

June 20, 2015

Auditing Judges
Exposing judges' wrongdoing
by finding commonalities in their disregard of the facts and the law
that reveal patterns of wrongdoing
that denies due process and equal protection of the law

When pro ses start thinking strategically,
take their hands into action for justice, and
by taking advantage of the presidential election campaign develop into a civic movement that
hold judges and all other public servants accountable and liable to their victims

A. Anecdotic allegations v. pattern evidence of judges' wrongdoing

1. A party to a lawsuit cannot merely allege in court that the judge is biased or is engaged in other wrongdoing and thereby cause a judge to recuse herself or have her disqualified. The party must provide evidence of his allegations; otherwise, the allegation will be dismissed as impressionistic and anecdotic, and the party will be disparaged by being labeled 'a disgruntled loser'.
2. The most convincing way of making such allegations is by identifying in one's case an instance of conduct, an event, statement, position, person, name, address, date, number, quantity, etc., that is the same as, or similar to, another in the same case or in several of them, or better yet, in a statistically representative sample of related cases, e.g., those presided over by the same judge or in the same court or jurisdiction: These are commonalities. When connected, they form a pattern of wrongdoing(ol:154¶3). It is like finding in a judge's conduct and written or oral statements dots with a common color or shade that when connected reveal a figure: the face of a wrongdoing judge(jur:10:Nature of...). Pattern evidence is the picture in, "A picture is worth a thousand words" of mere allegations of parties, never mind pro ses. That is what auditing a judge means.
3. So a party can either:
 - a. whine about allegations without evidence, which are unconvincing and self-defeating; or
 - b. think and proceed strategically(Lsch:14§3; ol:52§C; ol:8§E; jur:xliv¶C) to expose the judge's disregard of facts and the law, bias, conflict of interests, etc.; obtain relief now; and for the wrong done to the party by the judge as well as by the judiciary that failed to supervise and discipline her obtain perhaps even compensation from both in future.
4. A party that chooses the latter, strategic course of action can:
 - a. gather raw data, e.g., judges' calendars, rulings, and decisions or even the whole record of cases to glean her statements from transcripts, dockets, party contact information; and
 - b. examine them and compare notes with other parties in search of commonalities that reveal patterns of wrongdoing that deny parties due process and equal protection of the law in violation of the state and the U.S. constitutions, the laws thereunder, court rules, etc.;
 - c. use such pattern evidence in an appeal to the highest state court and thereafter to the U.S. Supreme Court, where it hardly ever reaches because most pro ses do not know how and cannot afford to appeal, so that a case that does make it there can become a test case; and
 - d. additionally produce concrete, verifiable evidence of wrongdoing(jur:5§3) reasonably calculated to attract the attention of journalists(ol:197§1) in search of a scoop(ol:199§H)

and so outrage the public(ol:193§D) as to stir it up to force politicians to call for judges to be held accountable and investigated at nationally televised hearings (ol:273¶¶5-7).

5. Exposing judges in court with convincing evidence does not mean obtaining relief from the presiding judges. Relief can come through its publicity effect on outsiders(ol:271): The all-too many presidential candidates that have entered the 2016 Campaign are in dire need to be among the limited number of them who will be invited to the candidates' debates, and survive the early primaries. Whether honestly or opportunistically, they can choose to become the champions of the huge(ol:272¶4) untapped voting bloc of people dissatisfied with the legal system, especially those among them most passionately committed to exposing wrongdoing judges: their victims.
6. Patterns can be expressed in percentages of all cases of a given type, e.g., how many times a commonality pointing to bias was detected, such as how many times a judge dismissed a case brought by a pro as compared to similar cases brought by a represented party where she denied a motion to dismiss. Patterns can be represented in charts(jur:9); tables(jur:10,11,15,16); and classic graphs of X,Y coordinates(jur:12-14). There are many forms of visually representing sets of values, e.g., side by side columns to compare percentages; bell curves for normal distributions; pie charts for shares of a whole, time lines that indicate fluctuations over time as well as trends; intersecting circles for shared characteristics, etc. These are statistical concepts that go from the very simple, which parties may be using without knowing it to represent the ups and downs of their income and their home budget, to the more sophisticated.
7. The above describes how the pursuit of an unconventional, strategic course of action in court by go-getters can provide support for, and lead to, an out-of-court strategy(ol:236) for exposing judges' wrongdoing and bringing about judicial reform at a politically favorable juncture.

1. The use of statistics in court was introduced by Then-Attorney Brandeis

8. Statistics have been used in courts for a very long time since the first time, one which provides an illustrious precedent: Before Louis Brandeis became a justice of the Supreme Court in 1916, he was an effective litigator advocating progressive causes. He won his cases, not only by arguing the law, but also by writing briefs where he presented socio-economic data and treated it with as much rigor as if it were legal evidence. The best known of such briefs of his was filed in *Muller v. Oregon*, 208 U.S. 412, 28 S.Ct. 324 (1908). There Then-Attorney Brandeis used social and economic studies to argue successfully to the Supreme Court that it should uphold statutes limiting workdays for women to a maximum of 10 hours. His briefs were so innovative and persuasive that they gave rise to a new type of brief: the Brandeis brief. They contributed to ushering in a more just society and thus, to making history. In time, Brandeis became a justice.
9. Programs such as Excel and PowerPoint turn massive amounts of numeric data into color graphs that Brandeis could not dream of and that substantially enhance their understanding(cf. dcc:11).

B. Parties joining forces to audit judges so as to advance their common cause

10. Each party need not work alone to examine the data concerning the judge in his or her case in search of pattern evidence of wrongdoing. Parties who have appeared before the same judge or have an ongoing case before her can join forces to do so. These similarly situated parties can form a group of strategic thinkers and doers, rather than remain as isolated whiners and losers.
11. Parties will not be joining forces to search for pattern evidence so as to form a class that brings an action in court against judges. That is a futile exercise, doomed to fail at the hands of the defendant judges' peers, colleagues, and friends, who will preside over their trials and any appeals,

and protect their own and themselves(ol:158). Rather, it is an exercise in gathering evidence in support of the two-pronged approach(supra ¶4c,d; ol:248) to exposing judges' wrongdoing.

