#### Dr. Richard Cordero, Esq.

**Judicial Discipline Reform** 

M.B.A., University of Michigan Business School
D.E.A., La Sorbonne, Paris <a href="http://www.Judicial-Discipline-Reform.org">http://www.Judicial-Discipline-Reform.org</a>

Ph.D., University of Cambridge, England

2165 Bruckner Blvd., Bronx, NY 10472-6506 tel. (718)827-9521; follow @DrCorderoEsq Dr.Richard.Cordero\_Esq@verizon.net

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Sources of authority that impose a duty of accountability on judges and that can be invoked when demanding compensation from judges for their abuse of power and their judiciaries for their cover-up, so as to defeat judges' self-serving doctrine of judicial immunity and abusive practices to the same effect.

An out-of-court strategy for judicial abuse exposure, compensation of abusees, and reform through transformative change;

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## A. How federal judges are unaccountable in practice and engage in wrongdoing risklessly

1. Imagine that your boss and the other officers of the entity for which you work or where you study or the officers of the entity that supervises your profession can treat you however they like and disregard your rights as much as they want. Assume that they do so because they are contractually secured in their jobs for life. Nobody dare investigate them. Moreover, you are required to file any complaint against anyone of them with your boss's peers, who immunized each other from liability to any complainant. Under those circumstances, are you afraid that those officers will abuse you routinely and all the more so whenever they can profit from it?

- 2. Federal judges are in the position of those officers: Justices and circuit and district judges have life appointments. Politicians do not dare investigate them for fear of retaliation<sup>17a</sup>. People can only complain about any of them to his or her peers, who systematically dismiss their complaints by pretending that they relate to matters subject to appeal rather than to complaint(jur:21§§a-c)<sup>See</sup> endnote <sup>6</sup>. If people sue anyone in court, his or her peers dismiss the suit by invoking the doctrine of judicial immunity(jur:26§d).
- 3. Indeed, the Supreme Court has made the scope of judicial immunity absolute: "A judge will not be deprived of immunity because the action he took was in error, was done maliciously, or was in excess of his authority" Through that statement of policy, the highest court of the land has only expressed in words what practice has made the historic reality in the Federal Judiciary:
- 4. Whereas 2,131 federal judges –including justices, bankruptcy judges, and magistrates– were in office on September 30, 2011<sup>13</sup>, in the 225 years since the creation of the Federal Judiciary in 1789, the number of them impeached and removed is 8!<sup>14</sup> A sober statistical analysis shows that such amazingly low number is an anomaly that cannot possibly be explained by judges being above corruptibility<sup>14</sup>. But it is a reliable historic record that has given judges the assurance that they are in practice unimpeachable and in effect irremovable: Judges Above the Law.
- 5. The following article shows that federal judges are subject to a duty of accountability both as a matter of law and the very nature of our 'government, not of men, but of laws' OL:5fn6. It also shows how in practice, however, they hold themselves and are held unaccountable by politicians and the law enforcement authorities that they control, and that regardless of the type, extent, and gravity of their wrongdoing(jur:5\\$3; Lsch:21\\$A). Moreover, the article lays out a realistic out-of-court strategy that you, the Reader, can participate in implementing to expose judges' wrongdoing and bring about judicial reform.
- 6. This article can be used as a template to analyze any state judiciary and the out-of-court strategy can be applied to expose state judges' wrongdoing and reform a state judiciary.

#### B. Sources of authority that establish the accountability of federal judges

#### 1. 'Bad Behaviour' under Article III of the Constitution

- 7. Article III of the Constitution<sup>12b</sup> sets up the judicial power of the federal government and it does not grant federal judges any immunity. On the contrary, Section 1 thereunder provides that federal judges can only 'hold Office during good Behaviour'. The Constitution does not prohibit anybody from suing a federal judge on a claim that he or she has engaged in 'bad Behaviour'. A suit conducted fairly and impartially is an appropriate way of showing that a judge has 'badly behaved', particularly in a system of justice whose foundational principle is inscribed in the cornice of the Supreme Court building: Equal Justice Under Law.
- 8. That principle allows any person or entity to sue, for example, a police officer and his police department for excessive use of force or deprivation of a civil right. A civil suit against a police officer and department is not prohibited on the pragmatic consideration that the ever present threat of it would prevent them from carrying out their public duties without fear of retribution. Far from it, the suit is allowed on both the legal principle that police officers and departments are accountable for their individual and institutional performance of their public duties and the pragmatic consideration that the possibility of such a suit contributes to a better, lawful performance of such duties by constantly reminding them that they have been entrusted with public power to be exercised responsibly because they are accountable for it.

- 9. This calls to mind the shooting by a police officer of a civilian in the City of Ferguson and the impending suit by his parents for wrongful death against the officer and the department. The other officers and their department have not become paralyzed by fear of being sued. The opposite is the case, for they have become more responsive to the needs and demands of those who hired them and made it their duty to render lawful, honest police services: the people of Ferguson.
- 10. Consequently, there is no justification either on constitutional or pragmatic grounds for prohibiting everybody from suing any judge on any claim of misperformance of his or her public duty to render honest judicial services. This conclusion follows from a fair and impartial application of the law. It supports a claim of abuse of judicial power and unlawful deprivation of rights.

#### 2. Impeachment under Article II of the Constitution

- 11. Article II, Section 4<sup>12b</sup> provides that "all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors". What this shows is that even "Misdemeanors" can provide sufficient cause for removing a judge. For the sake of consistency, it must be held that it is constitutionally possible to institute a proceeding against a judge for any offense comprised in the range "high Crimes and Misdemeanors", particularly where the relief requested is not removal. Section 4 neither limits to impeachment the proceeding that can be brought against "all civil Officers of the United States", among whom judges are included, nor confines to removal the relief that can be requested in any such proceeding.
- 12. This must be the case because practice shows that an impeachment is a politically highly charged proceeding where politics interferes with establishing fairly and impartially whether "[a] civil Officer[committed] Treason, Bribery, or other high Crimes and Misdemeanors" and, if so, whether relief should be granted to anyone injured by any such offense.
- 13. Indeed, members of Congress are the very ones who recommend, endorse, and confirm the people that the president nominates to a federal justiceship. Of course, those people have the same party affiliation and views as their supporting members, who very much expect that once those people become judges, they will uphold the constitutionality of the key laws through which the members implement their legislative agenda<sup>17</sup>. It follows that the last thing that the supporting members would like to do is admit that they so poorly assessed the character and competence of those people that the latter now must be impeached for having engaged in 'bad Behaviour', whether it be "Treason, Bribery, or other high Crimes and Misdemeanors".
- 14. On the contrary, those members would defend 'their men and women on the bench' from any impeachment in order to cement their loyalty forever and turn them into staunch upholders of the members' laws and even protectors of the members themselves if the latter ever were brought up before those judges on any charge, such as corruption, abuse of power, influence peddling, conflict of interests, misuse of campaign contribution, etc. <sup>15</sup> This is how impeachment pitches the party of the president who nominated, and of the most senators who confirmed, the federal judge being impeached against the other party. That occurs first in the House, which adopts the articles of impeachment as if it were a grand jury returning an indictment, and then in the Senate, where the judge is tried on those articles and the senators serve as the jury with the chief justice as the presiding trial judge. Members of Congress may serve as prosecutors and defense attorneys.
- 15. To avoid such cumbersome proceeding and protect 'their judges', members of Congress have preceded on the basis of reciprocal deference, to wit, 'if you don't impeach our judges, we won't

- impeach yours'. As a result, historically(supra ¶4) impeachment has played no effective role as a formal mechanism to police and discipline judicial "civil Officers". This has allowed judges to engage in 'bad Behaviour' without fear of being impeached, never mind being removed.
- 16. However, Articles II, III, and the rest of the Constitution leave open a suit for compensation against "civil Officers", including judges, who misperform or engage in 'bad Behaviour' and thereby injure the plaintiffs.

#### 3. Equal protection of the laws under the 14th and 5th Amendments

- 17. Equal protection of the law is a fundamental interest of every person and of the body politic itself. It underlies the notion of 'government, not of men and women, but by the rule of law' OL:5fn6. Hence, the equal protection clause is inscribed in the Fourteenth Amendment and implied in the due process clause of the Fifth Amendment to the Constitution.
- 18. The doctrine of judicial immunity from suit contradicts the letter of the Constitution and offends against its spirit. So it cannot be derived by implication from either. In defiance of the equal protection clause, judges have concocted that doctrine, whereby they have arrogated to themselves Unequal Protection *From* The Law at the expense of those whom they have denied its protection: *We the People*.
- 19. *The People* cannot possibly be presumed to have written in the preamble to the Constitution that they 'establish the Constitution to establish Justice and secure the Blessings of Liberty to themselves and their Posterity' only to create a class of unequal "civil Officers" above 'Justice' because they can exercise abusively precisely the power that *the People* entrusted to them to 'establish Justice' and are immune from the recourse against them that people can pursue to obtain justice, that is, suits, so that those judicial "civil Officers" can use that power to enslave *We the People*.
- 20. It follows that the doctrine of judicial immunity is unconstitutional as well as inimical to the democratic form of government *the People* chose for themselves.

#### 4. Complaints under the Judicial Conduct and Disability Act of 1980

- 21. The Judicial Conduct and Disability Act of 1980(28 U.S.C. §§351-364;<sup>18a</sup>) was adopted upon Congress's realization(jur:62¶133-quotation) that the process of impeachment was practically never used.(Congressional Record Senate, September 30, 1980, p. 28086; <sup>280a</sup>)
- 22. Through the adoption of the Act, Congress entrusted the responsibility of self-policing and disciplining to the judges themselves. The Act gives any person, including judges, the right to file with the respective chief circuit judge a complaint for misconduct against any judge of the circuit, and the right to appeal the decision to the circuit's judicial council, an all-judge body of his or her colleagues presided over by that same chief judge(jur:24§b).
- 23. However, far from discharging their self-policing and —disciplining duty under the Act, federal judges have protected themselves from it, as shown by the official statistics on the handling of complaints thereunder: On an annual average, 99.82% of complaints filed under the Act against federal judges are dismissed(jur:10, 11; jur:24\\$b). Up to 100% of petitions to review those dismissals are denied. Such handling of complaints and petitions is without any investigation (jur:25\\$c) despite the provision in the Act for setting up a committee to investigate a complaint.
- 24. Hence, judges have deprived complainants and the rest of the public of their statutory right to complain effectively against wrongdoing judges. They have arrogated to themselves the power to

abrogate in practice and in their own wrongful interest that Act of Congress.

#### 5. Oath of office and the sworn commitment to equality and legality

- 25. Judges are under the legal duty of accountability that they assumed when they took the oath of office at 28 U.S.C. §453<sup>90</sup>. They swore 'to administer equal right to the poor [in knowledge, intelligence, and money to seek and obtain Equal Justice Under Law] and to the rich [in judicial colleagues and connections to those with abundant political and economic power]. They also swore 'to faithfully perform their duties under the Constitution and the laws of the United States' so that theirs is not 'justice by above the law men and women, but rather by the rule of law'.
- 26. A case in court is a controversy between parties who call on judges to discharge their public duty to apply the law as the standard for measuring the relative merits of the parties' factual and legal contentions, and determine whose contentions are legally more meritorious of the right to obtain or not to give the relief sought. When judges apply the law unequally to the parties or do not apply it at all and instead act arbitrarily so that they administer to the parties unequal rights, they breach their oath of office. Their breach causes the withdrawal from them of what they received in exchange for giving their word to discharge their duty under the terms of the oath, namely, judicial authority to determine controversies between parties to cases.

#### 6. Duty under a law that requires judges to report a violation

- 27. Judges are under the statutory duty 'whenever they believe that a violation of bankruptcy and related laws has taken place or merely that an investigation into it should be had in connection therewith, to report such case to U.S. attorneys' under 18 U.S.C. §3057a<sup>130a</sup>. Judges break the law when they fail to abide by their legal duty to make such report.
- 28. A principle of tort law states that 'A person is deemed to intend the reasonable consequences of his or her actions', because what is reasonable can be foreseen, which affords the person the opportunity to undertake or not to undertake those actions. It applies here:
- 29. Federal judges have failed to report violations of bankruptcy law. The motive for that is the staggering amount of money in controversy in bankruptcy cases, which constitute about 80% of all federal cases filed annually<sup>33</sup>. In calendar year 2010, the amount in controversy in only consumer bankruptcies, as opposed to commercial ones, was \$373 billion!<sup>31</sup> Disposing unaccountably of well over a third of a trillion dollars on average annually in both types of bankruptcies, never mind all other types of cases, is 'a root of absolute corruption'<sup>28, 32</sup>.
- 30. That is corruption that infiltrates every aspect of the judges' activities and manifests itself in their disposition of controversies with contempt for the law and in pursuit of their own interest. It is the result of judges and other insiders<sup>169</sup> of the bankruptcy and legal systems who violate bankruptcy law as well as of judges who fail to report them. All those judges have allowed those violations to keep growing thanks to roots that go deep and wide into the richest ground for corruption: *money*, *lots of money!*
- 31. Even judges who do not commit such violations, but condone them by not reporting them, have intended the reasonable consequence of the further growth of those violations: a bankruptcy fraud scheme run by federal judges(jur:66§§2-3).

#### 7. Disqualification of judge by affidavit

- 32. A party can file an affidavit stating that a judge in his or her case is biased or prejudiced toward one or more of the parties, with the result that "the judge **shall** proceed no further therein, but another judge shall be assigned to hear such proceeding", as provided for under 28 U.S.C. §144(emphasis added; jur:75¶159). This provision is remarkable because the judge has no say in his or her disqualification. It is an automatic consequence of the party's filing of the affidavit. It recognizes a fundamental right of every party and foundational principle of due process: the right to a fair and impartial tribunal that can determine the controversy without favor or animus toward any party, but only in accordance with the rule of law applied to the facts of the case.
- 33. The provision is also remarkable because it belies the doctrine of judicial immunity: A judge can be disqualified from a case, thus losing any power to determine it, even when she has committed not even a misdemeanor, let alone a crime. She has shown 'only' to be biased or prejudiced.
- 34. What is more, the disqualification occurs on the party's say so, that is, an affidavit that need not be accompanied by evidence required to satisfy the rules of evidence to be introduced at any trial. Indeed, the affidavit is not subject either to challenge by the judge in question or the evaluation of the sworn statements' truth, weight, or sufficiency in law by other judges, whose acquiescence in those statements or lack thereof is irrelevant and need not be sought in a trial.
- 35. Therefore, if, on the one hand, a judge is unappealably disqualifiable by affidavit of a party, then, on the other hand, she cannot be immune to a complaint filed by a plaintiff in a suit charging her with wrongdoing that caused injury in fact and willing to support his charges with evidence in an adversarial proceeding that gives the judge the opportunity to challenge the charges and have a jury of her peers as well as peer judges evaluate fairly and impartially the evidence's truth, weight, and sufficiency, and conclude therefrom that plaintiff's requested relief should be denied.
- 36. The law is a set of behavioral rules addressed to and to be understood and complied with by 'the reasonable men and women in the street'. The doctrine of judicial immunity cannot be reasonably understood, for it is predicated on a basis that has nothing to do with reason, i.e., judges' self-interested abuse of power to evade the law and benefit therefrom. (On the means, motive, and opportunity for judges to engage in wrongdoing see jur:21§§A-B).

