

Heaven's

Admissions

Process

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HEAVEN'S ADMISSIONS PROCESS

A fictional novel based on certain historical facts about one man's inspirational, spiritual, passionate and humorous journey through the inner workings of how people are admitted into Heaven.

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"Courage is Fear that has said its Prayers"

- Dorothy Bernard -

"Heaven and hell suppose two distinct species of men, the good and the bad. But the greatest part of mankind float between vice and virtue."

- David Hume, OF THE IMMORTALITY OF THE SOUL

"The imaginations of them that sleep, are those we call Dreams. . . it is a hard matter, and by many thought impossible to distinguish exactly between Sense and Dreaming. . . I am well satisfied, that being awake, I know I dream not; though when I dream, I think myself awake."

- Thomas Hobbes, LEVIATHAN

ORIGIN OF THE WORLD - A POSSIBLE FABLE

Archaeologists were recently excited to announce they learned how the world really began. And it turns out that all the religions got it partially wrong. The Jews got it partially wrong. The Christians got it partially wrong. The Muslims got it partially wrong. And so did all the other religions. They have found out that the world really began in the following manner.

Hundreds of thousands of years ago the entire Universe was ruled peacefully by a Female and a Male, who were Husband and Wife. Everyone in the Universe was happy and prospered, as they were ruled by this married couple. Although the discovered records do not reveal who was who, or which was which, we do know that one was named GOOD and the other was named EVIL. However, as stated, we can't tell who was who, or which was which.

Well, GOOD and EVIL started having marital difficulties. Soon thereafter, they filed for divorce. The two main issues were who would get custody of the kids and who would get the marital assets. Both GOOD and EVIL had many political allies on each of their respective sides, because after all, they had both ruled the Universe together. So all the Spirits of the Universe took a side. The political allies of EVIL were called Demons and the political allies of GOOD were called Angels.

A "Pendente Lite" (pending Trial) agreement was reached providing they would each get their own house; and both the property and jurisdiction of the Universe was divided temporarily. Specifically, GOOD got a house, property and all jurisdiction of Heaven. EVIL got a house, property and all jurisdiction of Hell. However, this agreement being "pendente lite," was only temporary. A Trial still had to be held to determine the final division of jurisdiction, property (i.e. the Universe) and custody of the children. Both parents wanted

the kids to live permanently with them. GOOD wanted to have the Trial in Heaven, but EVIL naturally objected on the ground that would provide an unfair advantage to GOOD and was thus an improper venue. EVIL wanted the Trial in Hell, but GOOD naturally objected on the same ground. Ultimately, it was decided the Trial would be on neutral ground.

So a place called Earth was created for the Trial. And it was further decided that the Judges would be all of the Children of GOOD and EVIL. They would decide who the better parent was and who the better spouse was. Thus, the children would decide for the parents what they would each get, and also decide for themselves where they wanted to live.

As stated, this all occurred hundreds of thousands of years ago. The case has yet to come to Trial due to pre-trial objections, motions in limine, status conferences, mediations, rescheduling of hearing dates, depositions, and a multitude of other legal matters. The kids are now all totally screwed up. They have absolutely no idea what's right or wrong; or who is right or wrong. They fight with each other constantly. Certainly, they're in no competent mental condition to be Judges.

Whereas previously, the whole Universe prospered and was happily unified, the kids have all split into a multitude of religions called Judaism, Christianity, Islam, Buddhism, Hinduism, and a wide variety of other religions. Like their parents, they're all completely stubborn and each believes what they think is totally right and everyone else is wrong.

Meanwhile, the political allies of both GOOD and EVIL (i.e. Angels and Demons) spend all their time constantly trying to win the attention and support of the kids because they know the kids are going to be the ultimate Judges. As for the parents, GOOD and EVIL are both lonely. They can't get along without each other. They miss each other immensely. But, they also know they can't get

along with each other because they argue and bicker constantly about what's right and wrong. EVIL hurls flames at GOOD, and GOOD douses them out with a flood of water on EVIL. Mediation has been a futile effort. They now each have total power in their respective realms and don't have to share decision-making power with anyone else. They each have everything they want in their part of the Universe. But, they both feel like they have nothing.

This all began hundreds of thousands of years ago when GOOD and EVIL separated. Notwithstanding the passage of time, a Trial date still hasn't even been set in the case. As a result, the final outcome of the case is still uncertain.

But, one thing is certain. The lawyers are definitely making a lot of money from this litigation.

AUTHOR'S NOTE

This fictional novel is to a limited degree an outgrowth of a historical work of non-fiction that I published in 2002, and subsequently contributed to the public domain. That book titled, "State Bar Admissions and the Bootlegger's Son" is a factual historical analysis about the process by which people become licensed attorneys in the United States. The process is known as the State Bar admissions process. One of the requirements for a person to gain admission to the State Bar and obtain a law license, is that the State Bar must certify the applicant possesses sufficient "good moral character."

The problem is that what constitutes "good moral character" means different things to different people. As a result, ultimately the determination as to whether a person possesses "good moral character" hinges totally on a subjective assessment of the individual by the State Bar. The result is that the "good moral character" standard incorporates an unlimited degree of arbitrary discretion on the part of the State Bar admissions committees. For the most part, they literally can admit whoever they want, and deny admission to whoever they want, without regard to objective criteria.

"State Bar Admissions and the Bootlegger's Son," describes the history of the Bar admissions process, and contains extensive criticism pertaining to the inherent unfairness of the so-called "good moral character" standard. It also analyzes countless judicial opinions of the U.S. Supreme Court and virtually every State Supreme Court in the nation that pertain to the "good moral character" requirement of the Bar admissions process.

It is the most comprehensive book ever written in the history of this nation about the "good moral character" requirement for admission. For those

who are interested, a complete copy of that book, which is over 700 pages, is available for FREE at my website www.gutmanvaluations.com.

Essentially, the State Bar admissions process boils down to the fact that the State Bar admissions committees admit people to the practice of law who they personally like and who they feel will fit in with and support the economic interests of other attorneys at the expense of the general public. With respect to those people that the State Bar admissions committees don't like for either racial, personal or other reasons, they simply contrive an artificial justification for denying them a law license on the ostensible ground that they lack "good moral character."

People have been denied law licenses in various States for reasons including determinations that they were arrogant, glib, facetious, drink alcohol, have had an academic suspension, too many parking tickets, arrived at work late, the manner in which they left previous jobs, having unsatisfied civil monetary judgments, unproven allegations that they purportedly committed a crime even though there was no criminal conviction and even for filing civil suits in a court. Stated simply, the process absolutely wrecks of State Bar and attorney economic protectionism.

The modern day State Bar admissions process is a product of the State Bars attempt to exclude racial minorities from the legal profession in the 1930s. Historically, moral character provisos have been used throughout the history of this nation, as well as other countries, to perpetuate racial discrimination. Once again, that is because "good moral character" is whatever the assessor says it is.

The National Conference of Bar Examiners (NCBE) held its' first meeting on September 16, 1931 and began publishing a magazine titled "The Bar Examiner" which is still published today. The early issues profess to describe the reasons why the "good moral character" review is so important. However,

the reasons given by the authors for the NCBE are absolutely nothing short of overt confessions of racially discriminative intent on the part of those who control the legal profession. The following factual historical quotes from the Bar Examiner magazine exemplify the foundation and intent of the modern day State Bar admissions process and are nothing short of detestably incredible (See Footnotes in back of this book for detailed source including the Month, Issue and Page number of the Bar Examiner magazine including these quotes):

“But I think that the place to draw social and racial lines of this sort, if anywhere, is at the portals of the bar associations.”¹

“We do not necessarily have the feeling that we should keep the door partly open . . . for another Lincoln.”²

“The voice of the clan, the force of its dictates, is strong in every situation in life. When an individual lawyer struggled with an ethical question . . . the picture of how the group demanded that . . . question should be answered had to be dealt with. . . .The struggle itself was a protection to the group. It retarded the formation of anti-group habits. . . .But in order to insure that the struggle would take place the group idea had to be kept alive and active in the mind of each lawyer. It was kept alive by his being made to feel that he “belonged.” Only through membership in it could he become part owner in the economically valuable franchise. . . . Thus, when group consciousness is strong the ordinary lawyer can not easily separate ideal values from economic values.”³

“In performing his duties, the bar examiner wields vast powers in that . . . he may to some extent determine the destiny of the nation. . . .”⁴

“First, there is the very easy case, the case of the man whose father or uncle has been known to the Board, etc. He, of course is immediately passed. . . . The most difficult question that the County Board has come up against is as to whether they should reject a man because of his appearance, his manner or general surroundings. . . .”⁵

“. . . the bar should seek to develop a consciousness, permeating its whole membership, that whatever is done primarily concerns it and its welfare. . . .”⁶

“If one opportunity among the many that are open to you were to be singled out . . . it is that of regarding yourselves . . . as informed propagandists . . . as ministers, if you like, of the true professional gospel.”⁷

“In all cases where the candidate is not known personally to one or more members of the character committee. . . inquiries should be directed to all his references and past business connections. . . .”⁸

“It would be possible. . . for a board to decide readily that where there is present such obvious deficiencies as want of directness, shiftiness, evasiveness, bad background and the one hundred and one other things which would satisfy a fair mind that the applicant is not going to make a proper lawyer, to reject him. . . .”⁹

“. . . It would seem to me that in regard to those border-line cases it would be necessary to give the Committee of Bar Examiners an arbitrary discretion, that the Committee. . . should not be required to give any reasons . . . upon which their decision . . . was made. . . .”¹⁰

“If the interviewer . . . has been swindled by some one with a hooked nose, he feels that persons with hooked noses should not be trusted; and if a man of the Jewish race has double-crossed him in the past, he tends to place less confidence in other members of that race.”¹¹

“A proper regard for the public interest must cause the members of our profession grave concern where it is apparent that many lawyers are not making a decent living.”¹²

“. . . an investigation among the applicant’s friends, or in the neighborhood in which he lives may disclose that his habits are bad. . . .”¹³

“In the case of an applicant who is the son or other close relative of a reputable member of the . . . Bar . . . not a great deal of examination is required. . . .”¹⁴

“We must not forget that in many parts of the country there still prevails the fallacious and discredited idea that everyone in democratic America has a right to become a lawyer. . . .”¹⁵

“the proponents of the standards were referred to, in informal conversation among the opposition, as “The Snobs.” The opponents, who were impressed with the fact that Abraham Lincoln never went to either law school or college, were classified as “The Coon-Skin Cap Boys.”¹⁶

“Our European brothers went further. Der Feuhrer, in 1935, issued a decree that, for a period of years, no more lawyers should be admitted to practice.”¹⁷

With the foregoing in mind, this fictional novel as previously stated, is to a limited degree an outgrowth of the book "State Bar Admissions and the Bootlegger's Son." Whereas my first book was a very serious, historical work of nonfiction challenging the unlimited discretion given to State Bar admissions

committees, this novel is a lighter, fictional story in which the main character represents three Angels who are challenging GOD's power to read into a person's inner thoughts to determine if they should be admitted to Heaven.

It is however, based on certain critical historical facts. The U.S. Supreme Court and Oregon Supreme Court judicial opinions cited and described in the novel are actual cases that occurred and the quotes come directly from the actual court opinions. Similarly, the passages of the Bible that are cited come from the King James version of the Bible.

However, most of the characters in the novel including the main character, Brad Thomas are fictional. Similarly, the three members of the Oregon State Bar admissions committee in the novel, Beverly Stanopo, Lawrence Henderson and Robert Millson are totally fictional. Also, the Angels that Brad meets in Heaven are presumably fictional.

In the novel, when Brad gets to Heaven, he meets four former U.S. Supreme Court Justices. They are not fictional characters. They are actual former U.S. Supreme Court Justices who were really on the U.S. Supreme Court during the 1960s and have since passed on. That Court was known as the Warren Court, for Chief Justice Earl Warren. The information described about the lives of the four Justices on Earth in this novel is factual information, not fictional. However, what these Justices say and do in Heaven in the novel is fictional of course.