12. The parties must join forces to advance a common cause rather than each one work alongside others only to benefit his or her own personal case. They should realize that it is useless for each of them to take on coordinated(jur:88§§a-c) judges in their turf, the courts, where they arbitrarily handle and make rules as they go, and their staff, who must execute their wrongdoing orders lest they be fired without recourse(jur:30§1). It is foolhardy to take all of them on with the arms of a pro se: ignorance of the law, TV notions of court procedure, lots of self-defeating, disruptive, blinding emotions, and wishful thinking that is no substitute at all for strategic thinking.

C. How a party can go about locating others wronged by the same judge

13. A party looks up the list of cases on the calendars of the judge in its case, which are:
 - a. posted on the court's website or the judge's webpages on that site; or
 - b. affixed on the wall outside the judge's courtroom every motion hearing and trial day and of which a picture can be taken with a smartphone or tablet.
14. The party extracts from the calendars party names and case docket numbers to find:
 - a. briefs
 - 1) on the court's website to download them;
 - 2) in the court's research room or law library, where they are in paper form;
 - 3) through computer research in the legal databases of:
 - a) PACER (Public Access to Courts Electronic Records), <https://www.pacer.gov/>, accessible through any computer;
 - b) Westlaw, http://web2.westlaw.com/signon/default.wl?vr=2.0&fn=_top&__lrguid=i1eb21045275b4acf89cde9be245fb745&rs=WLW15.04&bhcp=1, and
 - c) Lexis, <http://www.lexisnexis.com/en-us/legal-solutions/default.page>, which are accessible through computers and WIFI at the court and public and law school libraries or a subscription later on bought by a group of parties.
 - 4) Those briefs have the contact information of similarly situated parties. Most likely they will be persons, not companies. Ordinary cases brought by persons, even if represented, neither hold as much interest for judges nor command as much of their respect for due process as those filed by the likes of Pacific Coast Docks against NY Association of Importers, represented by big law firms and top lawyers ready to appeal and embarrass sloppy and wrongdoing judges(jur:45¶86). Pro ses are trampled. Their cases can be identified by the absence next to their names of an attorney's name. Person cases and pro ses are easy prey for wrongdoing judges; and
 - b. their phone numbers.
 - 1) The phone numbers of parties are not on calendars, but should be on the cover page of their briefs; otherwise, the party names found in the calendars can be used to look up their phone numbers in the phone book or the Internet white pages.
15. The party uses a well-rehearsed brief message to contact those similarly situated parties, e.g.:

- a. I have a case before Judge Z and found out that you do too. She has disregarded the facts and the law in my case. If you feel that way as to your case, you, I, and others like us can join forces to expose her by detecting common points of her wrongdoing that reveal a pattern of wrongdoing. That is convincing evidence to be used in a test case to go before our highest state court and as an incentive for journalists and politicians to expose her.
- b. You and I can find other parties using the method I used to find you. When there are five of us, we can meet at a party's home to search for common points. I can share with you an article explaining this search([ol:274](#)) and templates([ol:280,282](#)) for organizing our work.

D. Meetings of parties are sessions for division of labor and getting work done

16. Meetings are not social occasions where people who do not want to be alone come together to commiserate. They are not for chatting, so wasteful of time and effort. Sobbing together as they pass the box of Kleenex is not the same as professionally gathering the data, detecting their commonalities, and using them to establish patterns of judges' wrongdoing.
17. Meetings are occasions for working. Everybody should come to the meetings with a laptop, a tablet, or a yellow pad and a smartphone. The best meeting place is where there is a large table where people can sit at in business-like fashion. There should also be power strips to plug in all the electronic devices so that nobody need stop working because their device ran out of battery power. It should be a quiet place. A pool table in the back of a bar on a Saturday night is not conducive to working. The box of Kleenex is for the group members' profuse sweating, but not because the place is hot and stuffy. The invitation to the meeting must set forth the preliminary work that each party should have done in preparation for the meeting; and the agenda of the meeting; at the end of it, the agenda will provide the measure of what the group accomplished.
18. Everybody must bring their documents organized chronologically in a binder or on a pdf, not thrown together in a supermarket plastic bag. Documents yield the most information when they have been scanned into a searchable pdf. Then when a group member proposes key terms to search for a possible point of commonality, such as a name of a lawyer or a clerk or a date, all group members can open the pdf's binocular icon and enter those key terms in the search box to look for that term in all their documents. Rummaging a hundred or hundreds of pages manually and visually every time a term must be searched is time-consuming, exhaustive, and unreliable.
19. Moreover, pdf's can be annotated with electronic sticky notes that do not deface the document and can be searched with the search function. Ideas can be committed to writing, not to memory.
20. The parties should bring their documents preceded by a table listing each one's title, sender, addressee(s), date, and page number, and bearing a note on whatever makes that document relevant; cf. the summarizing title of this article([ol:274](#)). A well-prepared table of documents serves as a summary of a party's case. It can be shared with the group by email in advance so that as the members read it, they can spot a possible point of commonality to search. See below the table of documents template([ol:280](#)); see also this pdf's table of documents([ToC:i](#)) and its bookmarks.
21. Meetings are also opportunities for the parties to realize that they eventually will have to contribute financially to the effort to find commonality points; establish patterns; bring them to the attention of journalists([ol:250](#)) and politicians; appeal to the highest state court and the U.S. Supreme Court; publicize their effort through intense mass-emailing and social media use.
22. The parties who agree to join forces must proceed methodically. They can elect a meeting leader. The latter can organize group work by applying the fundamental principle of any organization, i.e., division of labor in accordance with each person's skills and preferences and the organiza-

tion's needs and objectives. Some members may be more adept at searching for parties' contact information; if so, they may pass on that information to those members who are more articulate and can communicating with others on the phone or in person. Every effort should be made to contact and attract the attorneys of represented parties. Their knowledge of the law is priceless.