#### 8. Disqualification on judge's, or party's, motion

- 37. A judge need not wait to be disqualified at a party's request. Rather, he has the duty to take the initiative to do so under 28 U.S.C. §455, which provides that he "**shall** disqualify himself in any proceeding in which his impartiality might reasonably be questioned"(emphasis added; jur:75¶159). Again, no evidence of partiality is required; reasonable questioning of the judge's impartiality suffices to trigger the duty for the judge to disqualify himself. The questioning need not have already happened; it is enough that it "might" happen.
- 38. Moreover, the questioning is not performed from the subjective point of view of the judge, but rather from the objective point of view of other people. What matters is not whether the judge feels that he is or is not being partial. What matter is that reasonable people other than the judge could question that he "might" not be acting or not be able to act impartially. They are not required to prove anything whatsoever, just question his impartiality reasonably.
- 39. Here applies the logical and legal principle 'he who cannot oppose the lesser cannot prevent the greater'. Section 455 provides that a judge is powerless to preside over a case if opposition to presiding over it is raised in his mind by his own reasonable questioning of his impartiality, for he

- "**shall** disqualify himself". Where the opposition arises through the questioning expressed by other people, the judge's only recourse could conceivably be to challenge the questioning's reasonableness. Even if the possibility of that challenge were admitted arguendo, the judge would have to mount it before a fair and impartial arbiter; he could not unilaterally both challenge the questioning's reasonableness and find in favor of his challenge.
- 40. Hence it is patently inconsistent with the letter and the spirit of §455 and constitutes abuse of power for judges to adopt a self-serving doctrine of judicial immunity preventing any plaintiff from suing a judge to prove the reasonableness of her questioning of the judge's impartiality on the strength of evidence to be evaluated by a jury in an adversarial proceeding that affords the judge the opportunity to challenge it.
- 41. Such doctrine is all the more abusive because §455 requires that the judge "**shall** disqualify himself" where he has "personal knowledge of disputed evidentiary facts"; "served as lawyer in the matter in controversy" or a former law firm colleague did; was involved as a government employee in the case; "has a financial interest in the subject matter" or relatives do; is or relatives "within the third degree of relationship" are connected to a party; etc. Those are very concrete and provable circumstances. Each of them casts into question a judge's impartiality. Each and all of them deprive of every legal or pragmatic justification judges' self-immunization from suits: A judge's partiality can be reasonably questioned on the hard evidence of having engaged in specifically prohibited conduct, either intentionally or due to lack of due diligence in performing his duty.
- 42. Likewise, his liability to the plaintiffs is strongly supported by traditional notions of compensatory justice underlying torts: Defendant must put plaintiff in the position where plaintiff would be but for defendant's violation of the law.

#### 9. Integrity and impropriety under the Code of Conduct for U.S. Judges

- 43. Under the Code of Conduct for U.S. Judges<sup>123a</sup>, judges are accountable not only for their performance of their duties, but also for their personal conduct.<sup>†</sup>
- 44. Canon 1 requires judges 'to safeguard the integrity of the Judiciary'. That duty includes applying the law and discharging all duties constitutionally and statutorily imposed on judges as well as the subtle duties imposed by the ethical considerations of what constitutes 'good and bad Behaviour'. This is made apparent by the injunction in Canon 2 'to avoid even the appearance of improprieties'. The latter need not be misdemeanors, let alone crimes. It includes conduct that simply is deemed inappropriate for a person invested with judicial power, so it extends to conduct in the judge's personal life(jur:92\stractrigorderight). The scope of this Canon's injunction is so broad that it reaches what is not even an 'impropriety' in fact, but simply 'the appearance' thereof.
- 45. The indefiniteness of the notions of 'integrity' and 'improprieties' is by no means a bar to their use in litigation to establish the nature and quality of a judge's conduct. The fact is that the first 10 amendments to the Constitution, customarily referred to as the Bill of Rights, are a collection of rights minimally expressed, e.g., free exercise of religion, freedom of speech, freedom of the press, the right against unreasonable searches and seizures, due process of law, no excessive bail, fine, or cruel or unusual punishment, etc., to which must be added the 14<sup>th</sup> amendment's equal protection of the laws. Those pithy clauses have been given substance through litigation; cases invoking them constitute the bulk of those that the Supreme Court agrees to review. Neither has the public been deprived of those rights because of the pithiness of those clauses nor has the Court been overwhelmed by the review of cases thereunder. On the contrary, litigation with those clauses

- at stake has contributed to securing the practical benefits of the inspirational objective of 'government, not of men and women, but by the rule of law'OL:5fn6.
- 46. Likewise, the Canons' pithy notions of 'the integrity of the judiciary' and 'the appearance of impropriety' could have been fleshed out through litigation. It would have contributed to judges' becoming progressively more aware of the place of certain forms of conduct in the broad area of the ethically right and wrong.
  - <sup>†</sup> The Code of Judicial Conduct adopted by the American Bar Association and in turn adopted by the states or incorporated into their legal systems is essentially the same as the one for U.S. Judges; <sup>123b</sup>.
- 47. Litigation over those notions would also have enabled the parties and the rest of the public to ensure that judges determined controversies fairly and impartially according to law or at least gave the appearance of so doing and otherwise behaved with such integrity and propriety as to raise the reasonable expectation that they would determine controversies thus. Instead, judges have swept lack of integrity and all forms of impropriety under a self-serving blanket immunization from process. Thereby they have covered up conduct that has caused and keeps causing injury in fact to litigants and the rest of the public and that detracts from 'deference to their judgments and rulings' (see next).

#### 10. Public confidence: the masters' trust in their servants

48. Another source of judges' duty of accountability is unwritten, just as their duty to maintain "good Behaviour" is not defined in the Constitution in any way. It also undergirds the injunction in Canon 2 "to avoid even the appearance of impropriety". It is acknowledged in the Commentary on Canon 1 on 'safeguarding the integrity of the judiciary':

Deference to the judgments and rulings of courts depends on public confidence in the integrity and independence of judges.

- 49. "Public confidence" is not only unwritten, it is also subjective. But not because it consists of opinions and feelings is it any less strong than the other sources of authority of judges' duty of accountability. Far from it, 'in government of, by, and for the people', "public confidence" is the foundation on which the masters of government, We the People, make an entrustment of a portion of our sovereign powers to our servants, the "civil Officers", to perform certain services needed by the masters. That includes judicial services, for which the People entrust power to judges so that they may serve as fair and impartial arbiters in determining controversies through the administration of "Equal Justice Under Law".
- 50. Judges are judicial public servants who owe a duty to account for their performance of their duty and their duty of "good Behaviour" to their masters, *We the People*. Once the foundation of "public confidence" is so weakened in the minds of *the People* that they no longer feel judges to be worthy of "deference to their judgments and rulings", the entrustment of power is cancelled and the entrusted power reverts to *the People*.

## C. What drives judges to immunize judges sued for wrongdoing and afford them passive protection through their silence

#### 1. Reciprocal wrongful loyalty

- 51. Federal justices and circuit and district judges are life-tenured; bankruptcy judges are appointed<sup>61a</sup> by circuit judges for renewable 14-year terms. They are likely to have worked together for 1, 5, 10, 15, 20, 25, or 30 years or more. As a result, they know a lot about each other's professional and personal lives and, more importantly, about their wrongdoing.
- 52. Judges who are sued come before presiding judges who have been their peers, colleagues, and friends for that long. Implicitly or explicitly, presiding judges hear the sued judges' hurt cry:

We have known each other for years. How can you let the complaint against me of this nobody who dropped out of the blue move forward to tarnish my name and disrupt my peace of mind? Just dismiss it. What, you have never made a mistake or even done something a bit shady? I know you have! I can also find out your darkest dealings by asking my true friends. I thought you too were my friend. But if you turn against me, we will remember how you're harming me now when it is your turn to be sued by one of those disgruntled losers. You can be sure of that!

53. Their reaction has been a most reassuring one for their friends: They have dismissed the cases or steered them toward a finding in favor of their sued friends.

#### 2. The instinct of self-preservation and how peer retaliation can trigger it

- 54. In showing wrongful loyalty, judges have also been motivated by their interest in securing a benefit for themselves: self-preservation.
- 55. If the presiding judges allowed a criminal prosecution to move forward against a defendant judge, the latter could in plea bargain trade up testimony against 'bigger fish' or the whole bank of fish below or around him in exchange for partial or total immunity or some leniency. All the judges could fall through a domino effect.
- 56. In a civil prosecution, the sued judge could call any number of colleagues as witnesses and force them either to be character witnesses for him or to affirm that the sued judge could not possibly have done whatever he is sued for because, for instance, the sealed file containing confidential trade secrets had been misplaced at the time in question so that the sued judge could not have known and misused those secrets.
- 57. Worse yet, the sued judge could call to the stand other judges to show that they forced him to do what he is charged with having done or that they were in on it and helped him do it and then sue them as third-party defendants for contribution or indemnification. In support of his third party complaint, the sued judge could call as witness the most vulnerable witnesses, with the least to gain, and with an enormous amount of knowledge about the wrongdoing by all judges: the clerks. In addition, of course, the sued judge could call to testify lawyers, their clients, and other insiders(jur:39§5).
- 58. The sued judge could give his colleagues a foretaste of what awaited them if they did not dismiss the case against him by deposing all them. In depositions, he could ask them all sorts of questions, even those that elicited information not admissible at trial and that were only part of a fishing expedition, for that is exactly what discovery is, encompassing "Relevant information [that] need not be admissible at the trial if the discovery appears reasonably calculated to lead to the discovery of admissible evidence", as provided for under FRCivP 26(b)(1))<sup>79</sup>; etc.
- 59. The potential for embarrassment and a host of other suits causing incalculable damage would far exceed the case at bar. The message of the sued judge to his peers would get through loud and

clear:

If you don't get rid of this suit against me right now, I promise, every cent you let this plaintiff get from me will cost you a thousand dollars! And be prepared to swim because after I file my depositions and make them part of the publicly accessible record; post them on the Internet to call for similar or additional information; or send copies to the losers in cases before you guys, you all will be flooded with hundreds and hundreds of motions(OL:86§3) to reopen discovery in light of new evidence or to vacate judgments and hold new trials on a claim that you were unfair and partial due to your conflict of interests, disregard for the rules for disqualification<sup>272</sup>, socializing with parties before you<sup>271a</sup>, your general lack of integrity, you name it.

60. The exposure of any judge's wrongdoing raises the specter of calamity for all the judges of the court and beyond. It always appears as a common threat to all of them. Theirs is a mutually dependent survival.

We all have done it and done it together. Don't you dare think you can leave me out there to hang dry alone and you just go on doing it and profiting from it. Mind my words: If I go down, I'll take you all with me!

#### 3. Passive cover-ups: judges' 3-monkeys' wrongful conduct

- 61. More frequently and importantly than in a judge-judging-judge setting, judges reciprocally keep silent about the wrongdoing that they have witnessed their colleagues commit or learned that they committed.
  - a. They cover their eyes to avoid looking for an explanation for suspicious conduct —which constitutes willful ignorance— and to avoid seeing wrongdoing that is staring at them willful blindness—(jur:88§8a-c).
  - b. They cover their ears or exit the room to avoid hearing their colleagues planning to do wrong or turn a deaf ear to their competitive boasting about how they gamed the system, for example, after their colleagues' tongues and inhibitions have been loosened with several bottles of cognac gulped throughout the night in the suite of a chief judge while attending the biannual meetings of the Judicial Conference<sup>91a; 221</sup>, a circuit meeting<sup>222</sup>, a corporation's judicial junket, or a seminar<sup>223</sup>.
  - c. They cover their mouths so that not a peep escapes to say anything about their peers' wrongdoing to an authority with supervisory authority who could and would be reasonably expected to launch an investigation into it, such as the chairs of the congressional committees on the Judiciary, the Speaker of the House and the House leaders, the leaders of the Senate, the U.S. Attorney General, the local U.S. attorneys, state attorneys general, and district attorneys...or the 'officers' of the fourth power: journalists.
- 62. By thus covering for each other's wrongdoing, judges share in collegial complicity.

## 4. Judges who keep silent about the wrongdoing committed by others as principals become wrongdoers as accessories before and after the fact

63. Judges who fail to report other judges' wrongdoing are in dereliction of their duty both to maintain the integrity of the judiciary, which makes them bear institutional responsibility for their colleagues' conduct, and to self-police and –discipline by exercising the power entrusted to them

therefor. By failing to report other wrongdoing judges and even without committing themselves any wrongdoing as principals, they become accessories before and after the fact to all their colleagues' wrongdoing: With their silence, judges have abetted their colleagues' already committed wrongdoing by enabling it to go undetected and unpunished. Thereby they have helped them 'perfect their wrongdoing'.

- 64. They have also contributed to making 'wrongdoing pay' for the principals, who profit from their wrongdoing by keeping whatever intended or consequential material<sup>213</sup>(jur:27§2), professional <sup>69</sup>(jur:56§§e-f), and social benefits(jur:62§g, a&p:1¶2<sup>nd</sup>) they ill got from it. That way the silent judges have become accessories after the fact.
- 65. Moreover, by keeping their mouths shut about already committed wrongdoing, judges have provided the implicit or explicit assurance that they will likewise keep silent about wrongdoing yet to be committed by the same or other judges acting as principals. By judges who can be the source of the deterring risk of reporting judges if they do wrong providing principals with such assurance of silence, they have aided the principals by clearing from their path to doing wrong the concern about being reported, thus giving them peace of mind.
- 66. They have also facilitated the principals' wrongdoing in very practical terms by eliminating the latter's need to plan and implement effort-money-and-time-consuming measures to evade detection and punishment. Thereby the silent judges have become accessories before the fact(OL:72¶9; jur:171¶372; Lsch:22¶6).

