

2. The brochure on judicial wrongdoing: conceptual framework, illustrative stories, local versions, and its templates for facilitating people's judicial wrongdoing storytelling and enhancing the stories' comparative analysis

257. The *DeLano-J. Sotomayor* national story can lead right into the Supreme Court and throughout the Federal Judiciary. Hence, it can attract the attention of the public at all levels and of media outlets of all sizes. Its presentation can afford the opportunity to compare it with other stories of wrongdoing in state and local²⁵⁵ judiciaries. This can be done by inviting the public to call in¹ and by having local professionals comment on the incidence of wrongdoing in their respective judiciary.
258. Local professionals, the public, and the media can be provided with a brochure on coordinated judicial wrongdoing. It can be short, written for laypeople^{256a-d}, and explain^{256e-f} the conceptual and statistical framework(jur:21§A) for understanding such wrongdoing(jur:88§a-d). It can contain real-life stories illustrating categories of wrongdoing in the federal and state judiciaries. It can be widely distributed by digital means as well as in print at the public presentation. Given

²⁵⁵ Not all states have unified court systems. Although New York does, <http://www.courts.state.ny.us/>, it has village and town courts, city courts, district courts, county courts, NY City Civil Court, NY City Criminal Court, Court of Claims, Family Court, Surrogate's Court, Appellate Term, Supreme Court, Appellate Division, and the Court of Appeals, which is the highest in the NY court system. See, in particular, NY Practice, 4th edition, David Siegel, Thomson West (2005); and, in general http://west.thomson.com/jurisdictions/default.aspx?promcode=600004P25963SJ&contid=7316346999999&RMID=20110927-CYBER-V9_REACT_DOTS_L369567&RRID=7316346999999&PromType=external and choose the jurisdiction of interest. Even a citizen journalist with limited resources can investigate judicial wrongdoing in his or her local court and elicit considerable public response, for whatever judges do affects people's property, liberty, and lives.

²⁵⁶ Cf. **a)** http://Judicial-Discipline-Reform.org/docs/strategy_expose_judicial_wrongdoing.pdf;
b) http://Judicial-Discipline-Reform.org/docs/judicial_wrongdoing_investigation_proposal.pdf
c) jur:9 and http://Judicial-Discipline-Reform.org/docs/graph_fraudulent_coordination.pdf
d) http://Judicial-Discipline-Reform.org/Follow_money/why_j_violate_due_pro.pdf
e) “[T]he genre of “The Explainer,” [is] a form of journalism that provides essential background knowledge to follow events and trends in the news....The Explainer project aims to improve the art of explanation at ProPublica’s site and to share what is learned with the journalism community. New York University’s contributions will stem from [its] Carter Journalism Institute’s Studio 20 concentration for graduate students, which runs projects on Web innovation. “An explainer is a work of journalism, but it doesn’t provide the latest news or update you on a story,” said NYU Professor Jay Rosen, detailing the concept. “It addresses a gap in your understanding: the lack of essential background knowledge. We wanted to work with the journalists at ProPublica on this problem because they investigate complicated stories and share what they’ve learned with other journalists. It seemed like a perfect match.” “Orienting readers and giving them context has long been a key component of good journalism,” said Eric Umansky, a senior editor at ProPublica....Bringing clarity to complex systems so that non-specialists can understand them is the “art” of the explainer.” NYU Carter Journalism Institute, ProPublica Team Up - “The Explainer”; 1dec10; <http://journalism.nyu.edu/news/2010/fall/nyu-carter-journalism-institute-propubica-team-up-the-explainer/>;
f) <http://Judicial-Discipline-Reform.org/teams/NYU/11-10-24DrRCordero-ProfJCalderone.pdf>

its availability in digital format, which allows its content to be easily recomposed, the brochure can gradually have a version for each of different judiciaries²⁵⁷ so that the stories in each version can be about ascertained wrongdoing that occurred or is occurring in the respective judiciary. This can heighten the brochure's impact on those currently or potentially most directly affected by the featured stories. Hence, the brochure can be conceived of as the serialization of the *I accuse!* denunciation(jur:98§2). A flier about the brochure and with the link to it can also be distributed at the presentation and similar events.