1. Tasks of the group of searchers of judicial wrongdoing pattern evidence

23. The initial task of the group is to:

a. identify each instance of apparently disregarded or falsely alleged facts, and the law, court rules or any ethical or professional^{123a} provision deemed to have been violated by the judge, clerks, and other insiders¹⁶⁹; and apparently relevant characteristics of people, which may later on prove to be correlated, e.g., dismissals and form denials are signed on Fridays when the judge leaves early to play golf at his country club with some lawyers;

b. tabulate the data in a table:

1) with a top horizontal row of labels for classifying facts and provisions:

a) facts, e.g., deadline alleged missed, affidavit missing; date manipulated by clerk; ex parte meeting with opposing counsel; unadvertised auction of assets; prevented or cut short examination or cross-examination of witnesses; and

b) provisions and their citations: v. judge appointing spouse, Rules of the NY Chief Judge, 22 NYCRR Part 36.2(c)(3); and

2) in the vertical column on the left are listed the characteristics of people, e.g.:

a. Parties

a) pro se

b) represented by counsel

(1) a solo practitioner

(2) law firm with between 2-10, 11-50, 51+ lawyers

c) parties income range

d) parties educational level

e) area of residence

f) plaintiff or defendant

g) male or female and age

h) kind of party: creditor, debtor, driver, pedestrian, banker, professional, etc.

b. Judges

a) size of law firm where the judge worked before coming to the bench

b) work experience the judge had before coming to the bench:

(1) prosecutor

(2) lawyer at a government agency or legislative branch

(3) lawyer for a company or a public interest entity; etc.

- c) gender, age, and years on the bench
 - d) party affiliation of judge or of appointing officer; etc.
- 3) square of intersection between the row of headings and the column of characteristics:
- a) name of case with docket number and date
 - b) case decided or pending; etc.

c. Other people

- a) law/court clerks, lawyers, auctioneers, accountants, real estate developers, etc.

E. From groping for sense in a fog of data to becoming Champions of Justice

24. Auditing a judge's decision is an investigative exercise. At the beginning, the group will not know what is a commonality point or, if so, whether it has any evidentiary value. Patterns are not even suspected until much later, when sense starts to emerge from the points' relatedness.
25. To perceive meaningful commonalities, the group must apply the two key elements of social intelligence to understand the dynamics between parties, judges, clerks, lawyers, etc.: what makes people tic –power, money, love, hate, safety, fear, job insecurity, etc.– and what makes the world turn around –interpersonal relations, clan mentality, tradition, values, ideals, the economy, politics–. This will allow identifying harmonious and conflicting interests between parties so as to recognize who is an ally and who is a foe(Lsch:14§2; ol:52§C; dcc:8¶11). The effort to find commonalities in cases, parties, and judges can reveal a pattern of bias, conflict of interests, dysfunctionality in the court, turf fighting, schemes among connected people, prejudice, etc.
26. The tabulation is a data organizing exercise. In its initial stage, the group will not know what is statistically relevant: what happens so frequently or infrequently for that judge, other judges, or people generally that it can only have happened intentionally. So it is a commonality point that forms part of a pattern of some form of wrongdoing(Lsch:17§C). This requires that at the outset everything be listed. Later on the data will be sorted out into what is or is not a commonality point showing wrongdoing; see the table of commonalities and patterns template(ol:282).
27. At the end of each meeting, the agenda for what the members should do at home and what they will do at the next meeting should be set. That includes growing the group; getting documents; and networking to be able to present at the right time any incriminating audit results to journalists and presidential candidates(ol:269§2). The meeting will have been a success if the consensus is, not 'that guy is a lot of fun. I wish him well', but rather, 'Our group leader is a slavemaster... but we got a lot done. We're gonna get that judge! I'm coming to the next meeting with my friend'.
28. Working together breeds enthusiasm and optimism. It can coalesce ineffective single parties into a team of achievers with valuable skills that they can teach others in their own and the public interest. The members will be asked to invest effort, time, and resources to grow the group of parties before their and other judges; and to spot insiders who can be persuaded to become confidential informants(jur:106§c). That is how they can become the organizers of their court's questers for justice. As such, they will organize other courts in their city, in other state cities, and in other states. A group that first met in an apartment garage and had to put their computers on a door resting over two trash cans can grow to become a Tea Party-like entity: a national civic movement of people who pursue strategically and relentlessly their conviction that *We the People* are the masters of all public servants, including judicial ones, and are entitled to hold them accountable and liable to their victims. We can become *the People's* Champions of Justice(ol:235§C).

Dare trigger history(jur:7§5)...and you may enter it.

June 21, 2015

**Table of the Documents
Of Each Party to the Group Joining Forces
To Search for Commonality Points in Their Cases
That Reveal Patterns of Judges' Wrongdoing**

ordered chronologically with pages numbered sequentially in a pdf file or a binder

a	b	c	d	e	f	g	h	i
#of first pg. of doc.	Date	Sender and title or relation to party	Sender's institution and address	Addressee and title or relation to party	Addressee's institution and address	Docket or case #	Subject matter and page(s) where referred to	Comments and page of file referred to; & document referred to but not in file

a	b	c	d	e	f	g	h	i
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June 21, 2015

CONNECTING THE DOTS TO REVEAL A FIGURE
Searching in Parties' Cases for Audited Judges' Instances of Wrongdoing
That Constitute Commonality Points Revealing The Most Probative Evidence of
Denial of Due Process and Equal Protection of the Law: PATTERNS OF WRONGDOING

		FACTS LABELS				Description			
						PROVISIONS			
a	b	c	d	e	f	----- Citation			
						g	h		i

1.	P A R T I E S								
2.									
3.									
4.									
5.									
6.									
7.									
8.									
9.									
10.									

		FACTS LABELS				PROVISIONS			
						Description		Citation	
a	b	c	d	e	f	g	h		i
11.	J U D G E S								
12.									
13.									
14.									
15.	C L E R K S								
16.									
17.									
18.									
19.	L A W Y E R S								
20.									
21.									
22.									
23.									