## D. Judges' active protection of their colleagues through practices that have the effect of immunizing them from their duty of accountability

67. Out of reciprocal wrongful loyalty and self-preservation, judges presiding over a suit brought against one of their own will not allow it to succeed. They have a panoply of measures that they can actively apply to that end.

#### 1. Dismissing the case

- 68. Judges judging judges invoke their own self-serving doctrine of judicial immunity to dismiss the suit at the beginning. This is particularly so when dealing with a civil suit and the plaintiff is not a law enforcement authority, not to mention when it is a pro se.
- 69. They can also dismiss the case under Rule 12(b)(6) of the Federal Rules of Civil Procedure<sup>79</sup> by pretending that it is due to the plaintiff's 'failure to state a cause of action under which relief can be granted'.<sup>‡</sup>
- 70. Likewise, they can issue summary judgment under Rule 56 for the defendant judge by claiming that even if all of the plaintiff's factual allegations were admitted by the defendant, the latter would still be entitled to judgment as a matter of law.
- 71. The presiding judges can proceed on their own motion under Rule 56(f)(3) and pretend that where no genuine issue of material fact exists and as a matter of law judgment can only be granted for a given party, then on grounds of judicial economy the court should not waste taxpayers' money and limited judicial resources on a trial that is unnecessary to reach a judgment dictated by law.

#### 2. Steering the case in favor of the sued judge

- 72. It can happen that, for instance, due to extensive media coverage, judges judging judges cannot nip in the bud a case against a colleague by dismissing it. Where a show trial is unavoidable, they can steer the case to a judgment for the defendant judge by resorting to other active, self-help measures that in effect will ensure her immunization from process.
- 73. To that end, judges can:
  - a. grant the defendant judge's motions to deny plaintiff's requests for discovery alleged to be:
  - <sup>‡</sup> Since those Federal Rules are the model for the states' rules of civil procedure, state judges can invoke to the same end the equivalent state rules, which are likely to bear the same numbers as the federal ones.
    - 1) outside the scope of the complaint;
    - 2) unduly burdensome relative to the evidence to be obtained;
    - 3) of no probative value;
    - 4) sought only for its vexing and harassing effect;
    - 5) a fishing expedition(supra, ¶58);
    - b. not admit evidence that proves plaintiff's claims against the sued judge while admitting otherwise inadmissible evidence that exonerates the judge;
    - c. overrule systematically plaintiff's objections and uphold the judge's;
    - d. not allow plaintiff's witnesses to take the stand or disqualify them after taking it and strike their testimony from the record on the allegation that the witnesses:
      - 1) are biased due to their animosity toward the sued judge or all judges;
      - 2) have no personal knowledge concerning the facts in controversy to which they are asked to bear testimony;
      - 3) have a conflict of interest that disqualifies their testimony as unreliable;
      - 4) are not credible due to their known penchant for untruthfulness;
      - 5) are not qualified to offer expert testimony in the field of their alleged expertise; etc.;
    - e. issue instructions to the jury that all but command a verdict for the defendant judge;
    - f. if a runaway jury returns a verdict for the plaintiff, come to the rescue of her defendant colleague by ordering a new trial under Rule 59(d) on her own motion and even for reasons not stated in the colleague's motion for a new trial;
    - g. avoid the criticism of taking the initiative to rescue the defendant judge while sparing him a new trial by simply granting his motion under Rule 59(e) to alter or amend a judgment that was harsh on him only for the sake of the show and that when altered or amended allows the defendant judge to get off with merely a slap on the wrist...and a wink from his friend on the bench;
    - h. resort to the wide array of subtle forms of chicanery(Lsch:17§C) through which judges manipulate elements of case management and procedure to end up with the predetermined winners and losers in cases before them.

#### 3. Petitions for a writ of mandamus or prohibition to district judges

- 74. A trial court judge is subject to a writ of mandamus or prohibition petitioned in circuit court under Rule 21 of the Federal Rules of Appellate Procedure<sup>70a</sup>. It can order the lower court judge to take or not to take a certain action. However, circuit judges can deny the petition by using the form for summary orders(jur:43§1) whose only operative word is "denied", that is, without giving any reason. Therefore, it has no substance that could establish a precedent. In fact, it is "non-precedential" and in all likelihood will be marked "not for publication" by the panel or the clerk who prepared it. For all practical purposes, it is merely an element of a docket clearing scheme(jur:43§1).
- 75. What can the petitioner do? Nothing, for a petition for review by the Supreme Court has among all the filings with it, including writs of certiorari, less than 1 chance in 100 of being chosen by at least four justices for review by the Court, which does not mean in any way that a majority of the justices will grant the petition or order the writ issued<sup>81a</sup>.

#### 4. Petitions for en banc review of panel decisions in circuit courts

- 76. A 3-circuit judge panel is subject to have its decision reviewed en banc by all the judges of the circuit court upon a petition under Appellate Rule 35. However, the rate of denial of such petitions approaches a 100%. As Chief Judge Dennis Jacobs of the Second Circuit put it, "to rely on tradition to deny rehearing in banc starts to look very much like abuse of discretion" (jur: 45§2).
- 77. The abuse is motivated by the benefit that circuit judges implicitly or explicitly have granted each other:

If you vote not to review en banc my wrong or wrongful decisions, I'll return the courtesy to you when your decisions are the subject of an en banc petition. After all, you and I, we all are stuck with each other for the rest of our professional lives. We don't want grudges among us, do we? Who cares what a onetime en banc petitioner wants or is entitled to. He'll get over it soon enough.

78. That kind of expedient pragmatism and disregard for the rule of law and the rights of parties govern the relations among federal judges. They constitute a blatant breach of their duty of accountability.

#### 5. Petitions to the Supreme Court for writs of certiorari

79. A petition for a writ of certiorari will not remedy a breach of the duty of accountability, for the Supreme Court is overwhelmingly likely to deny it. After all, most justices are the former peers of circuit judges. They extended each other that 'courtesy' at the time. Doing so as justices can be rationalized by more expedient pragmatism:

If all our colleagues of the court below decided not to review the decision of one of their panels, why should we care? If they can live with it, so can we. It is not as if we didn't have enough cases to deal with.

80. The class of judges takes care of their own.

#### 6. Peer pressure and retaliation to force a judge to immunize a peer

81. A judge who did not take advantage of all the available measures to immunize from suit or its consequences a sued judge would be deemed by all the other judges a traitor to the class. That

- judge can be literally cast out of the class through removal, non-reappointment, banishment, transfer, and 'gypsying' under several provisions of the Judicial Code of Title 28 of the U.S. Code(jur:56\section on the stick to enforce class loyalty).
- 82. Treatment as a pariah can take a heavy emotional toll on a principled judge and have negative practical consequences: Her peers may look at her with contempt and talk to her disrespectfully. Nobody may ride with her on the elevator, sit with her in the judges' lounge, or invite her to the reception for a new judge inducted into the court or the parties in the hotel suite of the chief judge while away at a judicial conference. The briefs, motions, and her writings in her cases may never get on time wherever they have to get, if they ever do because even the court clerks may be instructed to treat her as 'unreliable' and to place her at the bottom of their priorities. So her computer may frequently freeze and it may take forever to get somebody to fix it; her files may 'inexplicably' disappear from it; and when they reappeared they may have all sorts of typos, missing words, and tortured phrases that make her decisions appear to have been written by an illiterate whose vernacular is Pidgin English...and all her citations may be altered or gone!

#### 7. Self-inflicted pain when deciding whether to show integrity

- 83. It takes a person with an enormous amount of integrity to do the right thing in the face of peer pressure to do the opposite. This is particularly so when the person is asked to protect one of her own by doing a wrong thing that is riskless so that refusal to do it is purely a matter of principle.
- 84. Integrity is put to the test when doing the wrong thing will be deemed by all the peers to constitute loyal 'good Behaviour' to be rewarded by participation in the rich benefits available to all members of the class in good standing(jur:60§f on the carrot to induce class loyalty).
- 85. Integrity is tested almost to the limit when doing the wrong thing means acquiring the assurance that in the event one gets into trouble for doing the right thing or making a mistake the whole class will close ranks to protect one.
- 86. And integrity is tested to the breaking point when doing the wrong thing to protect a peer means earning the entitlement to do whatever wrong thing one wants to do in the knowledge that all the peers will likewise be there to keep one from having to pay any adverse consequence and to enable one to keep all wrongful benefits.
- 87. If it were easy to show integrity, everybody would do so and integrity would not be such a rare and precious quality of a person's character. Lack of integrity, of course, is no excuse for breaking the law and harming others. Showing and not showing integrity as a judge is what makes the difference between living one's exacting and ennobling conviction that administering justice is one of the highest callings to serve one's fellow men that a person can respond to and being an opportunistic employee that goes through the motions of the job while embezzling the masters' public power to turn it into private benefits with the help of a clique of dishonest servants.

## E. Politicians in connivance with judges have allowed them to become unimpeachable, unsuable Judges Above the Law

88. Politicians are aware that judges can doom their legislative agenda by declaring its component laws unconstitutional <sup>17</sup>. Obamacare would be but a footnote in the annals of legislation if Chief Justice Roberts had joined the other four conservatives on the Supreme Court in declaring it unconstitutional.

- 89. To avoid such retaliation, politicians have in self-interest(jur:22¶31) allowed judges to maintain the doctrine of judicial immunity in force and hold them unaccountable. Why would they ever turn against, and expose the wrongdoing, of 'their own men and women on the bench', the very ones that they recommended, endorsed, and confirmed to a federal judgeship? If politicians did so, they would be admitting at the very least their bad judgment of character or incompetent vetting process when considering them for a judgeship. At worst, they would run the risk of being charged with having known about the judicial candidates' wrongdoing but condoned it as part of a quid pro quo arrangement providing for their appointment to the bench in exchange for favorable decisions as judges or other benefits.
- 90. Due to their connivance with judges(jur:81\\$1; OL:147\\$6), politicians are part of the problem of judges' unaccountability and consequent riskless wrongdoing. To appeal to them for help only betrays naiveté and a lack of understanding of how allies and foes are lined up in the game of power politics, where power is the paramount consideration and the only prize at stake and not even electoral slogans include any reference to judges' unaccountability, wrongdoing, and the need for their exposure and judicial reform.
- 91. Hence, it is not by seeking politicians' participation in suing judges for wrongdoing that the chances of success are enhanced.

## F. From unaccountability to riskless wrongdoing, coordination, and schemes, to a Federal Judiciary that is the safe haven of wrongdoing judges

- 92. Federal judges have self-servingly crafted the unconstitutional doctrine of judicial immunity to hold themselves beyond suit; steer in their favor suits that exceptionally reach them; and systematically dismiss 99.82%(supra, ¶23) complaints against their colleagues. By so doing, they have left the public without any recourse to obtain relief from, or compensation for, judges' injurious 'bad Behaviour'.
- 93. Quite the contrary, they have condemned the public to be further and ever more profoundly injured by judges that are not deterred from engaging in 'bad Behaviour' because they hold themselves and are held by politicians unaccountable. Consequently, their wrongdoing is riskless. It grows worse as it becomes ever more routine, widespread, and graver. Progressively, the inhibitions about behaving badly fall away, their wrongdoing becomes common knowledge, and its material<sup>213</sup>(jur:27§2), professional<sup>69</sup>(56§§e-f), and social benefits(62§g, a&p:1¶2<sup>nd</sup>) become more enticing. Naturally the most harmful feature of 'bad Behaviour' in a group takes over: coordination(jur:88§§a-c) among wrongdoers.
- 94. Through coordination, judges can make the most of their means(jur:21§1), motive(jur:27§2), and opportunity(jur:28§3) to engage in wrongdoing. Coordination among themselves and between them and other insiders of the legal and bankruptcy systems<sup>169</sup> enables judges to increase ever more their wrongdoing's effectiveness and benefits. The opportunity for coordinating their wrongdoing and implementing their coordinated plan of action is significantly enhanced by a feature of their operation that has no parallel in the rest of government: pervasive secrecy. Federal judges hold all their adjudicative, administrative, policy-making, and disciplinary meetings behind closed doors and never hold press conferences (jur:27§e). If "Sunlight is the best disinfectant", as Justice Brandeis put it<sup>279</sup>, secrecy is the petri dish of corruption.
- 95. Gradually, coordinated wrongdoing judges operating in secrecy develop into a corrupt organization with structured personnel, an articulated mode of operation, and the shared objective

of achieving current and new benefits with expanding ranges and increasing levels.

- 96. Unaccountability, coordination, and secrecy have enabled federal judges to engage in the most harmful form of riskless wrongdoing: schemes. That is how they have been able to set up and run their bankruptcy fraud scheme(jur:xxxv, xxxviii), a concealment of assets scheme<sup>107a,c; 213</sup>, and a docket clearing scheme(43§1). Coordination in secrecy has made wrongdoing so accepted among judges and has so intimately integrated it with their daily activities that wrongdoing has become the institutionalized modus operandi(49§4) of the Federal Judiciary while the Judiciary has become the profitable safe haven for wrongdoers beyond process through self-immunization.
- 97. Federal judges' own historic record and current statistics(jur:21\sum\_a) show that once a person is confirmed to his or her life-tenured federal judgeship, they can disregard their duty of accountability, their oath of office, and the law without fear of any adverse consequences. That is how they have elevated themselves acting in connivance with politicians to a place where no person is entitled to be in government by the rule of law: Judges Above the Law(jur:49\statemath{\sqrt{4}}{4}).

