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The out-of-court strategy for forming a national civic movement for judicial abuse exposure, compensation, and reform, based on *Whistleblower*, judges' statistics, and Sen. Warren's denunciation of their self-enrichment[‡]

A. A new strategy to expose judges' abuse and cause transformative change

- 1. This article is addressed to attorneys, parties to lawsuits, and Advocates of Honest Judiciaries who can discreetly contact judges and court/law clerks to persuade them to become the counterparts in the Federal Judiciary to *Whistleblower* in the Executive: That is the anonymous aide to President Donald Trump who blew the whistle on his July 25 call to Ukrainian President Volodymyr Zelensky and thereby set off the events leading to P. Trump's impeachment and removal trial.
- 2. The judicial version of *Whistleblower*, whether one or many insiders, can act as confidential informants that provide invaluable inside information about the abuse that they have committed, condoned, suffered, or witnessed([†]>OL2:645§A). They can cause outrage by exposing the Federal Judiciary as an unaccountable branch that has institutionalized abuse of power as its modus operandi; and is run by judges run for self-enrichment(infra §C) as a racketeering enterprise. Thereby *Whistleblower* can launch a series of key events that bring down, not just one rogue judge, but rather a whole abusive branch. *Whistleblower* can earn material and moral rewards(*>OL:3§F).
- 3. Especially voters involved in the 2020 campaign may be outraged by Whistleblower's inside information. They may be stirred up to demand of politicians courting their donations, campaign volunteer work, positive word of mouth, and votes, that they be recognized as We the People, the masters of all public servants in "government of, by, and for the people"(jur: 82¹⁷²). As such, the People are entitled to hold also their judicial public servants accountable for their performance and liable to compensate the victims of their abuse(OL2:952¶5). So holding judges will amount to treating them as they do doctors and their hospitals, lawyers and their law firms, priests and their churches, police officers and their departments: Judges have held them accountable and liable to the victims of their malpractice and abuse. That is treating judges equally to everybody else under law.
- 4. Suing judges in their courts is a tried and failed way of holding them accountable, never mind liable. The courts are their turf, where they wield their power to disregard the law; make up rules as they go; and exonerate each other. This warrants the out-of-court strategy to inform and outrage the national media and public. It aims to form a national civic single issue movement for judicial abuse of power exposure, compensation, and reform. That movement will become a means of pressure that with the strength of *We the People*, the sovereign source of all political power in a democracy, brings about transformative change in the administration of justice here and abroad.
- 5. Attorneys, parties, and Advocates of Honest Judiciaries can use their existing, or cultivate close, relations to judges, justices, and their clerks to persuade them to become *Whistleblower*. Concrete, realistic, and feasible ways and settings of doing so have been described(*>jur:106§c, *>OL:180) in the two-volume study of judges and their judiciaries that provides the foundation of the strategy:

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

B. The official statistics show how judges abuse pro ses and represented parties

6. Federal, as opposed to state, judges have their clerks collect and provide official statistics on their caseload to the Administrative Office of the U.S. Courts (the federal courts), whose director and

deputy director are appointed by the Chief Justice of the U.S. Supreme Court (28 U.S.C. §601 [the Code of federal laws only]). The statistics are tabulated and included in the Annual Report of the Director of the Administrative Office of the U.S. Courts. By law it is submitted to Congress (§604(a)(2)-(4); (h)) and made available to the public; https://www.uscourts.gov/statistics-reports/analysis-reports/judicial-business-united-states-courts.

- 7. Those statistics concern both parties represented by attorneys and those represented by themselves, that is, pro ses. Their analysis shows that federal circuit judges dump out of their caseload 93% of appeals and motions by having their clerks issue unresearched, unreasoned, capricious decisions contained in fiat-like summary orders(jur:44⁶⁶) based "on procedural grounds [e.g., the catchall pretext of "lack of jurisdiction"], unsigned, unpublished, without comment, and by consolidation"([†]>OL2:457§D). Those orders are dumping forms. bear the clerk of court's signature rubberstamped. The remaining 7% of appellate parties unfairly and unequally get opinions with reasoning that can be precedential, signed by judges, and published.
- 8. Pro ses fare especially badly, although they constitute 52% of all appeals to the federal circuit courts(OL2:455§B): Their cases are officially weighted only as a third of a case. Consequently, judges are authorized to give each only ¹/₃ of the attention, care, and time that they give a regular case weighted as one case(id.). Accordingly, judges are expected not to waste more than ¹/₃ of their attention, care, and time on a pro se case.
- 9. Former Chief Judge R. Posner of the 4th Circuit retired after 37 years on the federal bench only then to admit that, "Many judges are hostile to pro se's, seeing them as a kind of 'trash' not even worth the courts' time"(OL2:932). But judges get paid to deal with pro ses and lawyers alike.
- 10. Represented parties and pro ses must pay the same filing fees; they are dumped by clerks using the same dumping form. Judges pick them off one by one because almost all parties go or are taken to court separately. They do not know that other parties complain about judges disregarding the law and the rules of procedure and replacing them with others that they make up as they go along.
- 11. In fact, most people work only on their own personal, local case. If they are pro ses, they most frequently do not read the opposing parties' brief, the record, or even the decision on appeal. Barely ever do they read anything pertaining to another similarly situated pro se. Actually, they read almost nothing at all. As a result, their 'briefs' are basically their anecdotic telling of their sob story. The law and the rules of procedure are simply too difficult for a self-improvised lawyer to handle.
- 12. But judges took the oath of office at 28 U.S.C. §453(*>jur:53⁹⁰), whereby they swore "to administer equal right to the poor [in knowledge, intelligence, and money] and to the rich [in judicial colleagues and connections to VIPs outside the court]". The statistics show that judges deny parties what they are entitled to: equal justice "under the Constitution and the laws of the U.S." They do this not only out of contempt for parties and dereliction of duty. They do so also out of self-interest.