Since there is a certain combination of fictional characters and actual historical information, this novel contains Footnotes that describe the source of historical information used. The Footnotes detail the source of information I used to describe the lives of the four U.S. Supreme Court Justices, when they were on Earth. One biography was used for each Justice. The remaining Footnotes cite actual U.S. Supreme Court opinions, Oregon Supreme Court

opinions, portions of the Bible and as stated previously, pertinent information pertaining to quotes that were in the Bar Examiner magazine of the National Conference of Bar Examiners (NCBE).

A brief word about "**BOLDING**." When quoting certain passages of U.S. Supreme Court opinions and Oregon Supreme Court opinions, I have taken the liberty of "Bolding" certain parts to draw the reader's attention to them. However, the passages in the actual opinions were not in Bold.

Oh, there is one other Major character in the book that is definitely not fictional. **GOD**. He really does exist. However, this is not to say with conclusive certainty that Heaven as depicted in this novel is really the way Heaven is. Obviously, no one knows that for sure. Rather instead, the story simply depicts one possible conception of Heaven that is intended for entertainment purposes only. So Enjoy!

1

Brad felt good. He knew his case inside and out. The motion had been filed. The newspapers had all jumped into the story with interest, but Brad actually didn't even know that. And tomorrow morning, he would argue his own case himself before the Justices of the Oregon Supreme Court. Now the key was to get a good night's sleep. He reflected back upon how the whole thing had started just a little more than a year ago.

It was just less than one year earlier in the month of May, 2010 that Brad stood on a sunny day and received his JD degree (Doctor of Jurisprudence) from Oregon Northern Star University Law School. His friends were all there, but his parents were not. His mother had died of cancer when Brad was only three years old, and his father had raised him alone. Brad had been incredibly close to his father, but when Brad was sixteen, his father had a fatal heart attack at the young age of 51. Brad was raised during the last of his teen years by his grandparents. It was then that Brad started drinking alcohol while in his junior year of high school.

First he just had a few beers with friends. But then, he quickly escalated to hard liquor, and by the end of his junior year was drinking straight Vodka during lunch hour. He was happy when he got his driver's license because it

gave him a great deal of freedom to go where he wanted, when he wanted, but that driver's license became the source of his most serious problems.

On his 18th birthday, which was on July 4, 2003, Brad went out partying to celebrate with his friends. They were celebrating graduating from high school, Brad's birthday, and July 4th all simultaneously. It seemed like it was going to be a great night. There were six of them altogether and they crammed into Brad's car. Two in the front seats, and four in the back, kind of sitting on top of each other. Brad's friends had bought two cases of beer, two bottles of Vodka, one bottle of Gin, and one bottle of Scotch for the night's festivities. Brad's grandparents had gone out of town, so they started the night first at Brad's house drinking. Then they went out cruising in the car up and down the local city strip. The music was blasting, they were all hooting and hollering and celebrating, and drinking in the car. Brad was having a great birthday. Until he saw the flashing red lights behind him. Brad was being pulled over by the police.

The policeman asked Brad for his license, and Brad showed it to him. Immediately the officer could tell that Brad and his friends were all drunk. Brad was given a sobriety test, which he promptly failed, and was then arrested for drunk driving. He called his grandparents from the city jail. They came back early from their vacation, and got Brad a good local lawyer. He ended up pleading guilty to Driving Under the Influence of Alcohol. He had his driver's license suspended for six months and was also given six months Probation, but he avoided a prison sentence because it was his first offense. And with that he had a criminal conviction.

Luckily, Brad had already graduated from high school shortly before the arrest, so he had his high school diploma. But his driver's license had been suspended, so he couldn't drive his car anymore. Or at least he couldn't drive it

legally. The death of his father still burdened him, and the DUI conviction certainly hadn't made things any better. Brad kept drinking, but knew that from now on he had to be smarter about it. He certainly wouldn't drive around town in a car filled with friends, hooting and hollering with music blasting. He knew that had been really dumb. It was virtually like putting a sign up that said, come on and arrest me for drinking. From now on, Brad resolved to do his drinking more discreetly and quietly.

He started college in September, 2003. His grades in high school hadn't been particularly good, but they weren't terrible even considering everything he had been through. The bottom line was that Brad was a fairly smart person academically. He just hadn't applied himself as much as he should have. He still got mostly Cs though, and a few Bs, and graduated with a 2.4 grade point average. Certainly not stellar, but enough to get him into a local community junior college.

He still lived at home with his grandparents. They were both good people, but they were very old, in their 80s. They loved Brad, but for the most part he was really on his own. He also had no brothers or sisters. The junior college was on the local bus route, so Brad could get there without having to drive a car, as long as he left early enough in the morning. The problem was that he sometimes woke up late. And when he did, in order not to miss class, he'd just grab the keys to his car and drive to the school even though he didn't have a valid driver's license. This went on for the entire first semester and he was never caught. Midway through his second semester, his probation was up and he got his driver's license back. That made things a whole lot easier. He had been nervous for the months when he occasionally drove his car to school without a license.

Near the end of the school year, Brad decided to throw a party at his house for a few friends. His grandparents were away again, so he had the house to himself. He had eight of his friends over, and they got plenty of alcohol. Brad told everybody straight up that the party couldn't get too loud or out of hand, and that he definitely was not going to drive a car that night. His friends all understood. They had a great time, mostly talking about what they wanted to do in the future, the girls they liked and definitely downing plenty of alcohol.

It wasn't a wild party by any means though. Just a bunch of friends, drinking, talking and laughing. They drank until about three in the morning. Brad tried to encourage his friends to sleep over instead of driving home drunk, but they all said it would be alright and left. Brad then went to sleep, grabbed a few hours of sleep and woke up at 7:10 a.m. to make it to his 7:45 English class.

He peeled out of the driveway in his car at 7:28 a.m. He didn't even have time to shower, just threw on some clothes and jumped in the car. There was no doubt that he was speeding as he rushed to class. Then he saw the flashing lights behind. "Damn," he thought to himself. Just what I need, a speeding ticket. The officer told him that he was driving 20 mph over the limit. He then looked at how Brad was dressed, and his unkempt hair. And then he smelled alcohol on Brad's breath. Brad hadn't even brushed his teeth or used any mouthwash that morning. The officer told Brad to step out of the car. "Oh, Shit," Brad muttered.

Brad had never considered the fact that alcohol would still be in his bloodstream from the night before. From his perspective, he wasn't drinking and driving, because he had gone to sleep at home after drinking, even though it was only for a few hours. Ultimately, Brad was arrested again for driving under the influence of alcohol. His grandparents got him a good lawyer again.

The lawyer told Brad that the State did not have a slam dunk case against him. The lapse in time between going to bed and starting to drive the next morning had dissipated some of the alcohol in his bloodstream. If they could successfully challenge the breathalyzer test, Brad might be able to get off. So Brad pled "Not Guilty." The case was set for trial three months later.

During the interim period after pleading Not Guilty, Brad met with his attorney a number of times. He knew that he was lucky to be in a position where his grandparents were financially able to pay to get him good representation. His lawyer had in fact been successful in many cases getting DUI prosecutions dismissed or dropped by the DA's office.

Plus, the lawyer thought Brad was a good kid and really went to bat for him. He knew the DA who was prosecuting the case, and after some lengthy discussions and negotiations, the DA ultimately decided to cut Brad a break. The DA knew that the breathalyzer results were arguably inconclusive, and while he could probably win the case if he fought it hard, he kind of felt bad for Brad when he heard about his father dying at age 16. So two months later, the DA dropped the charges and the case never went to court.

Brad was no dummy. Although he was a heavy drinker, he was also a quick learner. After the first DUI arrest, he had learned never to drive a car again going wild with his friends while drinking. He now had learned that he also should never drive his car early in the morning, after a night of drinking.

He also appreciated immensely how the lawyer had really gotten him out of a terrible jam. It had a lasting impact on him. It was that particular event that made Brad decide to become a lawyer himself.

Notwithstanding the two DUI arrests, one of which resulted in a criminal conviction, Brad saw no reason to stop drinking alcohol entirely. However, he did decide to cut back significantly on his drinking and definitely was going to

be a lot smarter about how he handled himself after drinking. He continued to drink alcohol, but never again got really drunk. Typically, he would have three or four beers, every Friday and Saturday night with his friends, and then also maybe one night during the week. But, he never again drove his car after drinking, and recognized that a few hours sleep in between drinking and driving was insufficient to avoid a DUI arrest. He never got in trouble with the police again for anything, was never again arrested and never again drove his car while intoxicated. He did however, continue to drink alcohol regularly and on occasion people would tell him that he was drinking too much. Brad disagreed with them.

He finished his second year of junior college with much better grades than he had gotten in high school. He had a solid "B" average. He applied to some regular 4 year colleges and was accepted by a number of them. Ultimately, he decided to travel to Oregon and attend Oregon Northern Star University to finish out college and make plans to go to law school afterwards. His grades junior and senior year of college were great. He had an overall 3.5 GPA. He graduated from college and received his diploma with a Bachelor's degree in American history in May, 2007. During his senior year of college he applied to a number of law schools.

Oregon Northern Star University is in Eugene, Oregon. Brad had a great time attending there during his last two years of college. He made lots of new friends, liked his teachers and enjoyed the outdoor activities of hiking and fishing that Oregon is famous for. And he also had a great time at a lot of the local bars on Friday and Saturday nights. He was accepted to a number of different law schools, but ultimately decided to stay in Eugene to attend Oregon Northern Star University Law School.

2

Brad started law school in September, 2007. Attending law school was one of the most fun and intellectually satisfying times he ever had in his life. He was always a sociable person and easily made lots of new friends. The professors all liked him and he liked them. He worked hard on his classes and studies, and got good grades. And of course, every Friday and Saturday night, and usually one night during the week he hit the local bars with many of his friends. They always had a designated driver so no one was ever worried about getting a DUI. They took turns each week who would be the designated driver and when it was Brad's turn, he wouldn't drink at all that night.

Academically, Brad took a particular liking to constitutional law. He read many cases on his own that weren't even assigned. Specifically, he became interested in the Free Speech Clause of the First Amendment to the U.S. Constitution, and the Equal Protection Clause of the Fourteenth Amendment. By the time he graduated from law school, he knew virtually every U.S. Supreme Court case since 1950 that dealt with either of these two clauses of the U.S. Constitution.

He also read cases that began to convince him how unfair the law and courts often are. He became convinced that in many cases, the decisions being reached by the courts were simply flat out wrong. Both from a legal perspective and a moral perspective. He developed a unique ability to glean from the language of a judicial opinion, the underlying messages that the judges who

wrote the opinion were trying to convey. It became clear to him that although judges were supposed to be fair and impartial, there were in fact many judges who were simply rendering rulings based upon their own personal views, rather than the written law.

Based on local gossip amongst numerous attorneys he met while in law school, Brad also quickly became educated to the fact that there were many judges who were rendering decisions simply based on whether they liked or disliked a particular litigant, or based upon which litigant was represented by a lawyer who the judge liked or disliked. Essentially, Brad became convinced that numerous litigants were being victimized by the unwillingness of judges to render decisions solely based on the law, facts and evidence.

Stated simply, the justice system which purported to protect the public and serve its' interests, was instead intentionally exploiting the personal issues, finances and problems of the litigants. And worse yet, Brad was fairly certain that this problem was fairly widespread. It was in fact, not a situation involving just one particular judge or one particular attorney. Rather instead, it was a byproduct of the cohesiveness of the legal community that was so pervasive, Brad knew you either became part of it and supported it, or alternatively it would take you down.

The process of assimilating the true manner in which the legal profession functioned, merely by listening carefully to what lawyers around him were saying, and also by being able to read more deeply into the true matters being communicated in a judicial opinion, caused Brad to develop a strong sense of injustice. He became angry at the legal system on behalf of those that it was victimizing, because he once had trusted the system without question or hesitation. He now knew that for a person to have trust in the legal system was unwarranted and undeserved.