## G. Suing judges is an exercise in futility because judges judging judges will make suits fail: an out-of-court strategy for judicial wrongdoing exposure and reform

- 98. There is no way of suing a judge and forcing the judges judging their peer not to apply the doctrine of judicial immunity, not to dismiss the suit under a procedural rule, and not to steer it to a favorable outcome for the judge. This calls for an out-of-court strategy for judicial exposure and reform.
- 99. The out-of-court strategy provides for the national public to be informed about the wrongdoing of judges through the journalistic investigation of two unique national stories: the President Obama-U.S. Supreme Court Justice Sotomayor story and the Federal Judiciary-NSA story (OL:100). Those stories will so outrage(jur:83\\$2-3; OL:136\\$3) the public at judges' wrongdoing in connivance with politicians as to stir it up to force politicians to investigate judges officially and at public hearings, and bring about meaningful judicial reform(jur:158\\$6-8). The power that the public has to force politicians to take into account its mood and demands lies in that it can withhold its donations, volunteered work, word of mouth support, endorsement when asked by pollsters, and of course, its vote on Election Day. Its power is particularly strong when politicians are most vulnerable, that is, during the long primary and presidential election campaigns.
- 100. That is why time is of the essence and why Advocates of Honest Judiciaries must not miss this long political season to take action.

## 1. The action that you can take to expose judge's wrongdoing and bring about judicial reform

- 101. The strategy for judicial wrongdoing exposure and reform can be implemented through a plan of action that sets forth the concrete, realistic, and feasible action that you, the Reader, and all other Advocates of Honest Judiciaries can take. To that end, you can:
  - a. Contact
    - 1) talkshow hosts(OL:146) and
    - 2) student class officers, deans, and professors at schools of journalism, law, business, and Information Technology(OL:137§B) to
  - b. arrange for your and Dr. Cordero's or his appearance in their talkshows or at their schools

- to make presentations of the evidence(jur:21§§A-B) of judges' wrongdoing(jur:5§3; Lsch:21§A) and the plan of action for judicial wrongdoing exposure and reform(Lsch:2);
- c. use the interview with Dr. Cordero by Mr. Alfred Lambremont Webre, JD, MEd, thereon as a promotional tool. It can be watched at:
  - http://www.dailymotion.com/video/x2362oh\_dr-cordero-u-s-judiciary-goes-rogue-99-82-complaints-vs-judges-are-dismissed-u-s-justice-sonia-sotom\_news
    and Dr. Cordero: U.S. Judiciary goes Rogue 99.82% complaints vs. Judges are dismissed; U.S. Justice Sonia Sotomayor hides assets with impunity
- d. facilitate through those presentations contact with journalists to encourage them to further investigate(jur:102§4; OL:115) the two unique national stories so that their reporting may
- e. launch a Watergate-like(jur:100§3) investigation by ever more professional and citizen journalists of judges' wrongdoing guided by a proven(4¶10-14) query rephrased thus:

What did President Obama and the Supreme Court justices know about wrongdoing by Justice Sotomayor

-who suspected by *The New York Times, The Washington Post*, and Politico<sup>107a,c</sup> of concealing assets. Such concealment is done to hide the assets' illegal origin, evade taxes on them, and eventually use the assets after removing their illegal origin stains through money laundering. Each of those acts constitutes a crime<sup>OL:5fn10</sup>

with the complicity of the other justices, judges, and staff of the Federal Judiciary, and when did they know it?

- f. stir up an outraged national public to force campaigning politicians to
- g. take a stand on judicial wrongdoing and reform, and even call for, and open, official investigations by Congress, DoJ-FBI, and their state counterparts, of judges' wrongdoing, and in light of the full extent, nature, and gravity of their wrongdoing(OL:135),
- h. establish an independent inspector general for the Federal Judiciary(jur:158\);
- i. legislate judicial reform that requires the Judiciary and its judges to operate transparently and on an open door basis(jur:158§7); and
- j. create citizen boards(jur:160§8) empowered to receive publicly filed complaints against federal judges; investigate them with subpoena and contempt powers; conduct public hearings; and hold judges accountable, disciplinable, and even liable to compensate the victims of their wrongdoing(Lsch:10¶6);
- k. make these developments the model to be followed at the state level.

#### 2. Principled judges and journalists jointly exposing judges' wrongdoing

- 102. Principled and courageous judges can inform journalists about judges' wrongdoing. They can do so on deep background, and thus become modern day Deep Throats(jur:106\\$c), whose identity will be protected by the journalists to whom they provide information confidentially. Journalists and media outlets can investigate that information in their own professional and commercial interest, for they can earn numerous material and moral rewards thereby(OL:3\\$F).
- 103. Let journalists and media outlets take a hint: If they want to investigate(OL:100) judges, they should go to the venue of judges' conferences and meetings, which are announced on the web-

sites of the courts(jur:20), their associations<sup>22e</sup>, regional and national moot court competition organizers, corporate sponsors (Google 'judicial seminars'), etc., to talk to the hotel drivers, bartenders, waiters, waitresses, particularly the beautiful ones, room cleaners, and similar 'small people' with underestimated intelligence –more than matched by their street smarts and experience with VIPs– who are invisible to life-tenured, in practice unimpeachable judges full of themselves, and in whose ghostly presence Judges Above the Law uninhibitedly discuss, or engage in competitive boasting about, their wrongdoing. Valuable leads can be gained thereby(jur:106¶240-243).

## 3. The need for every Advocate of Honest Judiciaries to take action, lest they become a useless debating society of armchair judicial victims and law pundits

104. You, the Reader, can take action so that thanks to your imaginative organizing work, you can turn talkshow hosts and investigation-related graduate schools into a force to be reckoned with for its effective impact on the national public and on behalf of its rights, such as its fundamental right to honest judiciaries that administer Equal Justice Under Law. If you do so, you can earn valuable rewards(OL:3§F) and be recognized by a grateful nation as one of *We the People*'s Champions of Justice.

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#### **Endnotes**

- 1. The facts supporting his probable cause to believe that there is interference with his communications so as to hinder his effort to join forces with others to expose federal judges' wrongdoing(OL:19\(\xi\)D);
- 2. Dropbox's suspension of his account allegedly because it is generating too much traffic, although it is precisely in its interest, as it competes with the likes of Google Drive, Microsoft Drive One, Apple iCloud, etc., to become known as the most reliable cloud depository from which the whole world can download the files that its subscribers have uploaded to it; (https://www.dropbox.com/s/rgw00v30ex3kbho/DrRCordero-Honest Jud Advocates.pdf); and
- 3. Google's notice -http://ldrv.ms/lvlWjRP- informing Dr. Cordero that his account, i.e., Dr.Richard.Cordero.Esq@gmail.com, had been disabled, but:
  - a) stating no reason therefor; instead;
  - b) referring him to its terms and conditions for him to guess how he might have violated any of them so that he would be the one to justify Google's abusive disablement of his account(OL:175);
  - c) giving him no opportunity to correct whatever conduct that had prompted the disablement;
  - d) allowing no downloading of his saved emails for his record;
  - e) giving him no time to read or download his unread emails;
  - f) permitting no copying of his list of contacts so that he could inform them where to email him in future;
  - g) offering no forwarding of incoming emails to a non-gmail account; and
  - h) setting no latest date by which it would resolve the appeal that it stated his protest constituted, whereby Google may have intended to cause him not to take any action in

reliance on the misleading impression that there is the possibility that it may reverse its decision when in fact Google has no appeal mechanism to review an account disabling decision and no intention to enable his account again, so that Google's reference to its review of an appeal may be a dishonest tactic to drag out time during which it expects Dr. Cordero to resign himself that the account is and will remain disable and find alternative ways to dealing with his emailing.

- 4. Thus, Google has avoided taking any reasonable measure to limit the professional and practical harm caused Dr. Cordero by disabling his gmail account without warning. On the contrary, by disabling it in such an abrupt and inconsiderate manner, it intended to cause him the maximum harm: A torts principle states that "a person is deemed to intend the reasonably foreseeable consequences of his or her actions".
- 5. Did Google act on its own initiative or did it receive a request or an order to disable Dr. Cordero's account to which it responded by bargaining a quid pro quo benefit?
  - Cf. *The New York Times*, *The Washington Post*, and *Politico*(jur:xlviii) may have entered into a quid pro quo arrangement when they abruptly killed their series of articles suspecting Then-Judge, Now-Supreme Court Justice Sotomayor of concealing assets <sup>107a,c</sup>.

However, it was in their interest to pursue a story that could have earned them the historic credit and a Pulitzer Prize for having set in motion a Watergate-like(jur:4¶10-14) generalized media investigation that led to the non-confirmation of J. Sotomayor, or the resignation or impeachment of her and of President Obama for connivingly nominating her in his own political and personal interest(OL:67¶6) despite knowing about her concealment of assets(jur:xviii).

If so, President Obama lied to the American public when he vouched for her honesty and under false pretense obtained its support for her confirmation.

6. Allfootnote marks and (parenthetical) blue text references are keyed to the first volume\* of Dr. Cordero's study of judges and their judiciaries, which now consists of three volumes. The study is the product of professional law research and writing, and strategic thinking. It is titled and downloadable thus:

#### **Exposing Judges' Unaccountability and Consequent Riskless Abuse of Power:**

Pioneering the news and publishing field of judicial unaccountability reporting\* † ◆

Open the downloaded files using Adobe Acrobat Reader, which is available for free.

Some of the articles in the study analyze current events and propose concrete, reasonable, and feasible actions that webvisitors can take in their own interest to expose judicial abuse of power and financial criminality; collectively demand compensation; and set in motion reform through transformative change, i.e., what goes into the process of change comes out transformed into a different entity.

Those articles have been posted to Dr. Cordero's website **Judicial Discipline Reform** at http://www.Judicial-Discipline-Reform.org. Webvisitors have reacted so favorably to them that as of February 12, 2022, the number of visitors who have become subscribers is 43,103+ (Appendix 3). You too can become a subscriber by going to the site < left panel \perp Register or + New or Users > Add New.

Dare trigger history!(jur:7\\$5)...and you may enter it.

#### H. My offer of a presentation to you and your group of colleagues and guests

105. I offer to present this article via video conference and, if in NY City, in person, to you and your group. To schedule the presentation you may use my contact information in the letterhead above.

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

- 106. Lip service advances nothing; but it continues to enable the abusers.
- 107. Put your money where your outrage at abuse and quest for justice are. Support the professional law research and writing, and strategic thinking of **Judicial Discipline Reform**.

**DONATE** by making a deposit or an online transfer through either the Bill Pay feature of your online account or Zelle

from your account to Citi Bank, routing # 021 000 089, account # 4977 59 2001; or TD Bank, routing # 260 13 673, account # 43 92 62 52 45.

## 1. Activities to be financed by donations and capital investment as described in the business plan

- 108. continue the professional law research and writing, and strategic thinking that have produced a three-volume\* † study of judges and their judiciaries; and whose articles(Appendix 6§A) posted to my website at http://www.Judicial-Discipline-Reform.org have attracted so many webvisitors and impressed them so favorably that 43,095(App.3) had become subscribers as of February 11;
- 109. turn the website from a free informational platform into a profit center that offers access to:
  - a. a clearinghouse for complaints against judges that anybody can upload;
  - b. a **research center** for fee-paying clients auditing judges' decisions and searching many other writings from many sources that through computer-assisted statistical, linguistic, and literary analysis can reveal the most persuasive type of evidence: judges' patterns, trends, and schemes of abuse of power, e.g.; their interception of people's emails and mail; and
  - c. the digital portal of a multidisciplinary academic and business venture offering slots to advertise services and goods and leading up to the creation of the Institute of Judicial Unaccountability Reporting and Reform Advocacy, to be attached to a university or a news network;
- 110. organize and embark on a tour of presentations to you and your group of guests; at law, journalism, business, and Information Technology schools; media outlets; etc., via video conference or, if in NY City, in person. To assess my capacity to present view my video and follow it on its slides;
- 111. hold together with academics, media outlets, and journalists, the proposed UNPRECEDENTED CITIZENS HEARINGS, where people will be able to tell the national public their stories of judges' abuse;
- 112. organize the first-ever, and national conference on judges' abuse in connivance with politicians, who fear their power of retaliation, where the report on the citizens hearings will be presented;
- 113. publish as its sequel an academics/journalists multidisciplinary Annual Report on Judicial Unaccountability and Riskless Abuse of Power-cum-citizens inspector general report on the judiciary;
- 114. launch an abuse investigation that attracts ever more media because Scandal sells & earns Pulitzers;
- 115. promote the formation of a national, single issue, apolitical, civic movement for judicial abuse of power exposure, compensation of abusees, and reform through transformative change.

OL:178

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

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#### **APPENDIXES**

- App.1. Volumes of the study of judges and their judiciaries
- App.2. Offer of a presentation; and
  Activities to support with donations and investment
- App.3. Number of subscribers to Judicial-Discipline-Reform.org
- App.4. Statement by LinkedIn that Dr. Cordero has "one of the top 5% most viewed LinkedIn profiles for 2012"
- App.5. Resume of Dr. Cordero
- App.6. Links to articles ready for review and publication; subjects for commissioned articles; and links to external sources of information
- App.7. Blocs of email addresses of the people to whom to send one's story of judges' abuse of power and financial criminality

## 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 three-volume study of judges and their judiciaries that exposes their coordinated abuse of power as their institutionalized modus operandi; and promotes a generalized media investigation and unprecedented citizens hearings that inform and so outrage the national public as to stir it up to assert its right as We the People, the Masters of all public servants, including judicial public servants, to hold judges accountable for their performance and liable to compensate the victims of their abuse

#### **VOLUME I:**

http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest\_Jud\_Advocates.pdf

#### Volume II:

http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Honest\_Jud\_Advocates2.pdf

#### Volume III:

http://Judicial-Discipline-Reform.org/OL3/DrRCordero-Honest\_Jud\_Advocates3.pdf

## 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

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

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

## A. Offer to make a presentation on holding judges and their judiciaries accountable for their performance and liable to compensate the victims of their abuse

1. I offer to present my webinar & workshop, and business plan to you and your guests via video conference and, if in NY City, in person. To assess my capacity to present you may view my video and its slides. To set the presentation terms and scheduling use my contact information in the letterhead.

