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**The Draft Rules Governing the Processing of Judicial Misconduct Complaints
Will Not Stop Their Systematic Dismissal by Federal Judges,
Who Thus Self-exempt from Accountability for Their Coordinated Wrongdoing**

Last October 15 finished the period for filing public comments on the draft rules to amend the current rules for handling complaints filed by anybody against a federal judge under the Judicial Conduct and Disability Act of 1980. Neither the Act nor these rules establish standards of complainable misconduct or disability, let alone what discipline judges are to mete out to themselves. They set up a system of judicial self-discipline and only prescribe the procedure for federal judges to handle complaints filed against them. Since a man cannot be impartial in his own cause, self-discipline does not work. Judges, who were rendered neither more honorable nor incorruptible upon their politics-determined nomination by the President and confirmation by the Senate, have proved to be mere men and women as incapable of self-discipline as their neighbor.

Indeed, out of the 7,462 complaints filed against federal judges in the 10-year period 1997-2006, they disciplined only 9 of their peers! These are official statistics that the judges must file with the highest administrative body of the federal judiciary, i.e., the Administrative Office of the U.S. Courts. (28 U.S.C. §§332(g), 604(h)(2), 331 4th par., 601) They are collected with links to the originals in http://Judicial-Discipline-Reform.org/judicial_complaints/DrCordero_draft_rules.pdf

These statistics prove that the judges have engaged in the systematic dismissal of complaints against them. This constitutes in practice the unlawful abrogation of an Act of Congress by judges sworn to uphold the law. By systematically dismissing the complaints against them, judges have self-exempted from any discipline: They have abused their judicial power in self-interest and to complainants' detriment. Fearing no disciplinary, let alone penal, consequences, they are free to engage in, and tolerate, the types of misconduct and disability under which they classify complaints: abuse of judicial power, prejudice, bias, conflict of interests, bribery, corruption, undue decisional delay, incompetence, neglect, mental or physical disability, judicially unbecoming or abusive demeanor. Since they have made themselves unaccountable, they have managed an inherently suspicious feat: Though there have been tens of thousands of judges in the 218 years since the federal judiciary's creation in 1789, the number of those impeached and removed is 7!

Ordinary people as judges are, they would not give up such extraordinary privilege: They are above the law. Hence, the draft rules are practically a carbon copy of the current rules that have served them so well. To conceal it as much as possible, the judges announced the draft's release on one single website, that of the barely known Administrative Office, and held only one hearing in the whole country: in a district court not covered by a press corps. The public comments that they requested on the rules have not been made public. Yet, this commentator was able to obtain a copy of the official transcript of the hearing and has made it and his comments public through the link above.

Neither the systematic dismissal of complaints nor their misconduct will need to stop if Judge M. Mukasey is confirmed as Attorney General, for he was a participant and would incriminate himself if he ordered such coordinated wrongdoing investigated. (http://Judicial-Discipline-Reform.org/judicial_complaints/JMukasey_2.pdf) Nor will they be voluntarily investigated by Congress, described by its Speaker, H.P. N. Pelosi, as "dominated by the culture of corruption". But Congress could be forced to do so by the shocking exposures of a Watergate-like *Follow the money!* investigation conducted by judicial reform advocates, investigative journalists, and bloggers, as set forth in http://Judicial-Discipline-Reform.org/Follow_money/investi_jour_proposal.pdf