By the same token however, he also knew that he wasn't in any position to battle the system. First of all, he wasn't even a lawyer, yet. He was only a law student. Second of all, he had never been politically involved in any type of issue or cause his entire life. For the most part, his life revolved around making friends, having fun, going out drinking and leaving the bigger issues of the day to the politicians.

So as Brad internalized the unfairness of the judiciary branch of government, and as he became internally rebellious regarding such, he also made it a specific point to keep his opinions silent. To everyone he was going to school with, Brad just remained the fun guy. Seemingly, totally uninterested in engaging in any type of confrontation as pertains to any type of political issue. No one really knew for sure what Brad truly thought, or what he really knew.

During the second semester of his third year of law school, Brad filed an application to sit for the Oregon State Bar exam in order to be admitted into the Oregon State Bar as a licensed attorney. Oregon like most states had three basic requirements to become an attorney. The first was that the applicant had to graduate from law school. The second was that the applicant had to pass an academic examination known as the State Bar Exam. The third was that the applicant had to be certified as possessing "good moral character."

Brad hadn't really given the State Bar's licensing requirements even a second thought while he was in law school. He did recall that a representative of the Oregon State Bar had stopped by the law school periodically to speak to the students about admission requirements at various times while he attended, but typically Brad just skipped those meetings. If the State Bar representative was coming to speak during a scheduled class, Brad just skipped the class and considered it to be a day off.

From Brad's perspective, he had never done anything bad in his life. He knew he had the one DUI conviction when he was 18, but just figured that would not impact upon getting a law license. As for the second DUI arrest, he did not even faintly consider that he would need to disclose it to the State Bar, because the charge had been dropped. So from his perspective, he had one minor criminal conviction that resulted in probation when he was a lot younger, and that was it. Or so he mistakenly thought.

His first clue that he might have some trouble occurred when he looked at the Oregon State Bar's application. The application contained a moral character inquiry section that was extensive. It inquired into whether he had ever been convicted of a crime. Brad expected that and readily disclosed his DUI conviction. He explained the circumstances thoroughly and totally truthfully, admitted his mistake, and asserted that he no longer drives a vehicle at any time shortly following the consumption of alcohol.

However, the application also inquired into whether he had ever been "arrested" or "charged" with a crime. When he read that portion of the question, Brad literally couldn't believe what he was reading. He knew that he did have a second arrest and had been charged with a DUI, but that charge had been dropped. It did not result in a criminal conviction. Brad was furious that the question was on the application and had an indignant sense of injustice.

Essentially, Brad knew that what the State Bar was saying was that the concept a person is "innocent until proven guilty," which is one of the crucial cornerstones of the American justice system, was at the bottom line just a bunch of Bullshit when it came to applying for a law license. The State Bar was the agency that was licensing attorneys to uphold the law and U.S. Constitution. Yet, from the State Bar's perspective, while the criminal defense attorneys they licensed were supposed to argue that a person is "innocent until proven guilty"

to juries in courts, the concept didn't apply to the State Bar itself. The State Bar in furtherance of its own self-interest had carved out an exception regarding a basic legal principle. It was totally hypocritical.

Brad really didn't know what to do when he read the question asking if he had ever been arrested. He was basically an honest guy and his integrity had never been called into question by anyone during his entire life. By the same token however, he was absolutely pissed off that the sanctimonious, hypocritical, bastards and bitches of the State Bar admissions committees had the colossal gall to ask such a question.

If the charges were dropped, then the arrest shouldn't function as a potential ground for denial of a law license on moral character grounds. So Brad decided to start researching the whole issue of moral character assessment by State Bar admission committees. He wanted to explore whether they were really allowed by law to do what they were doing.

As a law student, Brad had access on the internet to every appellate opinion in every state and federal court in the country, including all U.S. Supreme Court opinions. That was the place to begin. He wanted to see if the U.S. Supreme Court had ever addressed the issue and if so, what their position was. Brad typed in the following search terms to the database containing U.S. Supreme Court opinions:

"state bar" and admission and application and moral and character

He came up with numerous cases. One of them caught his eye particularly, since it addressed the precise issue he was concerned about. The issue of the legitimacy of the "arrest" question. The case was Schwartz v Board of Bar Examiners of New Mexico, 353 U.S. 232 (1957). In the case, the

applicant Rudolph Schware was denied admission to the New Mexico Bar on moral character grounds due to several arrests that occurred over a decade preceding his application to the State Bar. The arrests were related to labor protests that Schware had participated in. Additionally, Schware had been a member of the Communist Party more than 10 years prior to his application for admission. However, he was never prosecuted or convicted of any crime. The U.S. Supreme Court in an opinion authored by Justice Hugo Black ruled in favor of Schware's admission to the Bar writing:

"A State can require high standards of qualification, such as good moral character or proficiency in its law, before it admits an applicant to the bar, but any qualification must have a rational connection with the applicant's fitness or capacity to practice law. . . . Obviously an applicant could not be excluded merely because he was a Republican or a Negro or a member of a particular church. Even in applying permissible standards, officers of a State cannot exclude an applicant where there is no basis for their finding that he fails to meet these standards, or when their action is invidiously discriminatory. . . .

. . .

The mere fact that a man has been arrested has very little, if any, probative value in showing that he has engaged in any misconduct. An arrest shows nothing more than that someone probably suspected the person apprehended of an offense."¹⁸

Brad had exactly what he wanted. An express, affirmative statement in an opinion written by the U.S. Supreme Court that the mere fact that a man has been arrested has "very little, if any, probative value." He reasoned that since an arrest has very little probative value, as officially determined by the U.S. Supreme Court, then it was not a valid ground for denial of admission or disclosure.

However, this raised a different question in Brad's mind. He wondered why the State Bar was asking the question about "arrests," if the U.S. Supreme Court had expressly stated that "arrests" are of "very little" probative value? Brad decided to expand his research into Oregon Supreme Court opinions on State Bar admission. He quickly found what he was looking for. Or rather instead, what he dreaded finding.

The Oregon Supreme Court had squarely addressed the issue that Brad was concerned about. In the case Application of Taylor, 647 P.2d 462 (1982) the Oregon Supreme Court addressed and rejected a Bar applicant's contention that dismissal of a charge forecloses any further consideration of the incident. The State Supreme Court expressly noted and cited the applicable passage pertaining to arrests in the Schware opinion, but discounted it as follows:

"On the other hand, dismissal does not preclude inquiry to ascertain whether an offense was committed. . . .

•••

Similarly, in this case, the trial court's dismissal of the charges in no way bars our examination of the underlying events."¹⁹

Brad realized immediately that the Oregon Supreme Court had essentially perverted the U.S. Supreme Court's holding in Schware. The U.S. Supreme Court did not simply say in Schware that an arrest alone does not prove misconduct. If that was all the U.S. Supreme Court had said, then the Oregon Supreme Court's opinion in Taylor, would not have been quite as objectionable. But rather, the U.S. Supreme Court in Schware had said that an arrest is of:

"very little, if any, probative value"

Why impose a requirement of disclosing something that is of "very little, if any, probative value?" It is not rational to make an inquiry that is of "very little" or "no probative value." Brad surmised that the Oregon State Bar and State Supreme Court had an ulterior motive. The professed reason given by the Oregon Supreme Court for requiring the disclosure was:

"to ascertain whether an offense was committed."

Brad concluded that the Oregon Supreme Court had essentially used word manipulation to circumvent the Schware opinion. They had created a deceptive camouflage of logic. The Oregon State Supreme Court was condoning inclusion of the "arrest" question in the application precisely because they believed disclosure of an arrest to be of "highly probative value" in ascertaining whether an offense was committed. This was notwithstanding the fact that the U.S. Supreme Court expressly stated an arrest was of "very little" probative value at most, and may be of no probative value at all.

Notably, when the Oregon State Bar concludes someone committed a criminal offense for purposes of assessing an applicant's moral character, even though the prosecution was dismissed, it is demonstrating an immense lack of faith and confidence in Oregon trial courts. It is an inescapable conclusion that each time the Oregon Bar independently reviews the underlying facts and concludes an offense was committed in a case that was dismissed by an Oregon trial court, the Oregon State Bar is simultaneously concluding that the justice system failed because a guilty person was not held accountable.

Brad then came across another Oregon Supreme Court case that was equally disturbing. The case of In Re Complaint as to Conduct of Lee S. Werdell, Accused, SC S51668 (2006) involved a disciplinary action by the State

Bar against a licensed Oregon attorney. While an attorney, the accused Oregon attorney was convicted of the felony crime of hindering prosecution. Based on his criminal conviction, the Oregon State Bar suspended him from the practice of law for one year. Werdell however, had appealed the criminal conviction to the Oregon Court of Appeals and then to the State Supreme Court. The State Supreme Court had reversed the conviction. Based on the reversal, the State Supreme Court then held that the State Bar disciplinary proceeding against Werdell had to be dismissed. The Oregon State Supreme Court wrote in its' opinion:

"It follows from that outcome in the criminal case and from the Bar's concession that the present proceedings against the accused must be dismissed."²⁰

Thus, it was clear that the Oregon Supreme Court had adopted a double standard and was immorally playing both sides of the field. They were contradicting their own position. With respect to State Bar applicants, the Court held in Taylor (1982) that:

"dismissal does not preclude inquiry to ascertain whether an offense was committed."

Yet, when it came to people who were already licensed attorneys and members of the "club," members of the "good ol boy network," the same Court hypocritically held in Werdell (2006) that the reversal of a criminal conviction mandated dismissal of State Bar disciplinary proceedings.

The conclusion Brad reached was that the Oregon State Supreme Court was essentially just as immoral as the Oregon State Bar admissions committee. The reason was because they supported an immoral contradiction in principle between Bar applicants and licensed attorneys. He thought it was wrong what

they were doing. The State Supreme Court was supposed to uphold the rule of law and be fair to everyone, but instead they were just blatantly and flagrantly favoring licensed Oregon attorneys over Bar applicants. It also seemed clear to Brad that the discrepancy in treatment between Taylor and Werdell confirmed that licensed Oregon attorneys were the beneficiaries of being held to a lower standard of moral and ethical conduct than required of State Bar applicants.

Brad then reconsidered. Maybe, there was the possibility that the purpose of the Oregon State Supreme Court's opinion in Werdell (2006) was to set in place the groundwork to reverse their position in Taylor (1982). After all, Taylor had been decided in 1982, 24 years prior to Werdell. Maybe the State Supreme Court was actually getting ready to straighten out the fact that Taylor was not really in line with the U.S. Supreme Court's opinion in Schwartz. However, this was nothing more than mere conjecture on his part. Besides, Brad had severe doubts that the Justices of the Oregon Supreme Court were swift enough or bright enough to have that kind of forethought. And if they really wanted to reverse Taylor, all they had to do was reverse it. There was no requirement that they first set in place any type of groundwork to do what's right.

In any event, Brad was now squarely faced with a major dilemma. The U.S. Supreme Court opinion in Schwartz appeared to indicate State Bars should not be inquiring about mere "arrests," but the Oregon Supreme Court opinion in Taylor clearly indicated that the Oregon State Bar could make such an inquiry. Thus, he had the following options.

He could openly and expressly decline to answer the question about whether he had ever been arrested. That would result in denial of his application for admission and he could then challenge the constitutional validity of the arrest question at the Oregon Supreme Court. However, he knew that he would

probably lose that challenge because of the Taylor opinion. He would then be left rolling the dice as to whether the U.S. Supreme Court would grant review. Too much of a longshot.

The second option was to simply decline to disclose the second arrest that didn't result in a conviction, without an open and express refusal to answer the question. Stated simply, he could just hope the State Bar didn't find out about the second arrest. Essentially though, he knew that if the arrest was then discovered, his nondisclosure would definitely be a valid ground for denial of admission.

The third option was to disclose the second arrest that did not result in a criminal conviction and hope that it would not jeopardize his potential admission. Brad opted for the third option. He disclosed the second arrest, fully, completely and truthfully. But he was infuriated at the State Bar and justice system as he went through the process of doing so. He figured that the arrest in any event, wouldn't jeopardize his application as much as the conviction for DUI, so he'd probably be okay if he disclosed it. Brad would however, be proven wrong.