259. The brochure can have templates to facilitate readers' application to their own stories of the brochure's conceptual framework and the storytelling techniques that make its sample stories impactful, relevant, and in compliance with applicable legal requirements of substance and form.

a. Template on detection and investigative method and its application to all those on the ring of wrongdoers

260. A template can set forth a method for non-journalists to detect and investigate several categories of judicial wrongdoing and impropriety²⁵⁸ anywhere or in certain specialized courts or at certain levels of a judicial hierarchy. It can have recommendations on how to expand their investigation to include all the members of the local ring of wrongdoers, that is, from judges to clerks, circuit executive officers, members of the legislature and insiders of the legal system who recommended, endorsed, supported, appointed, nominated, and confirmed those judges, and bankruptcy system insiders, who handle hundreds of billions of dollars³¹ worth of creditors claims, debtors' exemptions, estate appraisal and administration, etc. Ring members establish and tighten relationships among themselves as they capture the power of the courts. They help judges with or for whom they work to turn the money motive into both cash and other benefits in kind. Meanwhile, they keep outsiders from accessing what the courts are supposed to dispense: equal justice by application of the rule of law.
261. Expanding the investigation to encompass all those on the ring of wrongdoers is intended to accomplish two objectives. On the one hand, it puts pressure on incumbent politicians to heed the public's outrage at judicial wrongdoing that holds them responsible for putting in office judges accused of wrongdoing. On the other hand, it alerts their challengers to recognize such wrongdoing as an issue on which incumbents can be fatally vulnerable. This is specially so if challengers can show that the incumbents covered for wrongdoing judges through agreement, knowing indifference, willful blindness, or improprieties.(jur:88§§a-d)

b. Template to facilitate writing brief stories susceptible of comparative analysis

262. Many victims of judicial wrongdoing are pro se or have little or no writing experience or skill.

²⁵⁷ Cf. Table of Judicial Ethics Advisory Committees by State; American Judicature Society; http://Judicial-Discipline-Reform.org/docs/state_ethics_committee.pdf

²⁵⁸ Conference of Chief Justices: "Appearance of Impropriety" Must Remain Enforceable in the Model Code of Judicial Conduct [applicable to state judicial officers]; http://Judicial-Discipline-Reform.org/docs/state_appearance_impropriety.pdf

Accordingly, another template can have prescriptive content on how to tell their real life stories of judicial wrongdoing in writing and orally in a meaningful, concise, responsible and verifiable way.²⁵⁹ The template can persuade readers to follow its prescriptions by illustrating them with well-told stories and describing the audiences' reaction to their telling.¹ So it can list the key elements that should be included in their stories and the class of documents useful to support them.²⁶⁰ Likewise, it can provide samples of the kinds of comments that should be left out as not within the scope of judicial wrongdoing, irrelevant, unprovable, speculative, exaggerated, extravagant, scurrilous, or potentially defamatory. This should lead to stories that are concise. They would also be brief enough²⁶¹ for their authors to post on blogs in order to call readers' attention to ongoing forms of judicial wrongdoing and bring together those that have had similar experiences²⁶². The brevity of stories enhances their submittal by increasing their likelihood of compliance with technical MB size limits and editorial length restrictions. It also favors their odds of being read at all, for recipients are unlikely to read hundreds of pages of rambling text and court documents in hopes of finding nuggets of useful information or making sense out of them all.

263. The standardization of key story elements improves the feasibility of a comparative analysis that can yield an invaluable result: detection of patterns of wrongdoing. Such patterns may concern the same wrongdoers, types of victims, courts, issues, amount in controversy, timing of events, means of execution, modus operandi, etc. Pattern detection facilitates the understanding of likely underlying wrongful causes and effects shared by stories; of the intentional nature of improbably coincidental acts; and of coordination among story characters. Patterns can allow people to recognize themselves and others as similarly situated judicial wrongdoing victims and prompt them as well as local professionals, blog owners, and citizen and professional journalists to undertake their own investigations of those stories.²⁶³ By so doing, they all contribute to further provoking the public's action-stirring outrage that should energize its demand for judicial accountability and discipline reform while simultaneously supporting the business and academic venture.

c. Templates to request media coverage and to file judicial wrongdoing complaints