August 9, 2015

Introduction to The Template for Exposing Judges' Wrongdoing
in a verifiable, to the point, and professional way
capable of persuading journalists and presidential candidates
to expose judges' wrongdoing and call for nationally televised hearings; and
intended as a foundational element of the future
Annual Report of Judicial Wrongdoing in America

A. Template with a table to be filled out with relevant wrongdoing information

1. When alleging that the judge in one's case committed wrongdoing(ol:154¶3), it is of the essence to distinguish between, on the one hand, wishful thinking expectations that when not realized are unjustifiably characterized as wrongdoing by the judge, and, on the other hand, either indisputable violations of the law and disregard of material facts or conduct that is so suspicious, for instance, because it entails highly improbable coincidences, as to raise probable cause to believe that the conduct was intentional in disregard of a legal or ethical duty of the court.
2. The above hints at a format for a party that deems itself a victim of a judge's wrongdoing to present its allegations in a verifiable, to the point, and professional way: a table(ol:306) with cells for substantive as well as identifying and referential information:
 - a. description of the case;
 - b. wrong, suspicious, improper, unethical, and wrongful behaviors;
 - c. quotation of the text and citation to the legal or ethical provisions that were violated. An unethical behavior can involve, for example, the Code of Conduct for U.S. Judges^{123a};
 - d. reference to the page of the brief, motion, ruling, decision, or other document introduced in evidence or reliable enough to carry evidentiary weight, that supports the claim of wrong, suspicious, unethical, improper, or wrongful behavior;
 - e. name(s) of the judge(s) involved; the address of the court; and their respective phone numbers (to make it easier for independent and impartial third parties, such as journalists(ol:250) or the staff of presidential candidates(ol:292) investigating the case, to contact them and ask for their side of the story);
 - f. text of questions presented on an appeal that is pending or in preparation, if applicable.

B. Template objectives: complete, standardized, and comparable information

3. The template uses a table because it is a device that allows vast amounts of information to be distilled to its essential elements and requires that all necessary information be presented so that the presentation is complete. The result is a standardized presentation. It ensures that relevant information of one case can be compared to that of other cases. Comparison of wrongdoing allows the detection of commonalities between cases that reveal patterns of wrongdoing(ol:274). Such patterns are much more reliable than a single party's allegations of wrongdoing by the judge in its case. See how the following tables make it possible to attain those objectives:
 - a. jur:10, 11, 15, 16; b. jur:31§a; c. jur:65fn107c; d. ol:280, 282, which are also templates.
4. It is not reasonable to expect third parties, particularly non- and unremunerated lawyers, even journalists, to wade through the scores or hundreds of pages of one case to figure out on their own whatever it is that supports the unsubstantiated allegation of a party, let alone to repeat the

process with each of the other cases in a set of cases claim to establish a pattern of wrongdoing of a judge, never mind of all the judges of a court. The template requires that this work be done by one most familiar with the details of its case: a party to it. It also reminds that party that a table invites scrutiny by third parties; thus, the party's credibility rides on presenting only information that can be verified as accurate and as stating a reasonable claim of wrongdoing.

5. No judge or judiciary promises to be able to conduct a perfect trial; they can only strive to provide one that is fair and impartial. Likewise, not every minute error or mistake amounts to wrongdoing. Listing all of them does not make the claim of wrongdoing more credible; it only makes the presentation boring as a result of the meaninglessness of its elements. Such shotgun presentation betrays the indiscriminate handling by a pro se of alleged instances of judicial wrongdoing, neither able nor willing to assess reasonably the merits of each instance.

1. Connecting excusable mistakes into a pattern of wrongdoing

6. The Racketeer Influenced and Corrupt Organizations provisions at 18 U.S.C. §1961(5)²⁴⁹ defines a “pattern of racketeering activity” as consisting of at least two acts each of which constitutes racketeering activity within ten years. This shows that in order to establish a pattern what matters is not the large number of wrongful behaviors, but rather the wrongful nature of at least two of them.
7. However, individual behaviors of an excusable nature can become inexcusable when ‘the totality of circumstances’ surrounding them is assessed in a reasonable, common-sensical way, especially when the assessment relies on statistics. For example, a wrong behavior may be a clerical mistake, such as an entry in the case docket bearing the wrong date. But if all or the great majority of such ‘clerical mistakes’ and other similar mistakes by the same clerk or other clerks and people benefit only one party and injure the opposing one, though statistically they should be evenly distributed(ol:19§D), then it is reasonable to suspect the totality of them of being intentional. The clerks and other people were biased. Their behaviors were not just wrong, but rather wrongful.
8. It falls to the presenter to articulate all those individually excusable mistakes, two or more of which could be deemed coincidences, into a set revealing an intentional pattern of wrongdoing.

C. Filled out templates as sources of categories of wrongdoing, a periodic publication, and persuasion for others to dare expose judges’ wrongdoing

9. Lawyers have the opportunity to fill out the template with verifiable, to the point, and convincing information on the wrongdoing by the judge in their case that serves as an exemplary presentation for others, particularly the pro ses. For an example of such information so presented but in outline format rather than the columns of a table, see [ol:19fn2](#) >ws:76§1.
10. The information provided in the template will make it possible to identify categories of wrongdoing and suspicious behaviors that subsequently can guide other parties, especially pro ses, in both assessing the behavior of the judge in their case and searching for patterns of wrongdoing. Such categories can be placed on the Y axis of the table, that is, as headings of rows.
11. The information collected through templates(jur:122§2) can eventually(jur:130§5) be processed professionally(jur:128§4) to build a national database searchable by any of its fields; and publish the Annual Report on Judicial Unaccountability and Wrongdoing in America(jur:126§3).
12. That information can be used now to persuade journalists(ol:250) searching for a scoop and presidential candidates(ol:296) in need of a distinguishing issue in a crowded field to expose judges’ wrongdoing and draw support from a huge(ol:272¶4) untapped voting bloc: judicial victims.

Dare trigger history(jur:7§5)...and you may enter it.

August 9, 2015

Template(jur:122§2) for Exposing Judges' Wrongdoing(ol:154§3)
consisting of disregard of legal and ethical provisions, and material facts,
or failure to “even avoid the appearance of impropriety”(jur:68fn123a; jur:92§d)
presented in a verifiable, concise, and professional way
capable of persuading journalists(ol:271) and presidential candidates(ol:292)
to expose judges' wrongdoing and call for nationally televised hearings; and
intended as a foundational element of the future
Annual Report of Judicial Wrongdoing in America(jur:126§3)
* http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf

1.	Case name, citation, and date
2.	
3.	Link to case docket and court website †(attach all documents referred to here and link every reference to them using cross-referential links)
4.	
5.	Statement of case in 100 words or fewer (write(jur: 124 fn260,261), revise, edit!; quality enhances credibility)
6.	
7.	If on appeal, statement of question(s) presented in 200 words or fewer and attach briefs
8.	
9.	Address(es) of court(s) and phone number(s)
10.	