3

Brad sent his State Bar application in to the Oregon State Bar. The Bar exam itself was scheduled for the third week of July, 2010. Brad had graduated from law school just two months earlier in May, 2010. The week before the Bar exam, he received a letter from the Oregon State Bar admissions committee informing him that they wanted to interview him to further explore whether he possessed sufficient good moral character to be an attorney. He was given permission to sit for the Bar exam the following week, but the matter of his moral character was to be reserved for determination at a later date. Brad knew this was not good news. It was not entirely unexpected though. The fact of the matter was that he did have a criminal conviction on his record for a DUI, and even if he hadn't been required to disclose the second arrest they might have called him in for an interview.

So he made two resolutions. The first resolution was that he would be completely honest, open and forthright during the course of the Bar's interview. The second resolution was that in order to be honest, open and forthright, this required him to express some of his objections to the State Bar about the unfair nature of how the admissions process worked. He was not going to simply grovel and cower before the admissions committee. But he also had a strong hunch that was precisely what they wanted. He would be proven correct, as the second resolution would create a major problem for Brad.

Brad sat for the Bar exam and was informed in late August, 2010 that he passed. His moral character interview was set for the Tuesday following Labor Day weekend in September, 2010 beginning at 1:00 p.m. in the afternoon. He arrived at the offices of the Oregon State Bar dressed in a dark pinstripe suit for the interview and was escorted into a conference room, where he was asked to wait. Naturally, he was nervous. He had a copy of his application with him. He sat waiting alone in the conference room for about 10 minutes when a tall middle-aged woman with dark hair walked in the room, followed by two males. One was heavysset and one was slender. The woman looked to be about 50, one of the men looked over 60 and one appeared to be no more than in his late 30s.

Shortly thereafter, a much younger woman in her 20s came in. The older woman took charge. She introduced herself as Beverly Stanopo. The older man then introduced himself as Lawrence Henderson and the younger man was Robert Millson. Beverly asked Brad if he was ready to begin and he responded affirmatively. Beverly indicated that the younger woman was a court stenographer who would prepare a transcript of everything that was said during the interview by everyone, and also that the interview would be taperecorded. She told Brad that he had the right to be represented by an attorney at the interview and Brad said in a somewhat cocky, arrogant manner that wouldn't be necessary. Beverly smirked.

Beverly began asking Brad some easy, preliminary questions about his background, legal name, address and had Brad confirm his answers to the questions on his application that didn't deal with arrests or convictions. The two men remained silent, mostly looking at Brad, and periodically jotting down comments on a pad of paper. Brad quickly surmised that the primary purpose for the men to be present in the interview was to assess his facial expressions,

and general attitude towards the investigative process. Beverly was clearly the one who would formally conduct the proceedings.

Beverly then got to the heart of the issue, which was the DUI conviction and the subsequent second arrest for DUI that didn't result in a criminal conviction. The following transpired:

Beverly: Mr. Thomas, you indicated on your application that you were once convicted of Driving Under the Influence of alcohol, is that correct?

Brad: Yes.

Beverly: Could you please describe what happened.

Brad: Well, I wrote you a detailed description of what occurred when I submitted my application, do you have that?

Beverly: I'd like to hear in your own words what occurred.

Brad: Okay. It was July 4, 2003. I was 18 years old and out partying with some of my friends. We were drinking alcohol and I was driving the car. I got pulled over by a police officer and was arrested for DUI. I pled guilty, my driver's license was suspended and I got six months probation.

Beverly: Why were you drinking alcohol?

Brad: I just told you. Because I was out partying with my friends.

Beverly: Did you do that a lot back then?

Brad: Frankly speaking, yes I did. I have good friends and we like to have fun.

Beverly: So is it correct to say that your idea of fun is driving a car while drunk?

Brad: No, that's not what I mean. I mean just that I have good friends, we like to have fun, and on that particular night I made the mistake of driving a car while drunk, and I got arrested and convicted for it, for doing so.

Beverly: You do then recognize that what you did was a mistake?

Brad: Absolutely.

Beverly: You indicated on your application that you were subsequently arrested again for driving a vehicle while under the influence of alcohol, is that correct?

Brad: Yes, but the charges were dropped and frankly speaking, I really don't think that such a question should even be on the Bar application, because of what the U.S. Supreme Court said in the case of *Schwartz v Board of Bar Examiners of New Mexico*. You shouldn't be asking about arrests that don't result in a criminal conviction.

Beverly: What did the U.S. Supreme Court say in that case?

Brad: The Court said that the mere fact a man has been arrested has very little, if any, probative value in showing that he has engaged in any misconduct. I'm not saying that I want to litigate this matter, but by the same token I do believe I should be admitted to the Bar and will pursue all of my rights with respect to such, and I really don't think you should be asking me questions like this. If the charges are dismissed or dropped, the arrest is meaningless since a man is supposed to be innocent until proven guilty.

Beverly: Well, let me ask you this. Did you engage in any misconduct with respect to the second arrest?

Brad: Let me explain what happened. I had some friends over at my house. I was not driving a vehicle. We drank some alcohol at my house until late at night. My friends then went home. I went to bed and had to wake up early for a class the next day. I rushed out of the house, and was probably

driving too fast on my way to school. I was pulled over by a police officer and he smelled alcohol on my breath from the night before. I was arrested and charged with a DUI, got a good attorney, pled Not Guilty and ultimately the charges were dropped.

Beverly: I'll ask you the question again because you didn't answer it. Did you engage in any misconduct with respect to the second arrest?

Brad: Oh Shit, I can't believe this. I just told you what happened. Beyond that, what do you mean when you say misconduct? I certainly wasn't convicted of any crime.

Beverly: Mr. Thomas I do not appreciate your use of profanity towards me. Please do not use it again. Now in reference to the second arrest, you were driving a vehicle while drunk, weren't you?

Brad: I don't know that I would agree with that. I was drunk the night before, but there were several hours between when I woke up and started driving my car, and my lawyer said the breathalyzer results were inconclusive. Apparently, the DA agreed with him because as I stated previously, the charges were dropped. And also, I wasn't using any profanity towards you, I just said the word, Shit once. It's not the worst thing in the world to do. Watch, I'll say it again. Shit.

Beverly: You keep focusing on the fact that the charges were dropped. You are not understanding my inquiry. I am trying to find out whether you drove a car while drunk a second time after having already been convicted for doing it once before. Did you drive the vehicle while drunk?

Brad: After my first arrest and conviction for DUI, I resolved not to drink and drive anymore. I just never really considered the fact or possibility that alcohol would still be in my bloodstream and that it could be determined I was technically drunk even though I had gone to sleep the night before.

Beverly: It sounds to me like you are admitting that you were drunk the next morning when you drove the car. Is that true?

Brad: It's certainly a possibility, but I don't know myself for sure since the breathalyzer results were inconclusive.

Beverly: Let's move on. Have you drank any alcohol subsequent to the second arrest?

Brad: I have. But, I have never again been arrested for driving a vehicle while under the influence of alcohol and I never drink and drive. And for the record, that now includes not driving the morning after a night of drinking.

Beverly: How much alcohol have you drank since the second arrest?

Brad: I have to stop you to a certain extent at this point. As I indicated previously, I certainly understand why there is an inquiry about my criminal conviction for a DUI when I was 18. But, as I also indicated, I really don't think you can constitutionally ask me about a mere arrest that resulted in no criminal conviction, in light of what the U.S. Supreme Court said in the Schwartz opinion. And now, you're taking it even further. You're asking me about whether I drink alcohol as if it's some type of illegal activity, even though I never drive a vehicle while drinking anymore, and even though I've had no other arrests, charges or convictions with respect to such. I think you're overstepping the boundaries of what you can legally and morally ask me.

Beverly: So you are refusing to tell me how much alcohol you currently drink?

Brad: Well. What happens if I don't answer the question?

Beverly: Then we can decide to deny your application for admission solely on the ground that you refused to cooperate with our investigation.

Brad: But, I am trying to cooperate. I just don't think you should be asking me questions about activities I engage in that are totally legal. It's like your tainting them as if I'm doing something bad, when in fact I'm really not.

Beverly: I'll ask the question again. How much alcohol do you currently drink?

Brad: I want to go on record as noting that I object to this question and believe it's wrong for you to ask me. That being said, since I do want to get into the Bar, I guess I have no choice but to answer. I currently drink 3 or 4 beers a night on Friday and Saturday nights and maybe one additional night during the week.

Beverly: Let me get this straight, Mr. Thomas. You have a criminal conviction for Driving Under the Influence of alcohol. You then subsequently were arrested again for Driving Under the Influence of alcohol. And yet you still persist in drinking alcohol three times per week, three or four drinks per night. Have you ever received counseling for being an alcoholic?

Brad: This is ridiculous. Have you ever received counseling for twisting things out of context?

Beverly: Mr. Thomas, it is your moral character that is at issue here today, not mine or anybody else. I'll repeat the question again. Have you ever received counseling for being an alcoholic?

Brad: No, I have not. Nor do I intend to. I am engaging in totally legal activity that many lawyers and judges engage in on a regular basis. Do you ask licensed attorneys on a regular basis how much they drink? Or do you ask judges that regularly drink alcohol whether they have ever received counseling for being an alcoholic? For that matter, how much alcohol do you drink?

Beverly: I have no further questions for you Mr. Thomas. We will notify you of our decision.

Three weeks later, Brad received a certified letter in the mail from the Board of Bar Examiners. They had declined to certify his moral character. The letter read as follows:

"Dear Mr. Thomas:

The Oregon State Board of Bar Examiners has reviewed your application for admission to the Oregon State Bar. Based on our review of your application, an interview was scheduled and held to further explore the issue of your moral character and whether you possess sufficient good moral character to be an Oregon attorney.

Based on the results of our review of your State Bar application and our review and consideration of your follow-up moral character interview, the Board has declined to certify that you possess sufficient good moral character to be an Oregon attorney. Our decision is based on the following Findings of Fact:

1. The applicant engaged in illegal activity and has a criminal conviction for Driving Under the Influence of alcohol.
2. Subsequent to the applicant's criminal conviction for Driving Under the Influence of alcohol, he engaged in the further illegal activity of Driving Under the Influence of alcohol a second time, and was arrested for such. During the course of the interview, the applicant refused to accept responsibility for his immoral conduct, or demonstrate a sufficient degree of remorse and rehabilitation for such.
3. The applicant's answers in general to the Board's questions during the course of the Bar's interview were evasive, misleading, and he failed to disclose material facts.

4. The applicant is confrontational and refused to cooperate with the Board's inquiries into his moral character and fitness and was generally obstructive in nature during the course of the Bar's interview.
5. The applicant repeatedly cursed and used vulgar profanity towards Board members during the course of the Board's interview, despite having been warned not to do so.
6. The applicant threatened the Board members with litigation if they did not approve his Bar application.

In accordance, your application for admission to the Oregon State Bar is hereby denied on the grounds that you lack sufficient good moral character to be an Oregon attorney. Pursuant to applicable Oregon rules and statutes, you may appeal the Board's decision to the Oregon Supreme Court and be represented by an attorney in doing so.

Very truly yours,

Lawrence Henderson
Vice-Chairman
Oregon State Bar Board of Bar Examiners"

Brad was totally infuriated and indignant when he finished reading the letter. He truly couldn't believe how the Board members had completely perverted the truth of what occurred during the interview. It was at that very moment that he made a concrete decision to not cooperate with the Board in any manner whatsoever moving forward. Instead, he resolved to make the Oregon State Bar look as stupid as possible to the general public and media. He was going to expose what they were all about. Essentially, an organization comprised of dishonest, mean and unfair people.

Luckily Brad had the financial means to devote his efforts to a full time fight against the Bar. His grandparents were not rich, but by the same token they did have some money and had given Brad \$20,000 as a gift when he graduated from law school. That would be enough to pay his living expenses for a few months since he had virtually no financial obligations other than his rent and student loans.

