends(OL2:455\\$B, D), and schemes(OL2:614, 929) of abuse of power, including judges' annual mandatory filing of financial disclosure reports(*>jur:102\\$a and ^{213b}), which are misleading(supra 1119\\$1);
 - c. **an investigative center** that coordinates and conducts here and abroad research on judges' abuse of power, e.g., containing an abundance of leads(*>OL:194§E); organizes unprecedented citizen hearings(†>OL2:1113§E); and carries on a tour(OL:197§G) to disseminate findings and form a civic apolitical movement for judicial abuse exposure, compensation of abusees, and reform through transformative change that is international and based realistically on the reliable precedents of the Tea Party, the *MeToo!* movement, and the worldwide eruption against police brutality and unaccountability(OL2:1108).

Every meaningful cause needs resources for its advancement; none can be continued, let alone advanced, without money

Put your money where your outrage at abuse and passion for justice are.

Support the law research and writing, and strategic thinking of

Judicial Discipline Reform

DONATE

through *PayPal*, https://www.paypal.com/cgi-bin/webscr?cmd=_s-xclick&hosted_button_id=HBFP5252TB5YJ

or

at the **GoFundMe** campaign, https://www.gofundme.com/expose-unaccountable-judges-abuse

Dare trigger history!(†>OL2:1108)...and you may enter it.

Dr. Richard Cordero, Esq.

Dr.Richard.Cordero_Esq@verizon.net DrRCordero@Judicial-Discipline-Reform.org

Judicial Discipline Reform New York City

http://www.Judicial-Discipline-Reform.org

Exposing
Judges' Unaccountability
and

Consequent Riskless Abuse of Power

Pioneering
the news and publishing field
of

judicial unaccountability reporting

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

We the People, the masters of all public servants, including judicial public servants

Volume I:

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

 $\textbf{Volume II:} \ http://Judicial-Discipline-Reform.org/\textbf{OL2}/DrRCordero-Honest_Jud_Advocates.pdf$

https://independent.academia.edu/DrRichardCorderoEsq

©2019 Richard Cordero

Dr. Richard Cordero, Esq.

Dr.Richard.Cordero_Esq@verizon.net DrRCordero@Judicial-Discipline-Reform.org

Judicial Discipline Reform New York City

http://www.Judicial-Discipline-Reform.org

Exposing
Judges' Unaccountability
and
Consequent Riskless Abuse of Power
Pioneering
the news and publishing field
of
judicial unaccountability reporting

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

We the People, the masters of all public servants, including judicial public servants

Volume II:

http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Honest_Jud_Advocates.pdf

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

https://independent.academia.edu/DrRichardCorderoEsq

©2019 Richard Cordero