264. Another template can describe how to request the media to cover in newscasts, talk shows, and print and digital articles local judicial wrongdoing stories as well as the latest developments in the *DeLano-J. Sotomayor* national story. Thereby it can help story authors and their audience to make the most effective use of the media to impart to the stories an ever-greater echo effect that intensifies the outrage that they provoke. That outrage is the indispensable reaction to those that will stir the public into action to demand that incumbents and challengers investigate judicial

²⁵⁹ Cf. http://Judicial-Discipline-Reform.org/docs/how_to_follow_money.pdf

²⁶⁰ http://Judicial-Discipline-Reform.org/docs/building_record&fact_statement.pdf

²⁶¹ Cf. **a)** http://Judicial-Discipline-Reform.org/docs/Summary_&_synoptic_paragraph.pdf;
b) http://Judicial-Discipline-Reform.org/docs/summarize_complaint_350words.pdf; and
c) http://Judicial-Discipline-Reform.org/Follow_money/case_summary.pdf

²⁶² Cf. http://Judicial-Discipline-Reform.org/docs/disseminate_criticism_misconduct_rules.pdf

²⁶³ Cf. http://Judicial-Discipline-Reform.org/Follow_money/DrCordero-journalists.pdf

unaccountability and wrongdoing, hold wrongdoers accountable, and undertake judicial accountability and discipline reform.

265. Yet another template can illustrate the steps for filing a judicial misconduct complaint that complies with the form and substance requirements of the Federal Judiciary²⁶⁴. As local versions of the brochure and templates are produced, templates can provide guidance on complying with the local requirements for filing judicial misconduct complaints.²⁶⁵
266. As offspring of the *I accuse!* denunciation(jur:98§2), the brochure and its templates can in turn be conceived of as prototypes of, and advertisement for, the writing seminars and classes that in due time the proposed venture can offer²⁵⁴ as it pursues its business mission both to prepare a class of professional advocates of judicial accountability and discipline reform and to educate the public on how to defend our democratic life by subjecting judges to the control of “*We the People*”, of whom they are public servants.

²⁶⁴ **a)** Rules For Judicial Conduct and Disability Proceedings [on complaints against federal judges], Judicial Conference of the U.S.; 11mar08; http://Judicial-Discipline-Reform.org/docs/Rules_complaints.pdf; But see:

b) http://Judicial-Discipline-Reform.org/docs/new_rules_no_change.pdf and

c) http://Judicial-Discipline-Reform.org/judicial_complaints/DrCordero_revised_rules.pdf

²⁶⁵ Cf. **a)** http://Judicial-Discipline-Reform.org/Follow_money/complaint_advice.pdf and **b)** http://Judicial-Discipline-Reform.org/docs/complaint_steps.pdf; **c)** For a list of state judicial conduct authorities see http://www.ajs.org/ethics/eth_conduct-orgs.asp

3. Collection of stories for the Annual Report on Judicial Unaccountability and Wrongdoing in America and its supporting database