Now, what he needed was a strategy. He knew the Bar was deceptive in nature. The key would be to prove such to the general public. That would obviously require him to essentially outplay them at their own game. He also had to work quick. He considered hiring an Oregon attorney to represent him, but immediately decided that would be a mistake. Based on the deceptive nature of the State Bar, Brad surmised that ultimately the loyalty of any Oregon attorney would be first to the agency that holds the power over their law license (i.e. the Oregon State Bar). That meant that any lawyer he hired would never be willing to attack the very essence and foundation of State Bar power. Rather instead, any lawyer he hired would in the end simply want to give the appearance of representing Brad's interests, but in reality would betray him. So that meant Brad had to represent himself. And that in turn further meant that he had to research the issue of State Bar admissions much more thoroughly than he had in preparation for the State Bar interview.

Brad knew that he was a quick learner. He had learned after his DUI conviction and he had learned after his second arrest for a DUI. He had given the State Bar an opportunity to do what was right and fair, but they had declined to do so. Now they would be treated by Brad solely and exclusively as the enemy. The general strategy was to publicly embarrass them. But, how to achieve that goal meant going back to the drawing board.

4

Brad needed to file any appeal that he was going to make to the Oregon Supreme Court within 30 days. He also knew that the only way he could possibly win was if he got the media involved. So he allotted 15 days to researching the legal issues, 5 days to prepare his legal documents, and 5 days to prepare copies to send out to just about everybody. That would leave 5 days to spare if anything took longer than he had anticipated.

He returned to where his research had left off when he had been preparing for the Bar interview. He needed to become intricately familiar with U.S. Supreme Court opinions that dealt with Bar admission. Since he was no longer a law student, he no longer had free access to any internet service that contained appellate opinions. But he found that there were a number of low cost services that provided such access and got himself a subscription to one. He typed in the search terms:

"state bar" and admission and application and moral and character

And then he started meticulously reading the U.S. Supreme Court opinions. One case ultimately led him to another. He found additional and somewhat more applicable cases by the court's citations to other cases. He separated the cases into those that were applicable and discarded the ones that were only peripherally related. After gleaning through what he found, he reread

the most applicable cases. That began with the U.S. Supreme Court's opinion in 1866, over 150 years ago, in Ex Parte Garland, 71 U.S. 333 (1866).

The Garland case was about a lawyer named A. H. Garland. He was licensed to practice law in Arkansas and had followed his state when it seceded from the Union. After the Civil War ended, Garland received a Presidential Pardon for his activities in the Civil War and then wanted to resume practice before the U.S. Supreme Court. Congress however, had passed legislation prohibiting any person from being admitted to the Supreme Court Bar unless they subscribed to a loyalty oath. Garland challenged the constitutionality of the congressional act. The U.S. Supreme Court ruled in his favor in an opinion written by Justice Stephen Field who wrote:

"The attorney and counselor, being by the solemn judicial act of the court clothed with his office, **does not hold it as a matter of grace and favor.** The **right** which it confers upon him to appear for suitors and to argue causes is something more than a mere indulgence, revocable at the pleasure of the court or at the command of the legislature. **It is a right** of which he can only be deprived by the judgment of the court for moral or professional delinquency."²¹

Brad loved what he read. It said precisely what he knew to be the law. A law license according to the U.S. Supreme Court was irrefutably called a "Right." It was not a "Privilege," as the State Bars falsely contended. It was in fact a "Right." A constitutional "Right."

The next case that caught his attention was In Re Summers, 325 U.S. 561 (1945). In that case, the applicant was denied a law license by the Illinois Bar. The applicant was a conscientious objector who opposed the use of force under any circumstances for religious reasons. He refused to advocate force to meet any aggression no matter how aggravated, even if he was in danger of personal

bodily harm. Due to his conscientious objection to military service, he refused to take the required Illinois oath to become an attorney (which required a willingness to serve in the armed forces), and was therefore denied admission. Summers described the denial of his admission to the U.S. Supreme Court as follows:

"The so-called "misconduct" for which petitioner could be reproached for is his taking the New Testament too seriously. Instead of merely reading or preaching the Sermon on the Mount, he tries to practice it. The only fault of the petitioner consists in his attempt to act as a good Christian in accordance with his interpretation of the Bible. . . . We respectfully submit that, under our Constitutional guarantees, even good Christians who have met all the requirements for the admission to the bar may be admitted to practice law."²²

In a 5-4 decision, the U.S. Supreme Court ruled against Summers.

However, Justice Reed writing for the Court, did first indicate that the ability to practice law was a "Right." He wrote:

"A claim of a **present right** to admission to the bar of a state and denial of that **right** is a controversy . . . it is a case which may be reviewed under Article III of the Constitution. . . ." ²³

The Court then ruled that the applicant's refusal to take the Illinois oath, which required a willingness to serve in the armed forces, was sufficient grounds for denying admission. The Court reasoned that since it was his inability to take the oath in good faith that constituted the ground for denial, he was not denied admission because of his religious beliefs. A Dissenting opinion

was written by Justice Hugo Black, joined by Justices Douglas, Murphy and Rutledge. In years to come Justices Black and Douglas would write several opinions on this subject. Justice Black wrote as follows clearly asserting the ability to practice law was a "Right" rather than a "Privilege:"

"The State of Illinois has denied the petitioner **the right** to practice his profession" ²⁴

The next case that was important was the Schwartz case, which Brad had previously read in preparation for his Bar interview. It indicated that the mere fact a man had been arrested has very little, if any, probative value.

Then Brad came across two U.S. Supreme Court cases that dealt with the same applicant, a man named "Raphael Konigsberg." The U.S. Supreme Court wrote two opinions in 1957 and 1961 pertaining to Konigsberg's attempt to gain admission to the California Bar. He had been denied admission to the California Bar in 1954 on moral character grounds. Konigsberg had refused to answer questions before the State Bar that inquired into whether he had ever been a member of the Communist Party. Konigsberg claimed that the questions were an unconstitutional intrusion on his First Amendment rights.

In 1957, in Konigsberg v State Bar of California, 353 U.S. 252 (1957) the U.S. Supreme Court ruled in his favor, holding that the evidence was not sufficient to demonstrate that he should be denied admission on moral character grounds. Justice Black wrote:

"We recognize the importance of leaving States free to select their own bars, but it is equally important that the State not exercise this power in an arbitrary or discriminatory manner, nor in such way as to impinge on the freedom of political expression or association. A bar composed of lawyers of good character is a worthy objective, but it is unnecessary to sacrifice vital freedoms in order to obtain that goal." ²⁵

In that opinion the Court however, sidestepped the issue of whether the mere refusal to answer State Bar questions constituted legitimate grounds to deny admission. As a result, the case went back to the California Bar. The Bar again denied Konigsberg admission, but this time expressly based its' denial on his refusal to answer their questions. So in 1961, the U.S. Supreme Court heard the case again. This time however, the Court ruled against Konigsberg in an opinion written by Justice John Harlan.

From the moment Brad starting reading what Justice Harlan wrote, he formed the opinion that Harlan was nothing more than a deceptive, moronic asshole. Brad started to absolutely detest and despise Justice Harlan. Harlan's judicial opinion lamely tries to dispel the fact that the California Bar's second denial of admission is inconsistent with the U.S. Supreme Court's first opinion in 1957 in the case, which was in favor of Konigsberg's admission. Harlan relies on the flimsy assertion that the Bar might have asked additional questions of Konigsberg, if they knew that their first denial of admission was going to be overturned by the U.S. Supreme Court. He writes in part:

"At the outset, we reject the view that freedom of speech and association, as protected by the First and Fourteenth Amendments, are "absolutes," Whenever, . . . these constitutional protections are asserted against the exercise of valid governmental powers a reconciliation must be effected, and that perforce requires an appropriate weighing of the respective interests involved. . . ."26

Justice Black responded with a stinging dissent. He notes that in the Court's first opinion, the Court had held there was no evidence in the record, which could justify the conclusion that Konigsberg lacked sufficient good moral character. He further notes that notwithstanding the Court's first opinion, the

California Bar Committee when it got the case back proceeded to ask Konigsberg the identical questions, which he had refused to answer during the first review.

Brad took a step back from his reading. He came to the realization that the Konigsberg cases had set the stage for a huge battle on the Bar admissions issue between Justices on the U.S. Supreme Court. Justices Black and Douglas, were squarely in support of the Bar applicants. Justice Harlan was the Bar's chief supporter. This became even more apparent as Brad read additional cases. He started to focus more and more on the friction between Justice Harlan and Justice Black; along with the friction between Justice Harlan and Justice Douglas. In the second Konigsberg case, Justices Black and Douglas wrote in Dissent:

"Indeed, if the State's only real interest was, as the majority maintains, in having good men for its Bar, how could it have rejected Konigsberg, who, undeniably and as this Court has already held, has provided overwhelming evidence of his good character?

...

... If every person who wants to be a lawyer is to be required to account for his associations as a prerequisite to admission into the practice of law, the only safe course for those desiring admission would seem to be scrupulously to avoid association with any organization that advocates anything at all somebody might possibly be against. . . .

...

Nothing in this record shows that Konigsberg has ever been guilty of any conduct that threatens our safety. . . . He is, therefore, but another victim of prevailing fashion of destroying men for the views it is suspected they might entertain."²⁷

Brad then read the case of In Re Anastaplo, 366 U.S. 82 (1961). That Bastard, Justice John Harlan again writing for the majority of the Court ruled

against the applicant, just like in the *Konigsberg* case. It was clear to Brad that Justice Harlan was the root of the evil of the Bar admissions process. As Brad read more and more of what Harlan wrote, Brad detested him more and more. Harlan wrote in the *Anastaplo* case:

". . . even though the Committee already had before it substantial character evidence altogether favorable to *Anastaplo*, there is nothing in the Federal Constitution which required the Committee to draw the curtain upon its investigation at that point. It had the right to supplement that evidence, and to test the applicant's own credibility by interrogating him. . . .

...

We conclude with observing that our function here is solely one of constitutional adjudication, not to pass judgment on what has been done as if we were another state court of review, still less to express any view upon the wisdom of the State's action."²⁸

Two things struck Brad about what Harlan wrote. First, Harlan appeared to assert that even though the Committee had substantial favorable character evidence before it, the Committee was free under Harlan's theory to proceed in a virtually unlimited manner to persistently interrogate the applicant in order to develop adverse character evidence. That was obviously unfair.

The second factor that was particularly interesting about what Harlan wrote was that he expressly stated in his opinion that it was not the duty of the U.S. Supreme Court to "express any view upon the wisdom of the State's action." That was clearly an erroneous statement. The entire purpose of U.S. Supreme Court review was to render an opinion as to the constitutional legality of a State's action. It therefore follows that if the State is determined to have engaged in illegal activity, then the State has conducted itself in an unwise

manner. Thus, by testing the legality of a State's action, the U.S. Supreme Court is positively expressing a view upon the "wisdom" of the State's action. Harlan had gotten himself twisted up in his own irrational logic.

Justice Black in the Anastaplo case notes the commendable moral sincerity of the applicant by citing the following remarks Anastaplo made:

"I speak of a need to remind the bar of its traditions and to keep alive the spirit of dignified but determined advocacy and opposition. This is not only for the good of the bar, of course, but also because of what the bar means to American republican government. The bar, when it exercises self-control, is in a peculiar position to mediate between popular passions and informed and principled men, thereby upholding republican government. . . ." ²⁹

Brad then read Lathrop v Donahue, 367 U.S. 820 (1961). Although not a Bar admissions case, it included important information about the dangers of the State Bar's influence over the legal monopoly. It also further demonstrated the friction between Justice Harlan and Justice Douglas. Douglas wrote:

"It is true that one of the purposes of the State Bar Association is "to safeguard the proper professional interests of the members of the bar." . . . In this connection, the association has been active in exploiting the monopoly position given by the licensed character of the profession. . . ." ³⁰

Harlan responds by writing the following incredulous statement in Lathrop:

"I do not think it can be said with any assurance that being required to contribute to the dispersion of views one opposes has a substantial limiting effect on one's right to speak and be heard." ³¹

The Bar admission cases at the U.S. Supreme Court all came to a head on February 23, 1971. On that day, the U.S. Supreme Court handed down three opinions dealing with the issue. In two of the cases the Court ruled in favor of the applicants. However, its' opinion in the third case, substantially diluted the impact of the applicant's victories in the first two cases. The three cases were:

In Re Stolar, 401 U.S. 23 (1971)

Baird v State Bar of Arizona, 401 U.S. 1 (1971)

Law Students Civil Rights Research Council v Wadmond,
401 U.S. 154 (1971)

Justice Black wrote the lead opinion in Stolar ruling in the applicant's favor. By this point, Justice Black and Justice Douglas were Brad's heroes. In contrast, Brad totally detested and viewed Justice Harlan as his own personal nemesis. In Stolar, Justice Harlan, wrote a dissenting opinion that states:

"My Brother BLACK's opinion announcing the judgments of the Court in Baird and in the present case, and his dissenting opinion in the Wadmond case, could easily leave the impression that the three States involved are denying Bar admission to professionally qualified candidates solely by reason of their membership in so-called subversive organizations, irrespective of whether that membership is born of a purely philosophical cast of mind . . . or that these States are at least trying to discourage prospective Bar candidates from joining such organizations. . . .