#### B. Activities to be financed by donations and capital investment

Support Judicial Discipline Reform and its business plan to:

2. continue its professional law research and writing, and strategic thinking, which has produced a three-volume study of judges and their judiciaries, titled and downloadable thus:

Exposing Judges' Unaccountability and Consequent Riskless Abuse of Power:

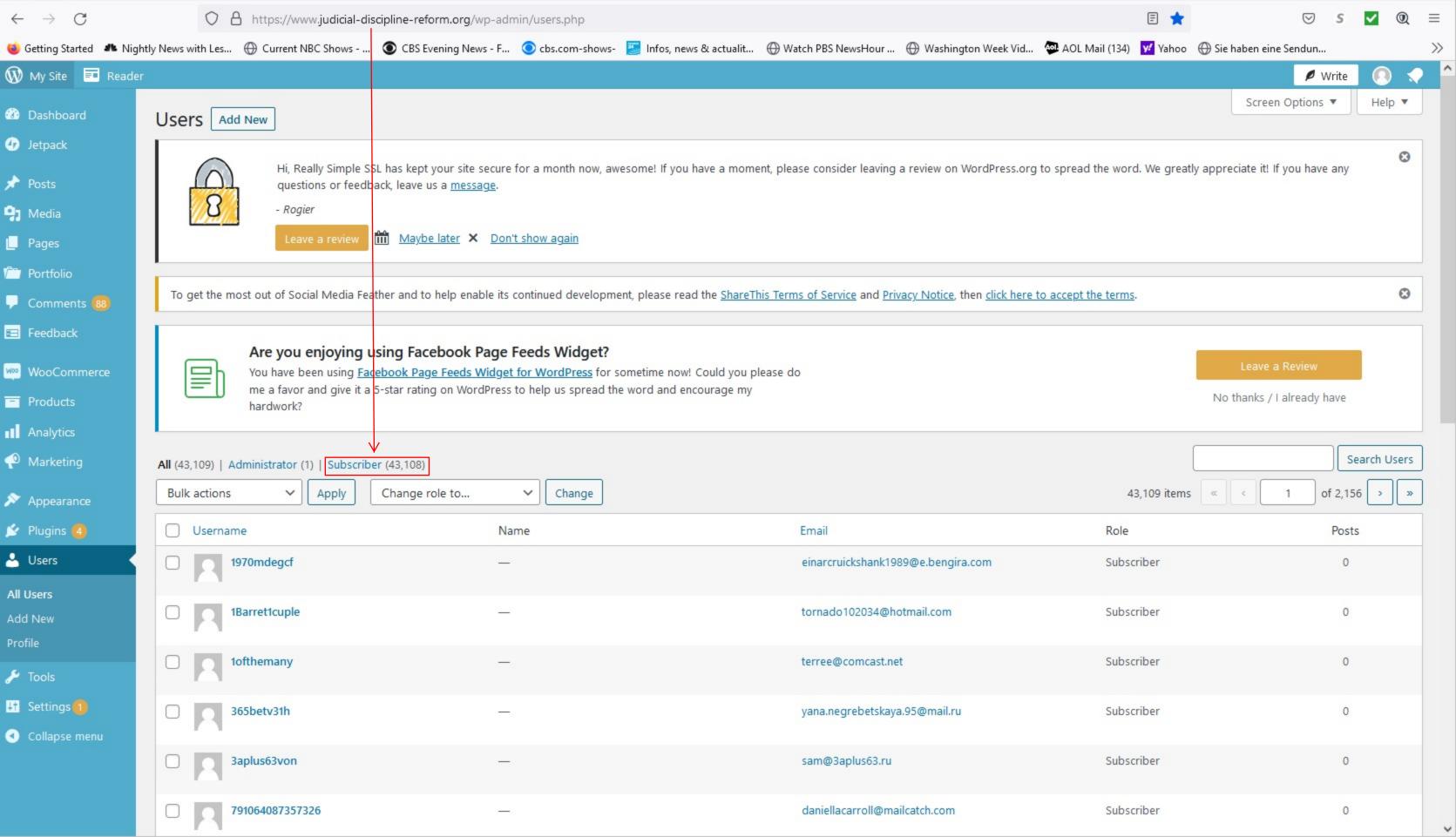
Pioneering the news and publishing field of judicial unaccountability reporting\* † \*

- 3. turn the website at http://www.Judicial-Discipline-Reform.org -whose articles(Appendix 6§A) have attracted countless webvisitors and elicited in them such a positive reaction that 40,110 (App.3) have become subscribers as of November 1, 2021- from an informational platform, into:
  - a. a clearinghouse for complaints against judges uploaded by anybody;
  - b. a **research center** for fee-paying clients auditing judges' decisions and searching many other writings from many sources that through computer-assisted statistical, linguistic, and literary analysis can reveal the most persuasive type of evidence: judges' patterns, trends, and schemes of abuse of power, e.g.; their interception of people's emails and mail; and
  - c. the digital portal of the business venture leading up to the **Institute** of Judicial Unaccountability Reporting and Reform Advocacy attached to a university or news network;
- 4. organize and embark on a tour of presentations to you and your group of guests; at law, journalism, business, and Information Technology schools; media outlets; etc., via video conference or, if in NY City, in person. To assess my capacity to present view my video and follow it on its slides;
- 5. hold together with academics, media outlets, and journalists, the proposed UNPRECEDENTED CITIZENS HEARINGS, where people will be able to tell the national public their stories of judges' abuse;
- 6. organize the first-ever, and national conference on judges' abuse in connivance with politicians, who fear their power of retaliation, where the report on the citizens hearings will be presented;
- 7. publish as its sequel an academics/journalists multidisciplinary Annual Report on Judicial Unaccountability and Riskless Abuse of Power-cum-citizens inspector general report on the judiciary;
- 8. launch an abuse investigation that attracts ever more media because Scandal sells & earns Pulitzers;
- 9. promote the formation of a national, single issue, apolitical, civic movement for judicial abuse of power exposure, compensation of abusees, and reform through transformative change (¶77); etc. (¶48).
- 10. 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.**

**DONATE** by making a transfer using your online bank account Bill Pay feature or through Zelle to:

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#### Dr. Richard Cordero, Esq.

Ph.D., University of Cambridge, England M.B.A., University of Michigan Business School D.E.A., La Sorbonne, Paris http://www.Judicial-Discipline-Reform.org

**Judicial Discipline Reform** 

2165 Bruckner Blvd., Bronx, NY 10472-6506 DrRCordero@Judicial-Discipline-Reform.org tel. +1(718)827-9521; follow @DrCorderoEsq

February 11, 2022

A study and articles already written on judicial abuse of power, compensation of abusees, and transformative reform; subjects for articles that may be commissioned; and links to external sources of information useful for law research and writing<sup>‡</sup>

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#### A. The study and articles available for review before publication or law writing

#### 1. The study

1. The three-volume study\* † ♣ of judges and their judiciaries that supports the articles, which are downloadable as individual files

#### **Exposing Judges' Unaccountability and Consequent Riskless Abuse of Power:**

Pioneering the news and publishing field of judicial unaccountability reporting\* † ◆

- \* Volume 1: http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest Jud Advocates.pdf >all prefixes:page# up to prefix OL:page393
- † Volume 2: http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Honest\_Jud\_Advocates2.pdf >from page OL2:394-1143
- Volume 3: http://Judicial-Discipline-Reform.org/OL3/DrRCordero-Honest\_Jud\_Advocates3.pdf >from OL3:1144-1402+
  - i. Download the volume files using MS Edge, Firefox, or Chrome; it may happen that Internet Explorer only downloads a blank page.
  - ii. Open the downloaded files using Adobe Acrobat Reader, which is available for free at https://acrobat.adobe.com/us/en/acrobat/pdf-reader.html.
  - iii. In each downloaded file, go to the Menu bar >View >Navigation Panels >Bookmarks panel and use its bookmarks, which make navigating to the contents' numerous(\* † ◆ >blue footnote-like references) very easy.
- 2. Many of the articles have been posted to the website of Judicial Discipline Reform at http://www.Judicial-Discipline-Reform.org.
- 3. Visit the website and join its 43,075+ subscribers to its articles thus: homepage < left panel \Register or + New or Users >Add New.

#### 2. The individual sections of the study

1. jur:1; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_Intro\_jur:1-8.pdf

- 2. jur:10; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_complaint\_dismissal\_statistics\_jur9-20.pdf
- 3. jur:21; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_Sec\_A\_jur21-63.pdf
- 4. jur:65; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_Sec\_B\_jur65-80.pdf
- 5. jur:85; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_Sec\_C\_jur85-97.pdf
- jur:97; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_Sec\_D\_jur97-111.pdf
- 7. jur:119; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_Sec\_E\_jur119-130.pdf
- 8. jur:130; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_Sec\_E\_jur130-169.pdf
- 9. jur:171; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_Sec\_F\_jur171-174.pdf

#### 3. The articles already written

- 10. http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_collected\_statistics\_complaints\_v\_judges.pdf
  - Cf. a. jur:11: while Then-Judge, Now-Justice Sonia **Sotomayor** served on the Court of Appeals for the Second Circuit, http://Judicial-Discipline-Reform.org/OL2/DrRCordero complaint dismissal statistics.pdf
    - b. OL2:546; while Then-Judge, Now-Justice Neil Gorsuch served on the Court of Appeals for the Tenth Circuit, http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_hearings\_JGorsuch\_complainants&parties.pdf
    - c. OL2:748; Judge Brett Kavanaugh, Chief Judge Merrick Garland, and their peers and colleagues in the District of Columbia Circuit dismissed 478 complaints against them during the 1oct06-30sep17 11-year period; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_JJ\_Kavanaugh-Garland\_exoneration\_policy.pdf; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_table\_exonerations\_by\_JJ\_Kavanaugh-Garland.pdf
    - d. OL2:1176; while Then-Judge, Now-Justice Amy Coney **Barrett** served on the Court of Appeals for the Seventh Circuit; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_JgACBarrett\_condonation\_judges\_power\_abuse.pdf
    - e. OL3:1229; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-JudgeRPratt.pdf and https://www.iasd.uscourts.gov/content/senior-district-judge-robert-w-pratt
    - f. OL3:1237 on exposing attorney general designate Judge M. **Garland**; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_media\_exposing\_judges.pdf
    - g. Template to be filled out with the complaint statistics on any of the 15 reporting courts: http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_template\_table\_complaints\_v\_judges.pdf
- 11. jur:32§§2-3; Congress's finding of cronyism in the federal courts, http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest Jud Advocates.pdf
- 12. jur:65; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_abuse\_by\_justices.pdf
- 13. jur:72fn144d; http://judicial-discipline-reform.org/journalists/CBS/11-5-18DrRCordero-ProdCScholl.pdf
- jur:122; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_judicial\_unaccountability\_brochures\_report.pdf
- 15. jur:130; http://Judicial-Discipline-

- Reform.org/OL2/DrRCordero\_Institute\_judicial\_unaccountability\_reporting.pdf
- 16. Lsch 5; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Deans\_professors\_students.pdf
- 17. Lsch:13; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_dynamic\_analysis&strategic\_thinking.pdf
- 18. http://Judicial-Discipline-Reform.org/DoJ-FBI/9-2-3DrRCordero-FBI\_Corruption\_Unit.pdf
- 19. DeLano Case Course; dcc; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_Syllabus.pdf
- 20. Creative writings, cw; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_creative\_writings.pdf
- 21. OL:42; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_law\_research\_proposals.pdf
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- 23. OL:180 http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_turning\_judges\_clerks\_into\_irformants.pdf
- 24. OL:190; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_institutionalized\_judges\_abuse\_power.pdf
- 25. OL:215; former CBS reporter Sharyl Attkisson and her suit against the Department of Justice for illegal electronic surveillance of her home and CBS office computers
- 26. OL:255; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-university\_law\_research.pdf
- 27. OL:274; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_auditing\_judges.pdf
- 28. OL:311; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-presidential\_candidates.pdf
- 29. OL:440; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-IT\_investigate\_interception.pdf
- 30. OL2:433; http://Judicial-Discipline-Reform.org/OL2/DrRCordero Yahoogroups.pdf
- 31. OL2:452; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Deans\_professors\_students.pdf
- 32. OL2:453; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_judicial\_accountability\_presentation.pdf
- 33. OL2:468; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_turning\_court\_clerks\_into\_informants.pdf
- 34. OL2:546; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_complaint\_dismissal\_statistics.pdf; see also infra OL2:792; see the supporting official statistical tables of the federal courts at http://Judicial-Discipline-Reform.org/statistics&tables/statistical tables complaints v judges.pdf
- 35. OL2:548; table of 100% complaint dismissal and a100% dismissal review petitions denial while Then-Judge, Now-Justice Neil Gorsuch served on the 10<sup>th</sup> Circuit; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_hearings\_JGorsuch\_complainants&parties.pdf
- OL2:567; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-The\_Dissatisfied\_with\_Judicial\_System.pdf
- 37. OL2:608, 760; article using official court statistics to demonstrate "the math of abuse": neither judges nor clerks read the majority of briefs, disposing of them through 'dumping forms', which are unresearched, reasonless, arbitrary, ad-hoc fiat-like orders on a 5¢ rubberstamped form; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_judges\_do\_not\_read.pdf
- 38. OL2:614; http://Judicial-Discipline-Reform.org/OL2/DrRCordero how fraud scheme works.pdf