11.	Name(s) and phone number(s) of judge(s), chamber(s), and law and court clerk(s)
12.	1. Judge(s): 2. Chamber(s): 3. Law and court clerk(s):

13.	A	B	C	D
14.	Category of wrongdoing or unethical or suspicious behavior	Statement of wrongdoing, each instance in a separate cell in 200 words or fewer	Title, page #, and date of evidentiary document in record or elsewhere †	Quotation of text and citation of provisions disregarded or violated
15.				
16.				
17.				
18.				
19.				
20.				

See also the templates(ol:280, 282) accompanying the Auditing Judges article(ol:274). The latter sets forth a method for one party to find other parties that have appeared before the same wrongdoing judge as that party has in order to join forces to audit his or her rulings and decisions in all their cases in search of commonalities that reveal concrete, verifiable, and convincing patterns of wrongdoing.

Such pattern evidence is more credible than the allegations of a single party, who by definition is biased toward its own interest in winning its case. Patterns of a judge’s wrongdoing can persuade journalists(ol:250) and presidential candidates(ol:292) to further investigate and expose the wrongdoing of that judge and call for nationally televised hearings on judicial wrongdoing aimed at bringing about judicial reform that holds judges accountable and liable to compensate the victims of their wrongdoing.

August 31, 2016

When pro ses and lawyers think strategically and proceed unconventionally to join forces as detectives in field research to get information on judges' improprieties and illegal activities, turn clerks into confidential informants, and become *We the People's* Champions of Justice

You, a pro se or a lawyer, who have had a judge deny you or your client due process and equal protection of the law, can take unconventional action to expose such wrongdoing (*>jur:5§3; ol:154§3) judge, e.g., one who has clerks allege that documents were served on you but who can neither produce copies nor even show a record that they were actually served on you.

A. Two principles that pro ses and lawyers should know about wrongdoing judges

1. There are two basic principles that should guide the actions that pro ses and lawyers take to defend their rights in court:

a. The court has all the institutional power. If a court wants to railroad you, there is nothing you can do about it, as shown in the analysis(†>ol2:452) of the official statistics of caseloads and their management by judges. Suing the judge before his or her own colleagues, peers, and friends is an exercise in futility foretold and a show of lack of understanding of how and why judges cover for each other, as explained in the article(ol2:461) that discusses the concepts of:

- 1) dynamics of interpersonal relations based on reciprocally dependent survival; and
- 2) institutional circumstances enabling judges' wrongdoing.

b. Think strategically! This means think outside the box, putting aside the conventional, in-court ways(*>ol:390§B) in which pro ses and lawyers have tried for centuries(jur:21§1) unsuccessfully to secure the respect of the law by judges and their clerks.

1) Strategic thinking(Lsch:14§3; ol:52§C; ol:8§E) consists of the use of knowledge of parties –here: the parties in the judicial and legal systems– and their interrelations to determine through analysis their constantly strengthening and weakening harmonious and conflicting interests underlying and motivating those relations so as to figure out a way to influence those interests to one's advantage through, e.g.:

a) the forging of strengthening alliances or the driving of weakening wedges between parties, in application of the principles:

- (1) The enemy of my enemy is my friend...and I will do everything possible to help him prevail in order to help myself;
- (2) The friend of my friend is my friend...and I will help him because there is strength in numbers and my grateful friend may help me.

2. KNOWLEDGE IS POWER. Read as much as you can of my study of judges and their judiciaries*, starting with the (blue text references* †) to it herein. Then you can proceed, not by rote, but rather by strategy crafted against a formidable opposing party: judges and their clerks, who have all the power of their institutions and will use it to crush you. You only have the power of knowledge, which can help you outsmart them. This you can do in the following concrete ways that apply the above principles. They provide for you to use your case *only as an element* of a strategy: the out-of-court inform and outrage strategy(†>ol2:458§1) for exposing unaccountable (ol:265) judges who consequently engage risklessly in wrongdoing coordinated with their clerks.

* [http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates .pdf](http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf) >all prefixes:# up to ol:393 ol2:465

B. Concrete ways for searching for document records and information about judges' wrongdoing

1. Searching online and in the office of the clerk of court and county clerk for document records: the case docket and the judge's calendar

3. **Go to the court website**([jur:20](#)), surf to, and download the docket of the case and the calendar of the judge for the last year. You must do that immediately to preserve those records as they stand now before they are altered to suit the clerks' account of the documents in question. If you cannot download them, take screenshots of every screen –Shift + Screen print (the key after F12)–.
4. Indeed, whenever you visit a webpage for any aspect of this search, download and date it, and add its link to it because it can be moved or deleted. Add all of them to a single searchable pdf([ol:102; 277¶¶18-20](#)) and bookmark each page to facilitate navigation through the pdf.
5. **Go to the courthouse** if those records are not online. Many state courthouses are located in the same building as the county clerk's office, where the judges' decisions as well as plaintiffs' complaints and parties' briefs, motions, and other case papers are filed as public records. It will become apparent below why it is pertinent to note that the county clerk's office has other departments to keep, file, register, and issue a host of records, licenses, certificates, and applications regarding jury rosters, property, incorporation and sole proprietorships, marriage, birth and death, name changes, identification cards, voting, running in and results of elections, social security, public assistance, etc. County clerks work in close contact with state court clerks. The former know through the latter all the gossip about the judges and what happens in the court.
6. In a federal court filings are made in the in-take office of the clerk of court, which is not associated with the state county clerk's office. In-take clerks learn from the law clerks, who are lawyers and 'clerk for a judge' (only for a year after law school) or for the court in general as their permanent job, what goes on in chambers, the courtroom, and elsewhere. An in-taker may also learn from a judge who wrongfully orders her to 'change that motion's docket date to today's'.
7. These state and federal case filing offices are referred to here as the clerk's office or office. Go there and quietly, without drawing attention to you more than needed, sit at a public computer terminal and check your case for its docket and the judge calendar. Print them AND take a picture of every frame with your smartphone or tablet, making sure that the picture allows the identification of the computer as that in the clerk's office. If there is no computer available to the public, ask a clerk for the paper version of those records and make a copy or take a picture.
8. Likewise, download or print every single document in the docket. You want to determine whether the alleged document was docketed at all so that it is online and, if so, whether it was docketed in the proper numerical order. What you are looking for is:
 - a. the date stamp on the first page,
 - b. the sequential number of the document, which often is handwritten next to the date stamp;
 - c. the initials or name of the clerk who made each docket entry;
 - d. whether the document was docketed completely because it has all its internal pages;
 - e. markings on pages even if they appear meaningless at this early research stage...or no markings, but a year later the document has markings. Who reloaded it with them? Why?
9. Examine the judge calendar and look for any entries concerning your case. Are they plausible? Determine whether the judge was in chambers, holding court, or even in town on the date when