...

They show no more than a refusal to certify candidates who deliberately, albeit in good faith, refuse to assist the Bar admission authorities in their "fitness" investigation by declining to fully answer the questionnaires. . . .

...

. . . Knowing something of the great importance which the New York Bar attaches to the independence of the individual lawyer, I have little doubt but that the candidates involved in *Wadmond* will promptly gain admission to the Bar if they straightforwardly answer the inquiries put to

them without further ado. And I should be greatly surprised if the same were not true as to Mrs. Baird and Mr. Stolar in Arizona and Ohio. But, **if I am mistaken, and it should develop that any of these candidates is excluded because of unorthodox or unpopular beliefs, it would then be time enough for this Court to intervene.**"³²

In the Baird case, Justice Black's lead opinion contains the following statement:

"The practice of law is not a matter of grace, **but of right** for one who is qualified by his learning and his moral character. See *Schwartz v Board of Bar Examiners*, supra, and *Ex parte Garland*, 4 Wall 333 (1867)."³³

This was of particular interest to Brad. The Baird case was handed down in 1971, over 100 years since the Court's opinion in Garland. And the Court was still referring to the ability to engage in the practice of law as a "Right." It was not a "Privilege" as the State Bars falsely contended. In the Wadmond case, Justice Black wrote in Dissent:

"the right of a lawyer or Bar applicant to practice cannot be left to the mercies of his prospective or present competitors."³⁴

Justice Black also wrote:

"As I have pointed out in another case involving requirements for admission to the Bar, society needs men in the legal profession:

"like Charles Evans Hughes, Sr. later Mr. Chief Justice Hughes . . . and the multitude of other who have dared to speak in defense of causes and clients without regard to personal danger to themselves. The legal profession will lose much of its nobility and its glory if it is not constantly replenished with lawyers like these. To force the Bar to become a group of thoroughly orthodox, time-serving, government-fearing individuals is to humiliate and degrade it."³⁵

5

Brad found that there were really no other significant U.S. Supreme Court cases since 1971 that dealt specifically with the issue of moral character review by State Bar admissions committees. There were some cases that dealt peripherally with the issue or that contained some statements related to it, but for the most part, it was clear that the Court did not want to deal with the issue anymore. In fact, the absence of any further extensive opinions on the issue made it look like the U.S. Supreme Court was actually afraid of the issue. The opinions were mostly all split 5-4, and for the most part, lacked clear direction. Justices Black and Douglas, and by the late 1960s also Justice Thurgood Marshall, were the most consistent critics of the State Bars, and Justice Harlan was by far its' most unwavering staunchest supporter.

Brad now had a pretty good feel for how the U.S. Supreme Court viewed the issue. It was his conclusion that essentially the Court really didn't know how to deal with the issue. The attacks by the applicants had almost entirely focused on the First Amendment. Brad considered that to be a problem. By challenging the admissions process solely within the context of the First Amendment, each application question had to be challenged individually. Consequently, if you had for instance 40 moral character inquiries being made by the Bar, and if you wanted to invalidate all of them, theoretically you would have to attack the merits of each question individually. That was definitely not what he wanted.

Brad was sufficiently pissed off at the deceptive nature of the Oregon Bar committee members, that what he wanted to do was knock out the entire admissions process with one swift, blindsiding legal maneuver. And in doing so, he wanted to publicly embarrass and humiliate the entire State Bar taken as a whole, so that essentially it would be viewed by the general public as lacking in good moral character. Stated simply, he wanted to do to the entire State Bar, precisely and exactly what it did to applicants on a regular basis. The theory being that what goes around, comes around.

The question was how to accomplish that. While Brad had a good grasp of the conflicting U.S. Supreme Court opinions pertaining to Bar admission cases, as well as Oregon Supreme Court opinions on the issue, he still really didn't know how to launch his attack from a legal perspective. Sole reliance on the First Amendment was definitely not the proper avenue. It would become too convoluted trying to address each question individually and he didn't want to restrict his attack to just the arrest question.

He briefly considered whether he should simply contest the Board's ultimate conclusion regarding his own moral character, rather than attacking the entire admissions process. That was how virtually all appeals of State Bar admissions determinations proceeded. It was also an avenue that Brad viewed right from the start to be completely out of the question for one simple reason.

That was how the Bar wanted him to proceed. If Brad proceeded by simply challenging the Bar's decision pertaining to his own moral character, the State Bar would have nothing of its' own at risk. They wanted him to be in a defensive posture where the only issue on the table was whether he had good moral character or not. Instead, Brad knew that what he wanted to do was place the State Bar's moral character assessment process on trial, thereby placing their interests at risk. He wanted the general public to assess whether the State Bar

could meet the moral character standard that they were trying to impose upon applicants. And as he had that very thought, that's when the idea hit him.

The essence of what he was trying to accomplish was to place the State Bar in the position they had placed him. So the bottom line was that he wanted all members of the State Bar, all licensed attorneys, including the Board members who had written a letter about him containing false information, to be subjected to the same questions that he had been asked. The same unfair process that had been applied to him should be applied to licensed attorneys and judges. Or alternatively, it shouldn't be applied to anyone.

Brad knew for certain that there was no way licensed attorneys and judges, members of the State Bar, would allow themselves on an en masse basis to be subjected to the same type of character review required of Bar applicants. Thus, if he could convince the U.S. Supreme Court that State Bar applicants should not be subjected to any moral character review that extends beyond that which is applied to licensed attorneys on a regular and periodic basis, then in essence, the entire State Bar admissions process would collapse.

Now the next step was to determine how to frame his legal argument. He knew what he was trying to accomplish and he had the crux of his case figured out, but he didn't yet know how to present it. What part of the Constitution should he proceed under?

While in law school, Brad had been interested in Constitutional law, particularly the First and Fourteenth Amendments. Since he didn't want to attack each question individually, he figured the First Amendment should definitely not be the primary avenue of attack. He took a closer look at the Fourteenth Amendment. It stated:

"nor shall any State deprive any person of life, liberty, or property, without due process of law; not deny to any person within its jurisdiction the equal protection of the laws."³⁶

The latter part of the passage providing for "equal protection of the laws" is known as the Equal Protection Clause. Brad knew from law school that it required that all persons who are similarly situated must be treated alike. He thought about how he could use that clause to assert that licensed attorneys should be subjected to the same type of moral character review as Bar applicants. Or stated alternatively, Bar applicants should not be subjected to any moral character review that extends beyond that required of licensed attorneys.

The crux of well accepted U.S. Supreme Court law on the issue was that only persons who are "similarly situated" must be treated alike. Therefore, to succeed, Brad would have to demonstrate that Bar applicants were "similarly situated" to licensed attorneys. The State Bar of course would adopt the position that they were not similarly situated because unlike the licensed attorney, the Bar applicant was not in fact licensed to practice law. But there were other factors strongly indicating they were similarly situated.

Brad considered the fact that both the Bar applicant and a licensed attorney seeking renewal of their law license had to file appropriate forms. They both had to pay certain fees. Both had to answer certain questions. The failure of either the Bar applicant or the renewing attorney to submit accurate forms or pay the required fees, subjected both to denial of the Right to practice law.

In fact, Brad realized that there were only three distinguishing characteristics that differentiated the applicant from the attorney seeking license renewal. First, the questions on the forms they each submitted were currently different and the essence of Brad's case was that they should be the same.

Secondly, the licensed attorney was subject to the ethical rules of conduct of the State Bar, whereas the applicant was not. However, the fact that the licensed attorney was subject to the ethical rules of conduct was a reason to subject them to greater moral character review than the Bar applicant, rather than a lower standard of moral character review. Similarly, thirdly, the licensed attorney was allowed to practice law and the Bar applicant was not. But once again, this was a reason for a more extensive review of a licensed attorney's moral character compared to a Bar applicant, rather than a lower standard of review. With that, Brad had his motion.

He began preparation of the legal documents. He filed an appeal of the State Bar's determination of his moral character that was predicated solely and exclusively on the assertion that the process itself violated the equal protection clause. He didn't even address the ground of appeal that the Bar's assessment of his own moral character was incorrect, focusing instead only on the assertion that the whole process was unconstitutional. Stated simply, he didn't want to give the Court an easy way out to simply admit him, after everything the Board members had put him through. He was intent on knocking out the entire process and the entire application questionnaire and therefore didn't even address his own moral character. The goal was to put the Bar on trial. He also then filed a separate motion with the State Supreme Court that essentially asserted the same ground as was in his appeal. Both the appeal and the motion were predicated solely on his equal protection clause challenge.

Once he knew how he was going to proceed, the matter of drafting the actual legal documents was fairly quick. The appeal and motion were both done in a few days. They were both backed up by U.S. Supreme Court precedents pertaining to the Equal Protection Clause.

It was now time to address participation of the media in the case. While in law school, Brad had sensed that generally speaking, judges were largely disingenuous and deceptive when adjudicating cases and writing opinions. Many, but not all judges, simply rendered opinions based upon which litigants they liked, or who had the most well-connected attorney. Consequently, it was imminently clear that Brad could not risk placing himself in the position of just relying on Justices of the Oregon Supreme Court to render a fair and impartial opinion in accordance with the law and Constitution.

That was out of the question. Brad was an unknown. The judges of the Oregon Courts depended on their relationship with State Bar officials to maintain their elected position as judges. If they weren't supported by the State Bar, they might very well lose their position as judges. Thus, trusting the Justices of the Oregon Supreme Court to fairly adjudicate the case was not a realistic or rational possibility. Rather instead, they had to be leveraged into rendering a fair decision. They had to be pressured into rendering a fair decision. And the only way to pressure them and leverage them sufficiently, was to get the media involved.

The main newspaper in Oregon was the Oregon Daily Record. Brad knew that if he was going to get the media involved and interested in the case, it was critical for the Record to take interest in his story. There were other newspapers in Oregon, but most of them were smaller and none of them had nearly the circulation throughout the State that the Record had. If Brad could get the Record interested in his case, and if they followed it, and wrote stories about it, ultimately the Justices of the State Supreme Court would shift their interest from appeasing State Bar officials to appeasing the reporters on the Record. Because ultimately, when it came right down to it, as much as judges

want to keep State Bar officials happy, it is much more important for them to keep the newspapers happy.

In fact, in many respects, the media functions as the ultimate judge in any well-publicized case. While as a matter of form, judges render the actual decisions and opinions, the judges are for the most part merely puppets who do what the reporters and columnists covertly tell them to do in their news stories.

At least, that's the way Brad could tell it worked in Oregon. Brad had even heard stories that certain judges had developed such close working relationships with members of the media and certain newspaper reporters, that the reporters had the judge's home telephone and personal cellphone numbers. Whereas members of the general public had minimal access to the judges, the newspaper reporters would often call and talk to the judge about any given case, at any particular time they so chose. During these conversations, the judge would seek to justify his rulings to reporters in order to maintain the continued support of the newspaper, or gain an understanding from the newspaper as to how they wanted him to rule in a particular case.