267. Another incentive (cf. [jur:123](#)¶262) can prompt judicial wrongdoing victims as well as the rest of the public to follow the templates. It can be furnished by announcing that the most representative stories whose reliability has been ascertained to the satisfaction of the investigative reporters and whose exemplary or informative value makes them outstanding will be included in the latest version of the constantly updated brochure. The most outrageous stories can be developed into books by either the victims themselves or the investigative reporters and published under the imprint of the joint venture.²⁵⁴ In addition, victims' summaries of their stories can provide the basis for the more formal and ambitious *Annual Report on Judicial Unaccountability and Wrongdoing in America*.^{266a} *How an outraged people turned into a movement*^{266b} *for Equal Justice Under Law*.
268. The Annual Report will be a key evidentiary instrument and a main product of the venture.. Its underlying support will be a professionally built database of cases of judges' wrongdoing as well as their statements. It will list in a column the states for which there are to report incidents of egregious and thus unambiguous judicial wrongdoing. They must also be significant from a journalistic and legal standpoint. The row of each incident will have cells to provide essential docket information and hyperlinks to the most relevant court documents if a case relating to the incident has been filed. News articles, if any, will also be hyperlinked.
269. One of the cells will provide the incident-type identifier that will hyperlink to the incident synopsis, similar to the abstract of an article in a professional journal. This will be the most important paragraph, frequently the only one to be read by those choosing which incident to investigate or interested in an overview of judicial wrongdoing nationwide. The synopsis will describe in 150 or fewer words the kind of information that enables the first paragraph of a well-written news article to grab the attention of the reader and make her want to read on for details, the so-called 6-W's: what, where, when, who, how, and why. This should suffice to state the nature and gravity of the incident. However, understanding, analyzing, integrating, and summarizing information obtained from court documents, victims' letters, and phone or face-to-face interviews in order to compose a sober, accurate, and fair statement demand a high degree of professional competence. Such work also requires keen awareness of what is at stake: the responsible portrayal of all those involved in the incident and the reputation of the venture and its advocacy.
270. For the venture professionals and their supporting staff to be able to write clearly, concisely, and instructively, whether it be the incident synopsis, its longer account, or briefs, petitions, and articles for the courts, the authorities, and the media, they will perform several essential information-processing, highly detail-oriented, but imagination-demanding and creative tasks:
- a. **Broth reduction** summarizes the essential informational nutrients of scores or even hundreds of documents to a synoptic paragraph, an executive summary, a word limited news article, a table, a chart, or a diagram by submitting those source documents to the boiling down heat of the objectives at hand, the audience being addressed, and the reasonable calculation that in such size and format the piece will get read and its information assimilated.
 - b. **Boomerang scrutiny** identifies statements in orders, decisions, speeches, press releases,

²⁶⁶ a) [fn.252](#) >7§f; and b) [jur:162](#)§9

and articles of wrongdoing judges as well as those who have been remiss in their duty to hold them accountable in order to detect patterns of bias or intrinsic inconsistencies or extrinsic incongruities and use their own words to impeach their credibility or knowledge and hold them to their views and promises.

- c. **Database creation** applies standard or devise new structure and search functions of relational databases to manage efficiently and make easily accessible the documents being gathered and the informational elements that they contain so that they will assist in understanding and writing other documents.
- d. **Springboard analysis of documents** analyzes documents, e.g., reports on previous investigations by authorities and civilians into official corruption and influence peddling, as well as legislative hearing and debate transcripts and reports on relevant subjects and laws, to gain inductive insight into judicial wrongdoing that allow the intellectual journey from the particular incident under consideration to wrongdoing as a judiciary's institutionalized modus operandi, by **1)** analyzing the dynamics of the harmonious or conflicting interests of those engaged in, or affected by, wrongdoing in that incident and in general; **2)** identifying the means, motive, and opportunity enabling the wrongdoing of the judge in question and of all his peers; **3)** picking up leads to further the investigation; and **4)** formulating particular and general investigative hypotheses, explanations of the incident and of judicial wrongdoing, and realistic proposals to deal with the incident or reform the judiciary.(cf. [dcc:8](#))
- e. **Mosaic integration of bits and pieces of data** is performed by reading a document to **1)** gain an understanding of the workings of its statements and discern between its lines its assumptions, implications, and hidden message; **2)** mine it for bits and pieces of data whose potential importance is more sensed by sensitive fingers than realized by trained eyes; and **3)** in light of their relative shades and shapes of relevance and credibility place them in the mosaic being developed with the bits and pieces of many other documents, whose placement in the mosaic sometimes is suggested by the picture that gradually reveals itself as the bits and pieces fall into place like those of a puzzle, and sometimes is prompted by intuition that causes an associative leap between apparently meaningless bits and pieces of data and some other element of knowledge that allows recognizing data as information and permits the reconfiguration of the developing mosaic into a different, even totally unsuspected, picture of meaning. Built on the support of the previous four items, this is the type of insightful analysis that will be most needed to penetrate the secrecy-ridden Federal Judiciary([jur:27§e](#); [xl](#)), establish the Annual Report as a piece of scholarship of the highest caliber, and illustrate the distinctive educational contribution that the academic component of the venture can make to the education of students([jur:153§c](#); [dcc:15](#)).

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
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and
Consequent Riskless Abuse of Power

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

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Dr. Richard Cordero, Esq.

Dr.Richard.Cordero_Esq@verizon.net

DrRCordero@Judicial-Discipline-Reform.org

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