- 39. OL2:760; see OL2:608
- 40. OL2:768; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Congress.pdf
- 41. OL2:773; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Harvard\_Yale\_prof\_students.pdf
- 42. OL2:781; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_judges\_intercepting\_emails\_mail.pdf
- 43. OL2:792; 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
- 44. OL2:799; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-RepJNadler.pdf
- 45. †>OL2:821; Programmatic presentation on forming a national civic movement for judicial abuse of power exposure, redress, and reform; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_programmatic\_presentation.pdf
- 46. OL2:840; http://www.Judicial-Discipline-Reform.org/OL2/DrRCordero-LDAD.pdf;
- 47. \*>OL2:879; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_Black\_Robed\_Predators\_documentary.pdf
- 48. OL2:901; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-LDAD.pdf
- 49. OL2:918; File on the complaint's journey –from OL2:792– until its final disposition in the U.S. Court of Appeals for the 11th Circuit; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-11Circuit.pdf
- 50. OL2:929; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-IT\_investigate\_interception.pdf
- 51. OL2:932; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-ProfRPosner.pdf
- 52. OL2:947; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-media.pdf
- 53. OL2:951; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_judges\_abuse\_citizens\_hearings.pdf
- 54. OL2:957; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_judges\_abuse\_video.mp4
- 55. OL2:957; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_judges\_abuse\_slides.pdf
- 56. OL2:971; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Professors\_students\_journalists.pdf; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Professors\_students\_lawyers.pdf
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- 66. OL2:1040; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-parties\_invoking\_impeachment\_trial.pdf
- 67. OL2:1045; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Professors\_Students\_Journalists.pdf; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Professors\_students\_lawyers.pdf
- 68. \*>OL2:1051; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_judges\_abuse\_citizen\_hearings.pdf
- 69. OL2:1056; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-reporters\_clerks.pdf = http://Judicial-Discipline-Reform.org/OL2/DrRCordero sham hearings.pdf
- OL2:1066; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_adapting\_to\_new\_legal\_market.pdf, discussing a proposal to LexisNexis
- 71. OL2:1073; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_inform\_outrage\_be\_compensated.pdf
- 72. \*>OL2:1081; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_judges\_intercepting\_emails\_mail.pdf = http://Judicial-Discipline-Reform.org/OL2/DrRCordero-LexisNexis.pdf
- 73. OL2:1084; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Thomson\_Reuters.pdf
- 74. OL2:1090; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-SZarestky\_Above\_the\_Law.pdf
- 75. \*>OL2:1093; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Washington\_Post.pdf
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- 79. OL2:1116; http://Judicial-Discipline-Reform.org/OL2/DrRCordero research documents&sources.pdf
- 80. OL2:1119; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_judicial\_abuse\_forms.pdf
- 81. OL2:1125; exposing the Federal Judiciary as a racketeering enterprise; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Reuters\_judges\_investigation.pdf
- 82. \*>OL2:1134; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Talkshow\_hosts\_coalition.pdf
- 83. OL2:1144; analysis of Thomson Reuters's report "The Teflon Robe"; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_your\_story\_for\_Reuters.pdf
- 84. OL2:1154; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-American Thinker.pdf
- 85. \*>OL2:1164; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Center\_Public\_Integrity.pdf; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_judges\_abuse\_of\_power.pdf
- 86. \*>OL2:1168; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_joining\_forces\_making\_allies.pdf
- 87. \*>OL2:1172; http://judicial-discipline-reform.org/OL2/DrRCordero\_judges\_exposure\_election\_justice.pdf
- 88. \*>OL2:1176; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_JgACBarrett\_condonation\_judges\_power\_abuse.pdf
- 89. OL3:1187; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-LDAD\_repairing\_democracy.pdf
- 90. OL3:1197; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_citizens\_hearings.pdf
- 91. \*>OL2:1205: http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Reuters\_Law\_Firm\_Council.pdf

- 92. \*>OL2:1212: agenda for video conference; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_preparing\_video\_conference.pdf
- 93. OL2:1221; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-News Directors on judges abuse.pdf
- 94. OL3:1228; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_emails\_mail\_intercepted\_by\_judges.pdf
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- 96. OL3:1237; http://Judicial-Discipline-Reform.org/OL2/DrRCordero media exposing judges.pdf
- 97. OL3:1243; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_talkshow\_hosts\_coalition.pdf
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- 101. OL3:1257; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Guardianship\_Abuse\_Symposium.pdf; http://Judicial-Discipline-Reform.org/OL2/DrRCordero exposing judges power abuse.pdf
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- 120. OL3:1393; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_webinar\_&\_workshop\_dates.pdf
- 121. OL3:1394; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_thinking\_strategically\_to\_gain\_result\_allies.pdf
- 122. OL3:1399; analysis of *The Wall Street Journal* article exposing how "131 Federal Judges Broke the Law by Hearing Cases Where They Had a Financial Interest"; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-join\_demand\_for\_compensation\_from\_judges.pdf
- 123. OL3:1411; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_plan\_of\_action\_v\_judges\_abuse.pdf
- 124. OL3:1417; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Reuters\_journalists\_lawyers\_on\_judges\_power\_abuse.pdf
- 125. OL3:1426; http://Judicial-Discipline-Reform.org/OL2/DrRCordero\_forming\_local\_chapters&appealing\_to\_schools.pdf
- 126. OL3:1428; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-ABC\_investigate\_judges\_abuse.pdf

#### B. Subjects for commissioning one or a series of articles

- 127. judges' unaccountability(\*>OL:265) and their riskless abuse of power(\*>jur:5\sqrt{3}; OL:154\sqrt{3});
- 128. statistical analysis for the public(†>OL2:455§§B-E, 608§A) and for researchers(jur:131§b);
- 129. significance of federal circuit judges disposing of 93% of appeals in decisions "on procedural grounds [i.e., the pretext of "lack of jurisdiction"], unsigned, unpublished, by consolidation, without comment", which are unresearched, reasonless, ad-hoc, arbitrary, fiat-like orders, in practice unappealable(OL2:453);
- 130. to receive 'justice services' (OL2:607) parties pay courts filing fees, which constitute consideration, whereby a contract arises between them to be performed by the judges, who know that they will in most cases not even read their briefs(OL2:608§A), so that courts engage in false advertisement, fraud in the inducement, and breach of contract(OL2:609§2);
- 131. Justiceship Nominee Judge Neil Gorsuch said, "An attack on one of our brothers and sisters of the robe is an attack on all of us": judges' gang mentality and abusive hitting back(OL2:546);
- 132. fair criticism of judges who fail to "avoid even the appearance of impropriety" (jur: 68123a);
- 133. abuse-enabling clerks(OL2:687), who fear arbitrary removal without recourse(jur:30§1);
- 134. law clerks' vision at the end of their clerking for a judge of the latter's glowing letter of recommendation (OL2:645§B) to a potential employer morally blinds them to their being used by the judge as executioners of his or her abuse;
- 135. judges dismiss 99.82% of complaints against them(jur:10-14; OL2:548), thus arrogating to themselves impunity by abusing their self-disciplining authority(jur:21§a);
- 136. escaping the futility of suing judges(OL2:713, 609§1): the out-of-court inform and outrage strategy to stir up the public into holding them accountable and liable to compensation(OL2:581);

- 137. how law professors and lawyers act in self-interest to cover up for judges so as to spare themselves and their schools, cases, and firms retaliation(jur:81§1; Lsch:17§C): their system of harmonious interests against the interests of the parties and the public(OL2:635, 593¶15);
- 138. turning insiders into Deep Throats(jur:106§C); outsiders into informants(OL2:468); and judges into criers of 'MeToo! Abusers'(OL2:682¶¶7,8) that issue an I accuse!(jur:98§2) denunciation of judges' abuse: thinking and acting strategically(OL2:635, 593¶15) to expose judges' abuse by developing allies who want to become Workers of Justice(OL2:687), as opposed to being enforcers of abuse or enablers by endorsement or willful ignorance or blindness;
- 139. two unique national stories, not to replace a rogue judge, but to topple an abusive judiciary:
  - a. Follow the money! as judges grab(OL2:614), conceal(jur:65<sup>107a,c</sup>), and launder(105<sup>213</sup>) it;
  - The Silence of the Judges: their warrantless, 1st Amendment freedom of speech, press, and assembly-violative interception of people's emails and mail to detect and suppress those of their critics(OL2:582§C;OL3:1228);
    - 1) made all the more credible by Former CBS Reporter Sharryl Attkisson's \$35 million suit against the Department of Justice for its illegal intrusion into her computers to spy on her ground-breaking investigation and embarrassing reporting(OL2:612\\$b);
    - 2) by using Information Technology examination and statistical analysis, such interception and contents-based suppression can be exposed, which will provoke a scandal graver than that resulting from Edward Snowden's revelations of NSA's massive illegal collection of only non-personally identifiable metadata(OL2:583§3);
    - 3) the exposure can be bankrolled as discreetly as Peter Thiel, co-founder of PayPal, bankrolled the suit of Hulk Hogan against the tabloid Gawker for invasion of privacy and thereby made it possible to prosecute and win a judgment for more than \$140 million(OL2:528);
    - 4) principles can be asserted and money made by exposing judges' interception;
- 140. launching a Harvey Weinstein-like(jur:4¶¶10-14) generalized media investigation into judges' abuse of power as their institutionalized modus operandi; conducted also by journalists and me with the benefit of the numerous leads(OL:194§E) that I have gathered;
- 141. **Black Robed Predators**(OL:85) or the making of a documentary as an original video content by a media company or an investigative TV show, with the testimony of judges' victims, clerks, lawyers, faculty, and students; and crowd funding to attract to its making and viewing the crowd that advocate honest judiciaries and the victims of judges' abuse of power;
- 142. promoting the unprecedented to turn judges' abuse of power into a key mid-term elections issue and thereafter insert it in the national debate:
  - a. the holding by journalists, newsanchors, media outlets, and law, journalism, business, and IT schools in their own commercial, professional, and public interest as *We the People's* loudspeakers of nationally and statewide televised citizens hearings(OL2:675§2, 580§2) on judges' unaccountability and consequent riskless abuse;
  - b. a forensic investigation by Information Technology experts to determine whether judges intercept the communications of their critics(OL2:633§D, OL2:582§C);
  - c. suits by individual parties and class actions to recover from judges, courts, and judiciaries filing fees paid by parties as consideration for 'justice services' (OL2:607) offered by the judges although the latter knew that it was mathematically (OL2:608§A; 457§D) impossible for them to deliver those

- services to all filed cases; so the judges committed false advertisement and fraud in the inducement to the formation of service contracts, and thereafter breach of contract by having their court and law clerks perfunctorily dispose of cases by filling out "dumping forms" (OL2:608 ¶ 5);
- d. suits by clients to recover from their lawyers attorneys' fees charged for prosecuting cases that the lawyers knew or should have known(jur:90§§b, c) the judges did not have the manpower to deliver, or the need or the incentive to deal with personally, whereby the lawyers committed fraud by entering with their clients into illusory contracts that could not obtain the sought-for 'justice services'; and
- e. suits in the public interest to recover the public funds paid to judges who have failed to earn their salaries by routinely not putting in an honest day's work, e.g., closing their courts before 5:00 p.m., thus committing fraud on the public and inflicting injury in fact on the parties who have been denied justice through its delay(cf. OL2:571¶24a);
- 143. how parties can join forces to combine and search their documents for communality points (OL:274-280; 304-307) that permit the detection of patterns of abuse by one or more judges, which patterns the parties can use to persuade journalists to investigate their claims of abuse;
- 144. the development of my website Judicial Discipline Reform at <a href="http://www.Judicial-Discipline-Reform.org">http://www.Judicial-Discipline-Reform.org</a>, which as of February 11, 2022, had 43,075+ subscribers, into:
  - a. a **clearinghouse** for complaints against judges uploaded by the public;
  - b. a **research center** for professionals and parties(OL2:575) to search documents for the most persuasive evidence of abuse: patterns of abuse by the same judge presiding over their cases, the judges of the same court, and the judges of a judiciary; and
  - c. the **showroom and shopping portal** of a multidisciplinary academic and business venture (jur:119§§1-4). It can be the precursor of the institute of judicial unaccountability reporting and reform advocacy attached to a top university or established by a consortium of media outlets and academic institutions(jur:130§5);
- 145. a tour of presentations(OL:197§G) by me sponsored by you on:
  - a. judges' abuse(jur:5§3; OL:154 ¶ 3);
  - b. development of software to conduct fraud and forensic accounting(OL:42, 60); and to perform thanks
    to artificial intelligence a novel type of statistical, linguistic, and literary analysis of judges' decisions
    and other writings(jur:131\sum\_b) to detect bias and disregard of the requirements of due process and
    equal protection of the law;
  - c. promoting the participation of the audience in the investigation(OL:115) into judges' abuse; and their development of local chapters of investigators/researchers that coalesce into a Tea Party-like single issue, civic movement(jur:164§9) for holding judges accountable and liable to their victims: the People's Sunrise(OL:201§J);
  - d. announcement of a Continuing Legal Education course, a webinar, a seminar, and a writing contest(\*>ddc:1), which can turn the audience into clients and followers;
- 146. a multimedia, multidisciplinary public conference(jur:97§1; \*>dcc:13§C) on judges' abuses held at a top university(OL2:452) to pioneer the reporting thereon in our country and abroad;
- 147. the call of the constitutional convention(OL:136§3) that 34 states have petitioned Congress to convene since April 2, 2014, satisfying the amending provisions of the Constitution, Article V.

#### C. Links to external sources of information useful for law research and writing

#### 1. Treatises

- 148. Start your research here to gain an overview of the subject and proceed to the ever more specific: https://store.legal.thomsonreuters.com/law-products/Legal-Encyclopedias/American-Jurisprudence-2d/p/100027544, covering state and federal, civil and criminal, substantive and procedural law
- 149. https://store.legal.thomsonreuters.com/law-products/Publication-Types/**Treatises**/c/20231?page=1&n=c%3d20231%3bcount%3d25%3bi%3d1%3bq1%3dFederal%3bsort %3dSC\_Units%3bx1%3djurisdiction
- 150. https://store.legal.thomsonreuters.com/law-products/Publication-Types/**Treatises**/c/20231?page=1&n=c%3d20231%3bcount%3d25%3bi%3d1%3bq1%3d**Federal**%3bq2%3dCriminal%2bLaw%2band%2b**Procedure**%3bsort%3dSC\_Units%3bx1%3djurisdiction%3bx2%3dPractic eArea

#### 2. Law reviews and journals

151. Gain a narrower and more specialized understanding of particular topics; https://store.legal.thomsonreuters.com/law-products/Law-Reviews-and-Journals/Law-Reviews--Journals-Westlaw-PROtrade/p/104937407

#### 3. U.S. Constitution

- 152. U.S. Constitution, Preamble: "We the People of the United States, in Order to form a more perfect Union, establish Justice"; http://judicial-discipline-reform.org/docs/**US\_Constitution.**pdf
- 153. U.S. Constitution, Article II, Section. 2. The President...shall have Power to grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment. <a href="http://Judicial-Discipline-Reform.org/docs/US\_Constitution.pdf">http://Judicial-Discipline-Reform.org/docs/US\_Constitution.pdf</a>
  - **4. U.S. Code** (compilation of all federal, as opposed to state, laws)
- 154. https://uscode.house.gov/download/download.shtml; cf. Legal Information Institute (LII) of Cornell Law School; https://www.law.cornell.edu/
- 155. E.g., US Code, Title 11 (11 USC), Bankruptcy Code; id.; enhanced with bookmarks to facilitate navigation at http://Judicial-Discipline-Reform.org/docs/11usc\_Bankruptcy\_Code.pdf
- 156. E.g., US Code, Title 18 (18 USC), Criminal Code, containing all federal criminal laws;. id.; with bookmarks at http://Judicial-Discipline-Reform.org/docs/18usc Criminal Code.pdf

#### 5. The law organizing the Federal Judiciary

157. U.S. Code, Title 28 (28 USC), The Judicial Code; https://uscode.house.gov/download/download.shtml; enhanced with bookmarks to facilitate navigation at http://Judicial-Discipline-Reform.org/docs/28usc Judicial Code.pdf

#### 6. Federal rules of procedure applicable in all federal courts

158. U.S. Code, Title 11, Appendix (11 USC Appendix) containing the Federal Rules of **Bankruptcy** Procedure; https://uscode.house.gov/download/download.shtml; enhanced with bookmarks to facilitate navigation at http://Judicial-Discipline-Reform.org/docs/11usc\_Bankruptcy\_Rules.pdf

- 159. U.S. Code, Title 18, Appendix (18 USC Appendix) containing the Federal Rules of Criminal Procedure; id.; enhanced with bookmarks to facilitate navigation at http://Judicial-Discipline-Reform.org/docs/18usc\_Criminal\_Rules.pdf
- 160. U.S. Code, Title 28, Appendix (28 USC Appendix) containing the Federal Rules of **Civil and Appellate**Procedure and **Evidence**; id.; enhanced with bookmarks to facilitate navigation at http://Judicial-Discipline-Reform.org/docs/28usc\_Civ\_App\_Evi\_Rules.pdf
- **161.** Cf., https://store.legal.thomsonreuters.com/law-products/Statutes/**Federal**-Civil-Judicial-Procedure-and-**Rules**-2021-revised-ed/p/106721176?trkcode=recsrpl&trktype=internal&FindMethod=recs
- 162. Federal Rules of Civil Procedure, Rules and Commentary, 2021 ed.; Steven S. Gensler and Lumen N. Mulligan; https://store.legal.thomsonreuters.com/law-products/Treatises/Federal-Rules-of-Civil-Procedure-Rules-and-Commentary-2021-ed/p/106676872?trkcode=recspdpb&trktype=internal&FindMethod=recs
- 163. Federal Civil Rules Handbook, 2022 ed.; Steven Baicker-McKee and William M. Janssen; https://store.legal.thomsonreuters.com/law-products/Court-Rules/Federal-Civil-Rules-Handbook-2022-ed/p/106744906?trkcode=recsrserp&trktype=internal&FindMethod=recs
- 164. For the rules of the Supreme Court, see subsection 12 infra.