So Brad knew that to leverage the judges, he had to get the media involved, and to get the media involved, he had to get the Oregon Daily Record interested in the case. Now how to accomplish that, was the issue. He surmised that he needed to develop a way of getting the Record involved by coming up with a means to leverage and pressure the newspaper reporters, just as he was going to use the newspaper to leverage and pressure the judges. The Record had to be convinced that his story and what he was trying to accomplish was important. It would be critical to place the Record in a position where if they failed to take interest in his story, they would look like they were not reporting newsworthy information to the general public. This would place the newspaper's credibility at stake.

To get the attention of the Record's reporters, Brad decided to send a cover letter and copy of his motion to powerful political figures throughout the country explaining the unfairness of the State Bar admissions process. It was kind of a gamble. If no one took an interest, then the Record would probably not take any interest either. On the other hand, if the issue looked interesting to just a few of these powerful political figures, and if Brad's plight in dealing with the State Bar seemed emotionally appealing, that fact would probably make its way back to the Record. They would then hopefully call him on the phone, interview him and write at least an initial news story on the case.

Brad had a deep belief that the crux of his case would be of interest to a lot of people. First of all, most people really don't like or trust lawyers or judges to begin with. While judges depend on the media for support, the media does not depend hardly at all on the judges. There was an inherent and obvious inequity at having nonattorney State Bar applicants subjected to an overly burdensome and unfair moral character review, while at the same time, licensed attorneys and judges did not have any periodic review of their moral character on a regular basis.

It was essentially a system predicated on the notion that you had to be both squeaky clean and also willing to cowtow to the State Bar board members in order to obtain a law license. However, once you obtained your law license, you could engage in any type of immoral character on a consistent and regular basis. So long as you continued to support State Bar policies, the legal monopoly and other powerful judges and attorneys, they would never discipline you for engaging in unethical or immoral conduct. Nor would they ever again investigate your moral character and conduct. Of course however, if for any reason you stopped supporting the economic and political interests of the State Bar, then they would swiftly come up with a reason to discipline you for being

in violation of some State Bar rule, and would probably disbar you. Thus, Brad realized the emphasis was never really on having good moral character or conduct, but rather instead predicated on one's willingness to continue to cowtow to the State Bar. That was a story that the public would probably like.

On October 28, 2010 Brad filed his documents with the Oregon Supreme Court. He also sent a package that included a copy of his motion to powerful political figures throughout the country. He also sent it to carefully selected columnists of the Record, and also columnists of other newspapers throughout the country. He indicated in his package that in his motion before the Oregon Supreme Court he was asserting that licensed attorneys and judges should be subjected to a moral character review just like State Bar applicants. Or alternatively stated, State Bar applicants should not be subjected to any moral character review that is more extensive than licensed attorneys and judges are subjected to. He further indicated that he intended to ultimately take the case to the U.S. Supreme Court and if he was successful it would change the way people became licensed attorneys throughout the entire country.

Brad envisioned that the political figures he sent his package to, the reporters of the Record, and the media overall would become totally enraged at the unfairness of what had occurred and that his phone would be ringing off the hook. He thought that his case would immediately become the biggest news story in Oregon and that it would immediately make headlines on the newspaper's front page.

Instead, he heard from no one. Not a single phone call. No article in the newspaper. Absolutely nothing occurred. Or so Brad thought. In actuality, even though no one contacted him and even though there was not one single newspaper article written about his case, the fact was that wheels were in motion. Many unpublicized private contacts between various individuals,

including judges and reporters of the Record were conspiring. Brad just didn't know about these contacts. He also didn't know that he was gaining recognition throughout Oregon for the manner in which he had approached the case.

The only thing Brad did actually receive was a scheduling Order from the Oregon Supreme Court. It listed the dates on which the State Bar had to respond, and the dates on which various documents had to be filed. It also listed a prospective date for oral argument on the case, which was April 23, 2011.

Both the State Bar and Brad complied with all aspects of the State Supreme Court's scheduling Order. No one asked for any extension of any dates. From Brad's perspective, he wanted to win the case as quickly as possible. From the State Bar's perspective, they wanted to put this issue to rest and be done with Brad as quickly as possible. They didn't want this issue to be hanging over their heads.

The Bar recognized that Brad did have a longshot potential to either win the case at the U.S. Supreme Court, or at a bare minimum cause the State Bar great embarrassment in the eyes of the general public. While the Record had not yet published a story on the case, the Bar knew that reporters of the Record were very interested in the case, and if they did publish a story about it, such would be disastrous publicity for the State Bar. They wanted to get this case done and over with as quietly as possible.

Brad was actually somewhat surprised when the State Supreme Court scheduled oral argument for April 23, 2011. He mistakenly thought that since the Record had not taken any type of overt interest in the story or published any newspaper articles about it, that the case would be decided without any oral argument and perhaps without even a written opinion. But, what he didn't know was that certain powerful reporters on the Record had privately conveyed to

State Bar officials and certain judges that they would only decline to actively cover the story, if Brad was given a chance to argue his position orally before the State Supreme Court. They were more interested in the story than they had let Brad know, but he was still totally unaware of what the newspaper was really doing. The fact was that Brad had succeeded in convincing the newspaper to leverage and pressure the State judiciary, but he just didn't know it. Brad thought he had failed to spark the Record's interest, but in fact the reverse was true. The Record was running the case. They were just doing it from behind the scenes. The Justices of the State Supreme Court scheduled oral argument, because that was what the Record wanted them to do. So the date of April 23, 2011 for oral argument was set, and it was never changed.

Brad began preparations for oral argument in late March, 2011. He wanted to keep his own presentation as simple as possible. He felt that he had a great case with a very simple argument and position. It was unconstitutional for State Bar applicants to be subjected to a moral character review that was more extensive than licensed attorneys and judges were subjected to. That was his argument. Nothing more. It had a good sense and feel about it. The State Bar and their lawyers could do whatever they wanted, to deceptively twist the simple logic of Brad's argument. Brad knew that was what they were good at. But if he kept steadfastly to a very simple and seemingly incontrovertible position, the Oregon State Supreme Court Justices were going to look awfully foolish and totally unfair by ruling in favor of the State Bar. Brad viewed it as a win-win scenario. If the Court ruled in his favor, he obviously won the case. If the Court ruled against him, the Justices looked unfair, stupid and deceptive. They would be an embarrassment to the concept of a fair justice system. Plus, Brad would then have the opportunity to bring his case to the U.S. Supreme Court. Either

way, whether the Oregon Supreme Court ruled in his favor or against him, Brad liked the predicted result. He was ready.

It was now April 22, 2011. He knew his case inside and out. The documents were all filed. He had all of his notes in order. He was intricately familiar with every significant U.S. Supreme Court case that dealt with the issue of Bar admissions. He was also intricately familiar with every significant U.S. Supreme Court case that dealt with application of the Equal Protection Clause to the Constitution. He had prepared everything on his own and felt confident in his position. He truly believed in his case and he truly believed in himself and his own abilities. He was invigorated with the energy of correcting injustice, and was not the slightest bit nervous. Rather instead, he was filled with a passive excitement to begin his presentation to the Justices of the Oregon Supreme Court the next day. Oral argument would begin at 9:30 a.m. the morning of April 23, 2011.

Brad prepared for a good night's sleep. He ate dinner at 7:00 p.m. At 8:30 p.m. he took a shower. He reviewed his notes briefly and got his clothes laid out for the next morning. By 9:30 p.m. he was in bed, and by 10:00 p.m. he was sound asleep. The next day would be the biggest day of his life.

Bigger than he could ever have possibly imagined.

6

Brad woke up. He saw the smoke immediately. Oh Shit! The place is on fire he thought. He hopped out of bed. But then, he quickly realized the white smoke, which was all over the place was not smoke from a fire. It was more like a mist. It had both a cool and warm moist sensation about it simultaneously, and it smelled sweet. Then Brad looked around. He realized the white smoke was there as far as he could see. And his bed was gone. In fact, all of his furniture was gone. He wasn't even inside his apartment. There were no walls where he stood. There was nothing except this white smoke everywhere.

What the Fuck is going on? Brad was totally confused and didn't know what to think of the situation. So he started walking. He didn't even know where he was walking too. Just someplace different than where he was. As he walked, nothing changed. There was just a nothingness and the white smoke around him. He walked for what seemed like hours. He came to the realization that he was not walking either uphill nor downhill. Everything was totally flat. He also realized that even though he was walking for what seemed like a long time, he wasn't the least bit tired. He was full of energy. He wasn't hungry at all either. In fact, he felt better physically than he had ever felt in his life. There was no hunger, no tiredness, and no discomfort of any nature. Just a peaceful energy that seemed to radiate through him.

He walked some more and then realized that there was no point in walking any further. Nothing had changed since he had started walking, and he knew that if he continued walking nothing would change. So he stopped. He began thinking about his predicament. He concluded that he was still sleeping and just having a dream. In the past, he had a few dreams throughout his life where he knew that he was dreaming, so he figured this must be one of them. If that were the case, then he thought that he could probably somehow control the manner in which the dream progressed. So he decided to try.

He closed his eyes and thought to himself, "when I open my eyes, I will be in a beautiful garden." He opened his eyes. And it was there. The white smoke was all gone and he was in a beautiful garden. Not bad, he thought. This might be an okay dream after all. He closed his eyes again and thought, "when I open my eyes, I will be by the swimming pool of a fancy resort, with many beautiful women in bikinis by the swimming pool." He opened his eyes and it had occurred. He was standing by an incredibly large swimming pool. There were palm trees all around him. The women were gorgeous. They all had on skimpy bikinis and one was prettier than the next. They all had absolutely perfect breasts. "Nice touch" Brad thought to himself, "I don't remember wishing for the perfect breasts, but I like it." About 20 feet ahead of him was a large, horseshoe shaped bar.

Brad decided that he was going to enjoy this dream for awhile. Although he was neither hungry, nor thirsty, he wanted to be able to enjoy a nice drink at the bar. So he closed his eyes again and thought, "when I open my eyes, I will be exactly where I am except that I will have a craving for a nice, cool beer." He opened his eyes and immediately felt a pang in his stomach. He looked at the bar in front of him. A cute blonde haired bartender yelled over, "hey, do you want a beer?"

Brad immediately walked over to the bar and asked for a beer, which the girl gave to him right away. He took a sip. It was the best damned beer he ever had. "So what do you think?" said the bartender. "Pretty good," said Brad. He looked closer at the girl. She appeared to be in her mid 20s. Probably about 25 or 26, he thought. She was gorgeous. In fact, he quickly decided that she was the prettiest woman he had ever seen. She not only had absolutely perfect breasts like all the other women at the swimming pool, but she also had the best ass he had ever seen. An incredible smile, and eyes that were absolutely Angelic. Figuring that she was just a character in the dream he was having, he figured there could be no harm in telling her so.

"You are by far the prettiest woman I have ever seen in any dream that I have ever had." She replied with a smile, "So, you're having a dream, huh?" "Yep," Brad replied. "And it's a real good one. But I can't stay in this dream too long, because tomorrow I've got to argue a case before the Oregon Supreme Court." The girl smirked. "I wouldn't worry too much about that. By the way, my name is Tammy." "I'm Brad," he replied. "Oh I know that. In fact, I know all about you," She said.

Tammy told Brad that she knew some people she'd like him to meet. "Well actually, I'd like to stay here and talk with you," said Brad. "C'mon, follow me," she said. For some reason, Brad felt that he should do what she said and walked with her. She took him to the edge of the bar where there were two guys. One was drinking a scotch with a beer chaser, and the other was sipping a glass of red wine. They both looked like college kids. Probably about 22 or 23, Brad figured. "This is Brad," said Tammy and then she quickly walked away. "Great," thought Brad. It's my dream and I can't even get the chick to stay, but instead end up drinking with two college kids.

That's when Brad decided to take control. "Hey wait," he thought. It is my dream afterall, so I just have to close my eyes and wish Tammy back here, and then I can hang out with her. So he did just that. He closed his eyes, wished Tammy was back with him, and then opened his eyes. But, the two guys were still in front of him and Tammy was nowhere in sight.