the document in question was signed or the order for its issuance was allegedly issued; or he or she was at a seminar; teaching a class as an adjunct professor; judging a moot court session at a law school; at the wedding out-of-state of his or her son; on holiday; etc. So check the judge's:

- a. webpage on the court's website, paying attention to dates, times, places, names of people, titles, relations, occasions, membership in organizations and clubs, etc.;
- b. social media page, e.g., Facebook, LinkedIn, YouTube; download all pictures of the judge, his family, associates, etc., and accompanying articles for future use(infra, [ol2:470¶25](#)).
- c. appearance on a Google search showing that he or she holds an honorary position in an organization that advocates positions that under the code of conduct for judges ([jur:68fn123a](#) >Canons 4 and 5) are inconsistent with the obligations of judicial office or involve political activity; or contradict his or her public statements.

1) This is an example of serendipity: You are looking for one thing but detect another thing of great value because you are proceeding with your eyes wide open and a mind that looks at everything critically and integrates every piece of information into a system. A large percentage of findings are made thanks to serendipity.

10. Compare your case docket and the calendar entries for your case with those of the judge's 20 other current cases; compare them with those of other judges. Does a pattern emerge that:

- a. was broken in, or confirmed by, your case and points to the judge's failure to abide by the injunction in Canon 2 of the judges code to "avoid even the appearance of impropriety"?
- b. raises suspicion?: e.g., the judge takes the type of order affecting you on Fridays close to the end of business: Is that a mere caseload dumping([ol:92¶b](#)) measure for a light shoulder feeling that has nothing to do with the merits of the cases?
- c. involves other parties that strangely enough are the same? One of the main rules of wrongdoing is: Involve as few people as possible to avoid leakage, mistakes due to lack of coordination of timing and action, infighting for turf, and reduce the number of 'slices in which the cake' of wrongful benefits must be divided among the wrongdoers:

1) the same clerk, the same accountant, auctioneer, warehouse, guardian ad litem, executor, liquidator, evaluator, companies, and other parties with whom the judge and/or the clerk works together in a scheme([ol:85¶2](#), [91§E](#)), the most complex, profitable, and harmful form of coordinated([jur:88§a](#)) wrongdoing.

11. Think like a lawyer: What arguments can you make based on each piece of information, such as a marking, in a source, such as a picture, a webpage, an article, and through their integration in, or failure to fit, a system? Arguments do not scream at you to identify themselves. You have to stare at sources critically and imaginatively to craft them; sources only provide a hint in the form of a piece of information. Does it hint at manipulation of dates, conduct unbecoming of a public servant, text replacement, bias, conflict of interests, counterfactual statement, odd behavior, etc.?

2. Financial wrongdoing: the Al Capone approach

12. Al Capone was convicted, not on his alleged mafia crimes, but rather for tax evasion. Likewise, a judge may not be brought down on account of her wrongful decisions, which peers and clerks may squeeze within her discretion or cover up, but rather on account of financial crimes([ol:250§B](#)); after all, the most insidious motive for wrongdoing is *Money, lots of money!*([jur:27§2](#)).

13. The key documents in this respect can be downloaded or examined and copied in the field and

subjected to financial analysis to determine whether the judge is liable to the Al Capone approach for illegal benefits sought and/or obtained for herself or others. These documents are:

- a. the judge's mandatory annual financial disclosure reports([jur:65fn107d](#)) available for the last seven years([jur:105fn213a](#)); and
- b. the filings in county clerks' offices([jur:110fn242-244](#)) concerning the property in the name of the judge, her family, close associates, and even strawmen (fictitious people).

14. Such financial analysis may produce probable cause to believe that the judge may be:

- a. filing reports that make no financial sense([104¶¶236-237](#); [jur:72§b](#); [ol:315§6](#)), which may point to off-shore accounts in tax heavens([ol:1, 2](#)), money laundering, and tax evasion;
- b. living above his or her means because on a judges' salary –a matter of public record–:
 - 1) records in county clerks' offices show that the judge has a yacht, a condo in Miami, a large investment in a company, in addition to a home in a gated community;
 - 2) based on the information found in huge commercial databases of newspapers and journals, e.g., Nexis([jur:108§d](#)): the judge has three children at expensive private universities, takes vacations at luxurious resorts, is a member of exclusive clubs;
- c. taking indirect bribes, e.g., has taken out large loans for which little or no collateral has been posted by mortgaging a property and recording it in the county clerk's office.

15. The above should have allowed you to realize the strategic thinking that motivates this exercise:

- a. You are not looking to establish that the judge abused his or her discretion. That is a losing battle because by definition 'discretion' has a wide margin of leeway. Even if appellate judges would have exercised their discretion to do the opposite of what the judge did, they cannot reverse her decision if it was within her margin of discretion([ol2:437](#)).
- b. You are looking for wrongdoing, including criminal activity, from which the judge and the clerks benefit([ol:173¶93](#)). Three basic elements are considered to establish wrongdoing: motive, means, and opportunity([jur:21§§1-3](#)). They may reveal a settled way of doing, the *modus operandi*, which manifests itself in a telltale mark: a pattern of wrongdoing. You only need to show 'the *appearance* of impropriety'([jur:92§d](#)), not prove with evidence.