# 7. Rules of procedure specific to each federal court

165. E.g. Local rules and internal operating procedure of the U.S. Court of Appeals for the Second Circuit; https://www.ca2.uscourts.gov/clerk/case\_filing/rules/rules\_home.html

# 8. Code of Federal Regulations

- 166. Regulations adopted by the federal administrative agencies that implement and enforce the applicable law; https://www.govinfo.gov/app/collection/cfr/
  - **9. Bills pending** (in committees and on the floor of the U.S. Senate and House of Representatives)
- 167. https://www.senate.gov/pagelayout/legislative/b\_three\_sections\_with\_teasers/active\_leg\_page.htm
- 168. https://www.house.gov/legislative-activity

#### 10. Some federal laws of particular interest

- 169. The **Ethics** in Government Act of 1978, Appendix to 5 USC; https://uscode.house.gov/download/download.shtml; enhanced with bookmarks to facilitate navigation at http://Judicial-Discipline-Reform.org/docs/5usc Ethics in Government.pdf
- 170. Duty to report abuse, 18 USC §3057; https://www.law.cornell.edu/uscode/text/18/3057
- 171. Circuit justices, 28 USC 42
- 172. bill S.1873, passed on October 30, 1979, and HR 7974, passed on September 15, 1980, entitled The Judicial Councils Reform and Judicial Conduct and Disability Act of 1980; Congressional Record, September 30, 1980; 28086; http://Judicial-Discipline-Reform.org/docs/Jud Councils Reform bill 30sep80.pdf (see also jur:159<sup>280</sup>)
- 173. The Reform part of the bill included a provision for opening the meetings of the judicial councils, but was excluded from the version that was adopted; 28 U.S.C. §332(d)(1), http://Judicial-Discipline-Reform.org/docs/28usc331-335\_Conf\_Councils.pdf (see also jur:75<sup>148</sup>)

- 174. **Judicial Conduct** and Disability Act of 1980; (28 USC §§351-364); http://Judicial-Discipline-Reform.org/docs/28usc.pdf (see also jur:24<sup>18a</sup>), setting forth a procedure for anybody to file a complaint about a federal judge with the chief circuit judge where the complained-about judge sits
- 175. **Rules for Processing** Judicial Conduct and Disability Complaints; https://www.uscourts.gov/judges-judgeships/judicial-conduct-disability
- 176. https://www.law.cornell.edu/rules/frcp/rule\_11 (duties of lawyers and pro ses who sign papers and make representations to the court; sanctions for non-compliance)
- 177. Ethics in Government Act of 1978; 5 U.S.C. Appendix; https://uscode.house.gov/download/download.shtml
- 178. **Racketeer Influenced** and Corrupt Organizations Act(**RICO**); 18 U.S.C. §§1961 to 1968; https://uscode.house.gov/download/download.shtml
- 179. **Foreign Intelligence Surveillance Act**; 50 U.S.C §§1801-1885c; https://uscode.house.gov/download/download.shtml; enhanced with bookmarks to facilitate navigation at http://Judicial-Discipline-Reform.org/docs/50usc\_**FISA**.pdf

# 11. U.S. Supreme Court cases, rules of procedure, and case statistics

- 180. https://www.supremecourt.gov/
- 181. https://www.supremecourt.gov/filingandrules/rules\_guidance.aspx
- 182. https://www.supremecourt.gov/publicinfo/year-end/2020year-endreport.pdf of the Chief Justice of the Supreme Court, who discusses the key statistics on federal cases
- 183. Cf. Workload of the Courts, Appendix to the Year-end Report of the Chief Justice; https://www.supremecourt.gov/publicinfo/year-end/2020year-endreport.pdf
- 184. Table 1

Federal cases disposed of or terminated in the fiscal year to September 30, 2020				
Supreme Court		69		
Courts of appeals (12 regional circuit courts)	48,300			
Federal circuit	1,568			
94 District courts (civil cases)	271,256			
94 District courts (criminal cases)	58,589			
90 Bankruptcy courts	721,251			
U.S. Court of International Trade	631			
U.S. Court of Federal Claims	1,742			
Totals		1,103,337		

#### 12. Cases in the lower federal courts

 Case Management/Electronic Case Filing (CM/ECF); https://www.uscourts.gov/court-records/electronicfiling-cmecf

- 213. Cf. https://store.legal.thomsonreuters.com/law-products/Publication-Types/**Statutes**/c/20196
- 214. Public Access to Court Electronic Records (PACER); https://pacer.uscourts.gov/
- 215. To find the website of each federal court, where its cases are posted go to https://www.uscourts.gov/federal-court-finder/search

#### 13. Forms

- 216. E.g., District Courts—Civil (Vols. 2-4A, West's® Federal Forms); https://store.legal.thomsonreuters.com/law-products/Forms---Topical/District-CourtsmdashCivil-Vols-2-4A-Westsreg-Federal-Forms/p/100001667
- 217. Bankruptcy Courts (Vols. 6-6C, West's® Federal Forms); https://store.legal.thomsonreuters.com/law-products/Forms---Topical/Bankruptcy-Courts-Vols-6-6C-Wests174-Federal-Forms/p/100001669
  - **14. Judicial Conference of the U.S.** (the highest policy-making and disciplinary body of the Federal Judiciary)
- 218. 28 USC §331. Judicial Conference; https://uscode.house.gov/download/download.shtml
- 219. https://www.uscourts.gov/about-federal-courts/governance-judicial-conference, which contains a list of its 20 committees
- 220. The Chief Justice appoints the members of the Judicial Conference committees; https://www.uscourts.gov/about-federal-courts/governance-judicial-conference/about-judicial-conference
- 221. Reports of the Judicial Conference's biannual meetings, https://www.uscourts.gov/about-federal-courts/reports-proceedings-judicial-conference-us
- 222. Regulations on judges' annual mandatory financial disclosure reports, https://www.uscourts.gov/rules-policies/judiciary-policies/ethics-policies/financial-disclosure-report-regulations
  - **15. Administrative Office of the U.S. Courts** (federal, as opposed to state, courts)
- 223. Administrative Office of the U.S. Courts (AO); https://www.uscourts.gov/
- 224. Administrative Office of the U.S. Courts; (28 USC §§601-613); http://Judicial-Discipline-Reform.org/docs/28usc.pdf
- 225. https://www.uscourts.gov/statistics-reports
- 226. Annual Report of the Director of the Administrative Office of the U.S. Courts, filed with Congress as a public document(28 USC §604(a)(3-4)); the Director is appointed by the Chief Justice of the Supreme Court(§601); https://www.uscourts.gov/statistics-reports/analysis-reports/directors-annual-report
- 227. https://www.uscourts.gov/statistics-reports/judicial-business-2020
- 228. https://www.uscourts.gov/statistics-reports/analysis-reports/judicial-facts-and-figures
- 229. http://Judicial-Discipline-Reform.org/statistics&tables/num jud officers.pdf
- 230. Table 2

# Number of federal judicial officers

https://www.uscourts.gov/statistics-reports/judicial-business-2020

Categories of federal judicial officers	30sep18	30sep19	30sep20
Supreme Court justices	9	9	9
circuit judges	166	175	179
senior circuit judges (semi-retired)	96	100	99
district judges id.	562	585	621
senior district judges	412	423	419
bankruptcy judges (including recalled judges)	350	344	334
magistrates (including recalled judges)	664	671	680
Totals	2259	2307	2341

- 272. https://www.uscourts.gov/statistics-reports/judicial-business-2020-tables; and
- 273. https://www.uscourts.gov/statistics-reports/annual-report-2019
- 274. https://www.uscourts.gov/judicial-business-2019-tables
- 275. AO's 1997-2019 judicial business reports, containing the statistics on complaints about federal judges in Table S-22(28 USC §604(h)(2)); https://www.uscourts.gov/statistics-reports/analysis-reports/judicial-business-united-states-courts
- 276. https://www.uscourts.gov/statistics-reports/judicial-business-2019i
- 277. Judicial misconduct procedure, e.g., in the Court of Appeals for the District of Columbia Circuit; https://www.cadc.uscourts.gov/internet/home.nsf/Content/Judicial+Misconduct
- 278. https://www.uscourts.gov/services-forms/fees/court-appeals-miscellaneous-fee-schedule

#### **16. Federal Judicial Center** (for research; and education of judges)

- 279. https://www.fjc.gov
- 280. List of the 8 impeached federal judges since the creation of the Federal Judiciary in 1789; https://www.fjc.gov/history/judges/impeachments-federal-judges

#### 17. Other federal entities and people

- 281. White House press release of April 9, 2021, "President Biden to Sign Executive Order Creating the Presidential Commission on the Supreme Court of the United States"; https://www.whitehouse.gov/briefing-room/statements-releases/2021/04/09/president-biden-to-sign-executive-order-creating-the-presidential-commission-on-the-supreme-court-of-the-united-states/
- 282. Presidential Commission on the Supreme Court of the United States (PCSCOTUS): Commission charge and public comment policy; 14 June 2021; https://www.regulations.gov/document/PCSCOTUS-2021-0001-0003/comment
- 283. Office of Professional Responsibility of the U.S. Department of Justice; https://www.justice.gov/opr
- 284. Judges' annual mandatory **financial disclosure reports**, collected by, and downloadable from, JudicialWatch.org; https://www.judicialwatch.org/documents/categories/financial-disclosure/

285. https://www.iasd.uscourts.gov/content/senior-district-judge-robert-w-pratt

#### 18. United States Postal Service

286. https://facts.usps.com/#:~:text=For%2055%20cents%2C%20anyone%20can%20send%20a%20letter%2C, mail%20pieces%20each%20day.%20Zero%20tax%20dollars%20used

# 19. Sources of state legal authority

#### a. Treatises

287. E.g., https://store.legal.thomsonreuters.com/law-products/Publication-Types/Treatises/c/20231

#### b. State constitution and laws

288. https://legal.thomsonreuters.com/en/products/law-

books/jurisdictions?gclid=EAlalQobChMImbuX1sHh8glVh9zlCh0mTgt-

EAAYASACEgl0nfD\_BwE&searchid=TRPPCSOL/Google/PrintUS\_PP\_Law-Books\_Main\_Search\_Brand-Phrase US/TRLegalBooks-

Phrase&chl=ppc&cid=9015549&sfdccampaignid=7014O000000vZOgQAM&ef\_id=EAlalQobChMImbuX1sH h8gIVh9zICh0mTgt-

EAAYASACEgl0nfD\_BwE:G:s&s\_kwcid=AL!7944!3!440994957489!p!!g!!thomson%20reuters%20legal%20 books

289. Search for a compilation of all state codes, laws, rules, and regulations; e.g., McKinney's Consolidated Laws of New York Annotated® (Annotated Statute & Code Series); https://store.legal.thomsonreuters.com/law-products/search?r=13001&s=KEYWORDSEARCH&g=consolidated+laws+of+new+york

# **c. Uniform laws** (the product of agreements among the states)

- 290. Uniform Laws Annotated; https://store.legal.thomsonreuters.com/law-products/Uniform-Laws-Annotated/**Uniform-Laws**-Annotated/p/100028543
- 291. Uniform Commercial Code; https://store.legal.thomsonreuters.com/law-products/**Uniform-Laws**-Annotated/**Uniform-Commercial-Code**-2020-2021-ed/p/106675446?trkcode=recspdpb&trktype=internal&FindMethod=recs

#### d. Restatement of laws

292. https://store.legal.thomsonreuters.com/law-products/search?r=13001&s=KEYWORDSEARCH&q=**restatement+of+laws** 

#### e. Rules of procedure applicable in all the courts of a state

293. E.g., McKinney's New York Civil Practice Law and **Rules**, 2020 ed.; https://store.legal.thomsonreuters.com/law-products/Jurisdictions/New-York/c/20075

1) Rules of the specific court where a brief is being filed; e.g., in New York; https://www.nycourts.gov/courts/index.shtml

294. Rules of the Chief Judge, http://ww2.nycourts.gov/rules/chiefjudge/index.shtml, of the Court of Appeals, https://www.nycourts.gov/courts/courtofAppeals.shtml, the highest NY State court (#1- to 81)

- 295. Rules of the Chief Administrative Judge (#100 to 154), http://ww2.nycourts.gov/rules/chiefadmin/index.shtml
- 296. Uniform Rules of the New York State trial courts (#200 to 221), http://ww2.nycourts.gov/rules/trialcourts/index.shtml; e.g., the supreme and the county courts; http://ww2.nycourts.gov/rules/trialcourts/202.shtml.
  - a. Rules of the First Department Supreme Court [of four departments], which in NY is a trial court; http://ww2.nycourts.gov/courts/1jd/supctmanh/Commencement-of-Cases-2.shtml
  - b. There are uniform rules (#205 to 221) for specialized courts, e.g., family and surrogate, capital cases, and particular activities, e.g., jury selection, depositions
- 297. Joint Rules of the Departments of the Appellate Division (partial: 22 NYCRR Parts 1200-1400); http://ww2.nycourts.gov/rules/jointappellate/index.shtml
  - a. Rules of the Appellate Division, First Judicial Department, of the Supreme Court of the State of New York; https://nycourts.gov/courts/AD1/Practice&Procedures/index.shtml
- 298. Each court may have supplementary rules of its own as well as rules of specific judges...so much for a New York State *Unified* Court System.