C. Sen. Warren's denunciation of judges' self-enrichment through abuse of power

- 13. Sen. Elizabeth Warren has dare denounce federal judges' self-enrichment: They fail to recuse themselves from cases in which they own shares in one of the parties before them; and resolve such conflict of interests in favor of that party and to their own benefit, even if at the expense of the opposing party and judicial integrity. Sen. Warren has a "plan for that too", i.e., if elected, she will cause the adoption of legislation to end the unaccountability of judges that enables them to engage in such abuse of power. Her "plan" is for politicians and judges to hold judges accountable.
- 14. However, politicians benefit from protecting 'our men and women on the bench', whom they

recommended, endorsed, nominated, and confirmed to judgeships; and judges benefit from not incriminating their own peers, colleagues, and friends, who know enough to turn around and incriminate them in retaliation. It follows that her "plan" is unrealistic([†]>OL2:998).

15. Even so, Sen. Warren's status as a presidential campaign frontrunner gives her what Advocates of Honest Judiciaries sorely lack but desperately need: access to the national media and public.

D. The presidential candidates' self-interest used to form the national movement

- 16. The statistics and Sen. Warren's denunciation explain why out of represented parties and pro ses there has emerged The Dissatisfied with the Judicial and Legal System(OL2:1023§B). They constitute a huge(id. ¶11) leaderless, voiceless, and untapped voting bloc. Those two circumstances and The Dissatisfied can be combined through strategic thinking to form the core of the movement:
- 17. Sen. Warren's interest is in accessing The Dissatisfied to become their national leader. The interest of the other presidential candidates is in preventing her from doing so and earning for themselves The Dissatisfied's support. You can make all candidates regardless of their electoral program and party aware of Sen. Warren's denunciation of judges' self-enrichment; the existence of The Dissatisfied; and the need for each of them to take a stand on the issue of judges' abuse of power so as not to cede their leadership to her, but instead appeal to them and earn their support for themselves.
- 18. By pitting candidates against each other on the issue of judges' abuse you can cause them to address it at every rally, townhall meeting, press conference, and interview. They can thus insert it in the primaries, the nominating conventions, the general campaign, and thereafter the national discourse. This is how *We the People* can become so informed about, and outraged at, judges' abuse as to force politicians to empower *the People* to do what politicians have always refused to do: hold judges accountable for their performance and liable to compensate their abuse victims.

E. Causing the media to investigate judges' self-enrichment and other abuses

- 19. To that end, you can share this article and post it to social media as widely and repeatedly as possible. If it goes viral, it can reach and motivate candidates to address the issue. In addition, it can interest the media, which have the most effective means of distribution, in making a scoop, selling copy, and winning a Pulitzer prize by investigating judges' self-enrichment and other abuses, e.g.:
 - a. dismissal of 100% of complaints against them and 100% denial of review petitions(OL2:918);
 - b. failure to read the vast majority of briefs, causing parties to waste the \$Ks and even the \$10Ks that each must spend to produce its brief, which can prompt parties to join forces to demand compensation for such waste; the refund of filing fees; and damages for fraud(OL2:760§A);
 - c. interception of people's emails and mail to detect and suppress their critics'(OL2:781, 929§B);
 - d. running a bankruptcy fraud scheme([†]>OL2:614) involving *lots of money!*(*>jur:27§2);
 - e. deprivation of the rights of pro ses(OL2:455§B) and auditing judges(*OL:274-280, 304-307);
 - f. disregard of procedural rules, and due process and equal protection requirements(OL2:457§D).

F. Presentation on judicial abuse exposure, compensation, and reform

20. I offer to present this article to you and your guests via video conference or in person. Use the information in the letterhead above to contact me and discuss the presentation's terms and conditions and its scheduling. To decide whether to organize such presentation watch my video(OL2:958).

Dare trigger history!([†]>OL2:1003)[‡]...and you may enter it.

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

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Volume II:

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