3. The strongest support for a claim: a pattern of wrongdoing

16. The search for patterns of wrongdoing is what can allow you to strengthen your case as nothing else can. Right now, you only have yourself, a pro se party or a lawyer for a party, who as such is by definition biased toward his own side of the story. You are alleging with nothing more than words that you are the victim of some form of judicial wrongdoing, e.g., that you did not receive a document or that the record of a document cannot be found. Nobody is going to take your word for it over that of a judge and her clerks, who are her protégés as her accessories in wrongdoing. Forget about people reading the whole record to reach their own conclusion. Thus, you are nothing but a lone whining loser. You need to break away from that damning status.

17. Strategic thinking and proceeding will allow you to become **a member of a class** of people victimized by a pattern of wrongdoing of a judge or judges and their clerks. How you form that class, beginning with a small, manageable team of three to seven people who have appeared before the same judge as you have, is described in painstaking detail in the article *Auditing Judges* ([ol:274](#); and at http://Judicial-Discipline-Reform.org/OL/DrRCordero_Auditing_Judges.pdf).

C. The search for Deep Throat: developing confidential informants

1. Court, law, and county clerks: the insiders

18. To build the Auditing Judges class, you and your Auditing Judges team need inside informants: Deep Throats([jur:106§c](#)), similar to the classic one in the Watergate Scandal, which brought down President Nixon, forcing him to resign on 8aug74([jur:4¶¶10-14](#)).
19. Clerks know a lot about judges' wrongdoing, for they may be their willing or coerced assistants in committing it. Yet, most only get the smallest benefit, usually limited to holding on to their jobs: They either do what they are told or they are flung out([jur:30§1](#)). If they are fired arbitrarily, they can hardly count on other clerks testifying on their behalf. If they file a suit, they land in front of the firing judge's peers, who have an interest in sending a message to all clerks: 'Don't you even think of disobeying our orders: You can only jump from the pan to the fire.' Cowardice and helplessness breed resentment in the clerks. How many female clerks have had to endure sexual abuse by judges, such as J. Samuel Kent([jur:22fn14](#))? Read about it and turn this subject into a talking point to strike up a conversation with a clerk identified as a potential informant.
20. This explains why clerks may be the ones most indignant about the judges' wrongdoing: They may have joined the court expecting to be Workers of Justice, but have been forced to become the judges' Enforcers of Wrongdoing. They may not feel proud about their behavior.
21. All this points to the need to: **a.** identify former clerks: They know a lot about what went on in the court; still have contacts there, and cannot be fired...or were fired for protesting; **b.** imagine scenarios of how to approach a given clerk based on what you are learning about her that may persuade the clerk to become an Informant for Justice; and **c.** role play([ol:356](#)) frequently with other team members, even on the phone, or in front of a mirror: Do not wing it! Here are three steps for you and your team to search for informants: identify, learn and choose, and contact:

a. Identify current and former clerks

- a. **Go to the website;** download and print the picture of every judge and clerk; identify each with name and title, and affix all to The Wall of Insiders of your home, where you will build their organizational diagram (organigram) with those pictures and additional information found elsewhere; use 3" x 5" cards for people whose picture have not been found;
- b. download the telephone register, which lists the name and title of judges and clerks;
- c. check the website's Contact Us webpage;
- d. check the webpage for each judge, which may identify his or her law (chambers) clerks;
- e. send a crawler to roam the Web for people who in social media or resumes have listed among their former jobs 'clerk at court X [=wild card]' or 'clerked for Judge X';
- f. **Go to the courthouse;** look in the lobby for a directory on a wall listing the name, title, and room of each judge and clerk; take a picture with your smartphone or tablet;
- g. go to the county clerk's office, the in-take office, the court library and other departments:
 - 1) the personnel headshot gallery, with name and title, may be on a wall; take a picture;
 - 2) ask a clerk for a roster of clerks to help you navigate your way through the maze of departments that you have been told you need to work with. If the clerk has such a roster but not for distribution to the public, ask to be allowed to copy it;

- 3) inconspicuously take a picture of every clerk and the desktop nameplates;
 - 4) ask for newsletters, brochures, fliers, forms, etc.; some may be downloadable;
 - h. go to the court library; check the publications that report court decisions, called reporters and advanced sheets, which at the front or the back may have a list of clerks' names;
 - i. check the pages posted on the outside wall of the courtroom on the day when a judge holds motion hearings, which may list the name and phone number of the judges' clerks;
 - j. walk through the courthouse and pay attention to the shingles outside some doors indicating the names of the several departments and their respective heads;
 - k. strike up a conversation with any clerk even if you show that you are in the wrong department and have no clue what it does. Use your ignorance to ask for, and receive, the names of current and former clerks in that and other departments with whose requirements you have to comply...to receive child support for a newborn after changing your name after your home was foreclosed and your new address is your car that was stolen. Bad day!
 - l. if needed, go to the courtrooms and photograph judges on the bench and their clerks.
22. Think, think, think creatively, imagining and rehearsing scenarios in advance, to come up with the opportune questions or comments at the right moment. Think strategically to craft a plan of action and, very importantly, to 'connect the dots' represented by each big as well as small, even tiny, piece of information. You are doing field research work: You are a Detective for Justice.
23. Go back home; print and post new pictures and add your field information to that already in the organigram on your Wall of Insiders. Google names and run pictures through face recognition software([jur:146fn271, 272](#) for a spectacular result of so doing); read the related articles; and add information on 3" x 5" cards. You will be impressed by your own work and so will be others.
24. Reproduce your Wall on your computer using PowerPoint preferably, otherwise Word, and its many collapsible/expandable features for adding information, such as digital sticky notes, call outs and cloud forms, connecting and freeform lines, etc., also available after you save your PP page in, or add it to a, pdf. Save a copy on your mobile device so that you can share your organigram with other team members([ol2:416§A](#)) by email or when you meet them; and compare it with theirs in order to correct, combine, and enlarge it. This is team work, not competition.

b. Learn about each of the clerks and choose the most likely to become confidential informants

25. After compiling the list of clerks, you and the team must learn about each. Check their social media pages and Google their names, as shown above concerning judges. Learn as much as possible about where and what they studied; what their past jobs were; whether they have family and who their friends are; what school their children go to; where they went for their holidays; what hobbies they have; what associations or church they are members of; where they are likely to be found outside the courthouse; etc. Every piece of information will allow you to relate to them better when you meet them. With insatiable curiosity, imagination, and foresight, hog information.
26. The determination of what clerk is most likely to become an informant begins with those who are more relatable to you because of age, race, educational level, religious affiliation, marital and family status. However, keep in mind that young people are likely to still be idealistic. They may resent more the injustice that they see in the court and that they are forced to participate in. An unmarried young clerk who still lives at home may still be sensitive to a motherly figure.