# f. Regulations of the state administrative agencies

- 299. Go to the state's department of state; Google the state administrative agency; or search for a compilation of the state codes, laws, rules, and regulations
- 300. E.g., https://govt.westlaw.com/**nycrr**/Index?bhcp=1&transitionType=Default&contextData=%28sc.Default%29
- 301. E.g., https://store.legal.thomsonreuters.com/law-products/Statutes/New-York-Codes-Rules-and-Regulations-NYCRR/p/100019553

# g. Bills pending in the state legislature

302. E.g. https://www.nysenate.gov/legislation

#### h. State cases

- 303. For information on state cases Google the highest court in the state, which may have a state court locator or a "Links of interest"; otherwise, Google the lower state court in question, which may have a website and post its cases to it; e.g., https://nycourts/
- 304. E.g., Court of Appeals of the State of New York (the highest court in New York State), https://www.nycourts.gov/ctapps/index.htm
- 305. E.g., https://nycourts.gov/courts/cts-NYC-SUPREME.shtml (the supreme courts in NYS are trial courts)
- 306. E.g., Supreme Court for the County of New York (Manhattan and Bronx) http://ww2.nycourts.gov/courts/1jd/supctmanh/index.shtml

#### i. Forms

307. E.g., Domestic Relations (Volume 7, West's Legal Forms); https://store.legal.thomsonreuters.com/law-products/Forms---Topical/Domestic-Relations-Vol-7-Westsreg-Legal-Forms/p/100001671

# j. Cases from the Federal Judiciary and from other states

# 20. Entities representing state courts and compiling their statistics

- 308. Conference of **Chief Justices** of the states; https://ccj.ncsc.org
- 309. National Center for State Courts; www.ncsc.org/services-and-experts/areas-of-expertise/court-statistics
- 310. Court Statistics Project; https://www.courtstatistics.org/court-statistics.https://www.courtstatistics.org/court-statistics.https://www.courtstatistics.org/court-statistics.https://www.courtstatistics.org/court-statistics.https://www.courtstatistics.org/court-statistics.https://www.courtstatistics.org/court-statistics.https://www.courtstatistics.org/court-statistics.https://www.courtstatistics.org/court-statistics.https://www.courtstatistics.org/court-statistics.https://www.courtstatistics.org/court-statistics.https://www.courtstatistics.org/court-statistics.https://www.courtstatistics.org/court-statistics.https://www.courtstatistics.org/court-statistics.https://www.courtstatistics.org/court-statistics.https://www.courtstatistics.org/court-statistics.https://www.courtsta
- 311. Conference of State Court **Administrators** (COSCA); https://cosca.ncsc.org
- 312. National Association for Court **Management** (NACM); https://nacmnet.org
- 313. National Conference of Appellate Court Clerks (NCACC); www.appellatecourtclerks.org
- 314. Number of cases filed in state courts **annually**; http://Judicial-Discipline-Reform.org/docs/num\_state\_cases\_07.pdf

# 21. Rules and codes of conduct for judges and lawyers

- Code of Conduct for U.S. Judges; https://www.uscourts.gov/judges-judgeships/code-conduct-unitedstates-judges
- 316. American Bar Association Model **Rules** of Professional Conduct; https://www.americanbar.org/groups/professional\_responsibility/publications/model\_rules\_of\_professional\_conduct/model\_rules\_of\_professional\_conduct\_table\_of\_contents/
- 317. American Bar Association Model **Code** of Judicial Conduct; https://www.americanbar.org/groups/professional\_responsibility/publications/model\_code\_of\_judicial\_con\_duct/
- 318. New York Rules of Professional Conduct; https://nysba.org/attorney-resources/professional-standards/

# 22. Reports by media outlets and VIPs that have exposed judges a. Reports exposing judges

- 319. The Teflon Robe: Michael Berens and John Shiffman: Thomson Reuters:
  - a. Part 1, 30jun20; https://www.reuters.com/investigates/special-report/usa-judges-misconduct/
  - b. Part 2, 9july20; https://www.reuters.com/investigates/special-report/usa-judges-deals/
  - c. Part 3, 14juy21; https://www.reuters.com/investigates/special-report/usa-judges-commissions/
  - d. https://www.reuters.com/article/us-usa-judges-commissions-snapshot-idUSKCN24F1E4
  - e. 30jun20; https://www.reuters.com/investigates/special-report/usa-judges-methodology-qanda/
  - f. https://www.reuters.com/investigates/special-report/usa-judges-data/
- 320. In the secret courts of Massachusetts A Globe Spotlight report; Jenn Abelson, Nicole Dungca, and Todd Wallack; edited by Patricia Wen; The Boston Globe; 30sep18
  - a. https://apps.bostonglobe.com/spotlight/secret-courts/
- 321. *The Wall Street Journal*; **James.Grimaldi@**wsj.com; https://www.wsj.com/news/author/james-v-grimaldi; **Coulter.Jones@**wsj.com; https://www.wsj.com/news/author/coulter-jones; reach Mr. Jones at 212-416-

# 3778; Joe.Palazzolo@wsj.com; https://www.wsj.com/news/author/joe-palazzolo

- a. 131 Federal Judges Broke the Law by Hearing Cases Where They Had a Financial Interest; https://www.wsj.com/articles/131-federal-judges-broke-the-law-by-hearing-cases-where-they-had-a-financial-interest-11632834421?fbclid=lwAR17veisSou0tQJdrn4VM9Ssvk\_JYFqCY-Foselbnkb1SsNx2ia1Fji1GAQ; 28sep21; updated under the title "Federal Judges Heard Cases Despite a Financial Interest"; 29sep21
- b. Texas Judge Leads Tally of Cases With Financial Conflicts --- Gilstrap didn't recuse in 138 suits involving firms in which he or his wife had an interest; 30sep21
- c. Judges or Their Brokers Bought And Sold Stocks of Litigants --- 61 report trades made while they oversaw suits involving the companies; 16oct21
- d. U.S. News: Bill Would Toughen Stock-Trading Rules for Federal Judges; 26oct21
- e. Hidden Interests Federal Judge Files Recusal Notices in 138 Cases After WSJ Queries. Rodney Gilstrap initially argued he didn't violate financial-conflicts law; 2nov21
- f. U.S. News: Judge Acknowledges Possible Recusal Errors; 3nov21
- g. U.S. News: Bill on Judge Disclosures Passes House Panel; 18nov21
- h. U.S. News: Bill Gains To Speed Disclosure by Judges; 2dec21
- 322. Senator Elizabeth Warren's "I have a plan for the Federal Judiciary too"; https://elizabethwarren.com/plans/restore-trust?source=soc-WB-ew-tw-ro
- 323. Several of the above-listed reports are collected at http://Judicial-Discipline-Reform.org/OL2/financially\_conflicted\_judges.pdf

# b. Reports with leads and methodology useful for investigating judges

324. Pandora Papers; International Consortium of Investigative Journalists, Washington, D.C.; 3oct21; https://www.icij.org/investigations/pandora-papers/

#### 23. Journalists and media outlets

- 325. CBS newsanchor Norah O'Donnell interviews Candidate Joe Biden on October 22, 2020, on 'packing the Supreme Court'; https://www.youtube.com/watch?v=enEzm-QL5RY
- 326. Biden's court-reform commission hears from experts on term limits and judicial review; Mitchell Jagodinski; SCOTUSblog (July 1, 2021, 8:45 AM); https://www.scotusblog.com/2021/07/bidens-court-reform-commission-hears-from-experts-on-term-limits-and-judicial-review/
- 327. The Associated Press; https://www.ap.org/about/

# **24. Entities accrediting educational institutions** (and serving as portals to them)

- 328. (journalism schools) http://www.acejmc.org/accreditation-reviews/accredited-programs/accrediteddeaccredited/
- 329. https://www.americanbar.org/groups/legal\_education/resources/aba\_approved\_law\_schools/
- 330. (business schools) https://acbsp.org/page/contact-event

331. https://www.academia.edu/upgrade?feature=searchm&stm\_copy=a+thesis+chapter&trigger=stm; consortium of 16,941+ universities to enable the storage and retrieval of professional articles and reports)

# 25. Law book publishers

- 332. https://legal.thomsonreuters.com/en/products/law-books
- 333. https://legal.thomsonreuters.com/en/support#contact
- 334. https://store.legal.thomsonreuters.com/law-products/Jurisdictions/New-York/c/20075?elq\_mid=23169&elq\_cid=15386188&elq\_ename=P\_PRNT\_PRD\_9030215\_EMUSNPR1RE MNYTitles\_em1\_20201209&cid=9030215&email=drrcordero%40judicial-discipline-reform.org&sfdccampaignid=7014O00000vZOgQAM&campaignCode=&chl=Em&utm\_medium=email&ut m\_source=eloqua&utm\_campaign=P\_PRNT\_PRD\_9030215\_EMUSNPR1REMNYTitles\_20201209&utm\_c ontent=9030215
- 335. https://www.lexisnexis.com/en-us/home.page

# 26. Other private entities and people

- 336. American Association of University Professors, https://www.aaup.org/report/statement-professional-ethics
- 337. American Association of Retired People; https://press.aarp.org/?intcmp=FTR-LINKS-PRO-PRESS2-EWHERE
- 338. Judicial Watch, https://www.judicialwatch.org
- 339. Judicial Watch's repository of judges' financial disclosure reports, https://www.judicialwatch.org/documents/categories/financial-disclosure/

# 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

# Appendix 7

# Two blocs of email addresses of the members of the Biden Commission for the reform of the Supreme Court<sup>‡</sup>; and journalists, students, and professors to interest them in holding

UNPRECEDENTED CITIZENS HEARINGS,

to be placed in the To: and cc: boxes of your email containing your story of judges' abuse of power and financial criminality

# **To:** [commissioners]

dana.fowler@pcscotus.gov, cristina.rodriguez@yale.edu, kandrias@law.columbia.edu, charles@law.duke.edu, ecb95@law.rutgers.edu, heather.k.gerken@yale.edu, tgriffith@law.harvard.edu, igoldsmith@law.harvard.edu, bhuang@law.columbia.edu, mramsey@SanDiego.edu, lemos@law.duke.edu, bross@law.virginia.edu, michael.waldman@nyu.edu, development@naacpldf.org, Dr.Richard.Cordero Esq@verizon.net,

info@pcscotus.gov, robert.bauer@nyu.edu, jack.balkin@yale.edu, acrespo@law.harvard.edu, justin.driver@yale.edu, tgrove@law.ua.edu, levi@law.duke.edu, cnelson@law.virginia.edu, awhite36@gmu.edu, ojohns@law.columbia.edu, trevor.morrison@nyu.edu, d-strauss@uchicago.edu,

staff@pcscotus.gov, baude@uchicago.edu, madams@yu.edu, wdellinger@omm.com, rfallon@law.harvard.edu, ngertner@harvard.edu, tribe@law.harvard.edu, rick.pildes@nyu.edu, mkang@northwestern.edu, lacroix@uchicago.edu, krooseve@law.upenn.edu, kewhitt@princeton.edu, caroline.fredrickson@georgetown.edu,

# **cc:** [journalists and academics]

john.shiffman@thomsonreuters.com, michael.berens@thomsonreuters.com, James.Grimaldi@wsj.com, Coulter.Jones@wsj.com, Joe.Palazzolo@wsj.com, contact@icij.org, fshiel@icij.org, investigations@icij.org, newstip@globe.com, insiders@icij.org, tips@thomsonreuters.com, contact@go.reuters.com, tips@publicintegrity.org, blake.morrison@thomsonreuters.com, gryle@icij.org, ginger.thompson@propublica.org, andrea@americanthinker.com, marketresearch.thomsonreuters@thomsonreuters.com, drew@americanthinker.com, patricia.wen@globe.comrs.com, brian.mcgrory@globe.com, help@washpost.com, spotlight@globe.com, charles.ornstein@propublica.org, tracy.weber@propublica.org, Thehill@email.thehill.com, newsletters@abovethelaw.com, tips@propublica.org, mderienzo@publicintegrity.org, watchdog@publicintegrity.com, emily.holden@theguardian.com, ryan.grim@theintercept.com, tips@latimes.com, info@AP.org, corderoric@yahoo.com, mcnulaj@nytimes.com, MCoyle@alm.com, communication@lexisnexis.com, invtletters@nvtimes.com, info@mail.huffpost.com, support@washposthelp.zendesk.com, Opencourt@cnn.com, aturturro@alm.com, letters@nytimes.com, Matt.Rocheleau@globe.com, oped@nytimes.com, wpmagazine@washpost.com, hello@propublica.org, Jaimi.Dowdell@thomsonreuters.com, letters@washpost.com, Evan.Allen@globe.com, Vernal.Coleman@globe.com, Brendan.McCarthy@globe.com, national@washpost.com, colorofmoney@washpost.com, email@washingtonpost.com, oped@washpost.com,

<sup>\*</sup>http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Biden\_SCt\_reform\_Commission.pdf

http://judicial-Discipline-Reform.org/OL2/DrRCordero\_join\_demand\_for\_compensation\_from\_judges.pdf

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 $^\dagger http://Judicial\text{-}Discipline\text{-}Reform.org/\textcolor{red}{\textit{OL2}}/DrRCordero\text{-}Honest\_Jud\_Advocates\textcolor{red}{\textbf{2}}.pdf > from \textcolor{red}{\textbf{OL2}}:394\text{-}1143$ 

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