27. Old clerks may have become jaded. They have established links of, not only conspiratorial relations with judges, but also of friendship and loyalty. They may be so deep into wrongdoing schemes that they risk too much if they give you any piece of information that may lead to any aspect of the court being investigated. Their ‘fingerprints’ are in every wrongdoing. They knew or should have known about it. They are not only accessories under duress(ol2:462§1); they have become principals(jur:90§§b,c). They may be close to retirement and cannot envisage losing their pension just because you tell them to think back to the days when Justice mattered to them.

**c. Contact the clerk to persuade him or her
to become an Informant for Justice**

28. The previous two steps called for members with a bent for research and organization of data and capacity for profiling people(jur:xLvi§H). The third step calls for people’s persons, those with great social skills, talkative, and the ability to touch other people’s soul. They have to go in the field to befriend clerks who have been determined likely to become confidential informants.

29. Befriend a clerk until you can appeal to his or her moral fiber, the image of themselves as decent persons, who “Treat others the way they would like others to treat them”; as honest public servants who take pride in serving the public; as good parents who want to set the right example for their children; people with a personal and civic conscience who would be outraged upon being informed(ol:236) that you and so many others, their families, employees, suppliers, etc., have been harmed profoundly by the wrongs, committed with the coerced assistance of their clerks, of the judges who have deprived them of their property, their liberty, and the rights and duties that determine their lives. The harm is real –injury in fact–; the pain is constant. Elicit understanding and empathy, positive reactions that generate personal identification with a common cause and commitment to its advancement; not guilt, a negative feeling that drains people of energy and draws them into self-absorbed recrimination that causes degenerative self-worthlessness. Get the clerk to confide in you under the assurance that you will preserve their anonymity. Share only the information with the other team members(ol2:416§A). Invite the clerk to meet and join them.

2. The invisible little men and women: outsiders with big eyes and ears

30. There is another class of people that can provide an enormous amount of information about judges and their wrongdoing: They are outsiders: hotel drivers, receptionists, bartenders, waiters, waitresses, particularly the beautiful ones, room cleaners, and similar ‘little people’ with underestimated intelligence –more than matched by their street smarts, experience with VIPs, and financial interest in satisfying their every wish– 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(ol:175§2).

- a. Got to the places where, according to your research, the judge went or frequently goes. and show the ‘little people’ the pictures of the judge, her family, associates, etc.;
- b. ask them what they know about the judge and the others. Any apparently insignificant dot of information can become significant once you start ‘connecting the dots based on what makes people tic and the world go around’(ol:279¶25) and a richly detailed figure emerges of the judge, her train of living, property, extra-judicial activities, etc. So, ask about:
 - 1) the occasions on which the judge was there;
 - 2) the other people that were with the judge: spouse, boy- or girlfriend, children, other VIP’s, shady people;

- 3) who picked up the tab;
- 4) any bit of the conversation among them that the little people picked up;
- 5) how the judge treated the little people; etc.

D. Taking action for you and others and becoming a national Champion of Justice

31. Einstein said that “Doing the same thing while expecting a different result is the hallmark of irrationality”, because it ignores the law that governs the physical and the human worlds: cause and effect. The secular practice against wrongdoing judges is to sue them in court, lodge complaints against them with a judicial performance commission, and ask legislators to investigate them. Do that and you too will end up frustrated, exhausted, abused, and with dissatisfied one-time clients.
32. Strategic thinking leads to a radical departure: inside knowledge and rational analysis of people’s interests. It detects patterns of wrongdoing and devises an out-of-court/commission plan of action that imaginatively fosters or hinders such interests to expose wrongdoing and hold wrongdoers accountable. This calls for hard work, but it is reasonably calculated to have positive results: objective, verifiable, and convincing wrongdoing patterns that you and your team can take to:
 - a. journalists, who do not pay attention to the self-serving allegations of a single party;
 - b. politicians(ol2:416) who are looking for a novel issue on which to run for office, set themselves apart from their challengers, and develop a personal, reliable constituency;
 - c. documentarists looking for a story that can make them the next Michael Moore, with the equivalent of a hugely successful Fahrenheit 9/11(ol2:461), or Laura Poitras(ol:35, 36);
 - d. to other parties before the same judge or other judges in the same court, in other courts in the same city, in other cities, and beyond to build a class and develop a precedented, Tea Party-like movement(jur:164§9) of victims of wrongdoing judges and the huge(ol:311¶1) untapped voting bloc of the dissatisfied with the judicial and legal systems, who are members of the dominant segment of the population: The Dissatisfied With The Establishment;
 - e. even the judge on a motion for recusal; an appeals court for disqualification or remand and new trial; and a judicial performance commission to support a fact-based complaint;
33. You are not alone. There are many like you out there. The above is a plan of action for you to become their rallying point. It all begins in your mind, by strategically thinking, then taking imaginative action(ol2:431). Strengthen your mind by reading in my study*† because KNOWLEDGE IS POWER. Read and reread the Auditing Judges article(ol:274) to learn how to form a small team of people who have appeared before your wrongdoing judge. They share your experience and frustration. They understand you. They are on your side. Your success is their success. You can become the leader of many pro ses and even lawyers by starting with a few just like you.
34. Take heart from the people who never dreamed of becoming leaders until they were hit by an event that knocked them to the ground. But they would not stay down and take it: They stood up and fought back. They became reluctant heroes(ol:142§B). You never know what you can do until you decide that enough is enough and take the risk: To do your most. That is how you become recognized by *We the People* as one who asserted our right to Equal Justice Under Law and to hold all our public servants, including judicial ones, accountable and liable to compensate the victims of their wrongdoing because Nobody is Above the Law. Thus, I offer to make a presentation at a video conference(ol:350) or in person on how you can become one of *the People’s* Champions of Justice.

Dare trigger history!(>jur:7§5)...and you may enter it.*