That's when the guy drinking scotch with a beer chaser said to his friend, "Oh, you are so right. This is gonna be fun. I told you he'd have the hots for Tammy immediately. You owe me five bucks on that one." The other guy handed him a five dollar bill and said, "Okay, you think we should break it to him now?"

"Who are you guys anyway?" said Brad. The one sipping the wine replied, "I'm Tommy and this is John. Do you want another beer?" "Sure," Brad replied, "but why does Tammy think I should talk with you guys, and why can't I control my dream now, like I was able to before?" This time John spoke. He said, "Well actually, Brad, you were never controlling your dream, we were just kind of fucking with you and having some fun by letting you think you were controlling your dream. Actually Brad, you're not even having a dream."

Brad had a certain sense of uneasiness because he somehow knew deep inside that John was telling the truth. "Alright, I want to know what's going on right now," said Brad. "Who are you guys and what is going on?"

Tom spoke, "Brad you really need to take a nice, long sip of that beer you're enjoying, because you may not like what we're about to tell you. Go ahead, take a nice, long sip of the beer." Brad did as he was told. In fact, he chugged the entire beer, then slammed the glass on the table and said, "What the Fuck is going on?"

John said, "I'll tell him Tom. Brad, I don't want you to get too upset or anything, but the bottom line is, and incidentally, we know that you're a bottom line type of person, so the bottom line is that you're not dreaming. Actually Brad, you're Dead. We took your life last night. Well now, I'm glad that's out. Brad, I can't tell you how glad I am to get that off of my chest. I really feel a lot better now. How about another beer Brad? This one's on me."

Brad was stunned and said, "Excuse me, you what?" John then repeated, "Brad, you're really not a very good listener. Tom, Tammy and myself all got together and we took your life last night. Now, whatta you say? How about that beer?" Brad didn't know what to say, but somehow he knew they were telling the truth. He asked, "if you took my life last night, where am I now?" Tom jumped in, "you're in Heaven. It's a great Bar."

"So you're telling me that Heaven is a Bar, and I'm here because the great looking bartender along with you two guys, took my life last night." Tom and John both looked at each other in agreement, nodded and said, "yeah, that about covers it. But, do you want to know why we took your life?"

Brad replied, "Sure, why not. By the way, I will take that beer now. And I'll get a Scotch to go along with it. Make it a double." Tammy then came strolling over with a big, wide smile on her face. Brad couldn't help but notice her tits bouncing up and down. "So, did you tell him yet?" she asked. John said, "We're in the middle of it. We just told him that we took his life last night. Maybe you should tell him why."

"Brad, do you think I'm cute?" Tammy asked. He replied, "I think you're the most gorgeous woman that I've ever seen," he replied.

"Thanks," she said. "I'm glad you like me. It makes the whole taking your life thing so much easier to talk about. You see Brad, I look the way I look because I know that this is how you have envisioned the most absolutely perfect

woman to look. I look this way specifically for you. In truth however, I am not even a woman. I am an Angel. Tom and John look like college kids because that is when you had the most fun in your life. When you were hanging out with the other college kids, going to bars. In truth however, they are Angels also. Although frankly speaking, between you and me, I'm a lot more popular with the other Angels than they are. I think it's because of my Tits."

"So why did you take my life?" Brad asked. "Well Brad; Tom, John and I are kind of rambunctious Angels. We're not really like most of the other Angels. Just like you're not like most of the other lawyers. We think some things in Heaven here need to change. Overall, it's our belief and opinion that it's too hard for most people on Earth to get into Heaven. We want to loosen up the process of being admitted into Heaven, just like you wanted to loosen up the process of getting into the State Bar. So we figured that you would be the perfect person to represent us before GOD. How's that Scotch you're drinking, Brad?"

"Represent you before who?" Brad said in disbelief. "Brad, you know sometimes you just don't listen. I don't know why we have to keep telling you things twice. Represent us before GOD. We want you to be our lawyer," she replied.

Brad was just beginning to get a hold of himself and the situation he was in. He said, "Let me get this straight. You're not really a hot looking girl with great tits and a great ass. You're really an Angel. Tom and John are not really college kids, they're Angels too. The three of you got together while I was sleeping on the night before the biggest day of my life, and simply decided to take my life. You then brought me up here, which is purportedly, Heaven. And the reason you did this, is because you are so-called rambunctious Angels who are challenging the power of GOD and the process by which people are admitted

into Heaven. And lastly, you want me to be your lawyer, and represent you before GOD, even though I can't even get myself into the Oregon State Bar and become a lawyer on Earth. Is that right? Wait, don't answer yet, I need another Scotch."

"You know Brad, you're really not making this easy," Tammy said. "Why don't you look at the bright side. You're in Heaven!!" Brad screamed back, "I'm in HEAVEN! I'm in HEAVEN! You're telling me that I'm DEAD! I went to sleep last night before the biggest day of my life and I wake up Dead. I put everything into that case. It was going to change the way people become lawyers throughout the entire United States. And now it's over! Just like that! I never got to fulfill the purpose of my life. I don't want to be here. I want to go back and I want to go back now. So put me back!"

Tom now joined the conversation again and got serious. "Brad, we know how much that case meant to you. But, that's why we chose you. We wanted and need the best. We believe you can represent us before GOD better than anyone else. That's a pretty big compliment to your legal abilities. So before you make any decisions, just give us a chance. Give us a chance to explain to you the basics of our case, what we are challenging, how we want the admissions process of Heaven to change, and then you can make your decision. Remember how much you just wanted people on Earth to see your position? It's really no different here in Heaven. We just want GOD and the other Angels to see our position. Right now, hardly anyone is even listening to us or considering what we have to say. That's why we need you. We think you are the best. We think you can give our case what it needs. So what do you say? Will you at least hear us out?"

Brad looked at him in a somewhat understanding manner. He did in fact know exactly how they felt. There was nothing worse than having your

viewpoint ignored. Presumably, it could be the same for Angels that it was for humans on Earth. "Okay, let's say that I hear you out and then I decide that I don't want to represent you, but want to go back to Earth. Can you put me back on Earth?" John responded simply, "Brad, you're here to stay." Brad sullenly replied with virtually no emotion, "Okay, tell me about your case."

7

John started. "To properly understand our case and what we are seeking to accomplish, you need to first know and understand several things. You need to know how Heaven works, what Heaven is, what it is not, how people are currently admitted into Heaven, what Earth is, the difference between humans and Angels, and some important matters about GOD."

He continued, "First, let me tell you what Heaven is, which correspondingly entails what it is not. Heaven is obviously not Hell. In fact, there is no such thing as Hell. The reason is that GOD is all kind, and all forgiving. He does not ever give up on anyone. It just takes some people longer than others to learn his true, kind and just way. All the fear that people have about a so-called Hell is really nothing more than propaganda. Hell simply does not exist."

"The fact that Hell does not exist however, does not mean that everyone goes to Heaven immediately when they die. Quite to the contrary. One has to earn their way into Heaven. The way you earn your way into Heaven is by having a total, complete, unwavering faith in GOD and an abounding love for him. As stated previously, GOD never gives up on anybody. He is the essence of all encompassing love, goodness, kindness and freedom. In this regard, the essence of Heaven is love, freedom and trust. A love for GOD. And a freedom to do whatever you please. Once you are fully admitted into Heaven, you have

the freedom to do anything you please. The reason is that once you are fully admitted into Heaven, GOD trusts you completely."

"The manner in which the trust GOD places in you is manifested is by the powers he gives you when you are finally admitted into Heaven. Everyone in Heaven has these powers. They are as follows. First of all, you have the power to do anything you want so long as it does not cause any harm to anyone else and you have the power to create any type of environment that you want to exist in, either temporarily or permanently. For instance, if you want to live in a huge mansion by the seashore you can do that. If you want to live in a fancy resort hotel with a great Bar, like you chose for the time being, you can do that. If you want to live on a farm, inside a gambling casino, on a riverboat, and so on. Stated simply, wherever you want to live, and however you want it to look, and whatever type of people you want to be there, you can have. It's kind of like a fantasyland."

"In addition to living wherever you want, you get to set the terms of the way in which you will subsist from a health perspective. Of course, everyone in Heaven has perfect health. There is no sickness. You do not require any type of food, nourishment or drink in order to maintain your energy level. You also do not have to sleep at all or rest in any manner, since you are filled with the energy of GOD. However, a lot of people enjoy eating, drinking and sleeping. So you get to set it up however you want. If you want to feel the sensation of hunger for a great meal, in order that you can then subsequently enjoy eating the type of food you like best, all you have to do is think about being hungry and you will be. If you like to sleep and enjoy it, you simply wish for yourself to be tired, so that you can enjoy a sound sleep."

"All of this is based on GOD's concept of trust. Once you pass the requirements for admission into Heaven, GOD gives you his trust. He gives

you these powers because he knows that you will not abuse them in any manner. They are given to you so that you can be happy and content, and enjoy Heaven to the fullest extent possible. Because enjoyment, fun, and spiritual satisfaction is what Heaven is all about."

"This then brings us to the issue of how people are admitted into Heaven. First of all, other than the Angels who are not people, and I'll talk about the Angels shortly, all people are admitted into Heaven after having spent some time on Earth. Your admission into Heaven is predicated upon how you spent your time on Earth. But there is no clear definitive litmus test that is determinative of what you should do on Earth in order to get into Heaven. GOD does all the Judging himself. Each person is judged based upon their life on Earth, which determines whether they are admitted into Heaven."

"Now, as I said previously, GOD doesn't give up on anyone. It is well known that GOD is all Perfect. If in fact, GOD were to ultimately fail in having a person learn on Earth the proper way to conduct themselves, so as to be admitted into Heaven, then GOD would not be Perfect. He would in essence have failed with respect to the individual who did not make it into Heaven. Man was created by GOD. GOD is Perfect, and therefore it is imperative that all people ultimately be judged to be successful creations of GOD and correspondingly admitted into Heaven. However, GOD also recognizes that based upon the assessment of a particular person's life on Earth, admission into Heaven may not be warranted due to how they conducted themselves on Earth. When that occurs, and frankly speaking, it happens a real lot, that person simply goes back to Earth to live another life and to give it another try."

"There are some people who have gone back to Earth many, many times for literally thousands of years. As of yet, some people just haven't learned how to act in a manner that justifies admission into Heaven. But GOD allows them

to keep trying continuously until they get it right. Sometimes they make progress in one particular life, only to regress in the next life and then make progress again in the next life. Ultimately, it is intended that every single person on Earth will eventually gain admission into Heaven, and when that occurs it will be the most conclusive proof that GOD is all Perfect."

Brad interrupts and asks, "Are there people who are admitted into Heaven after just one life on Earth? And how many lives on Earth does it take the average person to get into Heaven? What life number am I currently on?"

John responds, "There are a few people who get into Heaven after just one life on Earth, but it is a rarity. As far as what the average is, we do maintain statistics for tracking the average number of lives it takes for most people to get into Heaven. We also graph the statistics. We have bar charts, line graphs, and a lot of other supporting documentation. But, you are not going to be privy to any of it, and in fact I can't even tell you the current average because I don't know it myself. No one in Heaven other than GOD and a select group of Angels, which doesn't even include myself, knows what the average is, or gets to review the statistics. Similarly, I can't tell you what life number you just finished. There is a reason for keeping the statistics secret, which is as follows."

"Once you are admitted into Heaven, GOD gives you the power to create any type of environment or world that you want to live in for eternity or just temporarily, as you so desire. Some people create worlds for themselves that are filled with fictitious characters. That happens most typically with newcomers to Heaven who are just getting used to exercising their gifted powers. Ultimately, however, pretty much everyone tends to get bored living in a fantasy world they created that is filled with fake people."

"GOD wants them to learn it for themselves though. And he doesn't rush anyone. There are some people who have been up here for centuries living in

fake worlds they created and seem pretty happy. Ultimately though, most people decide that they want to co-exist with other real people who have been admitted into Heaven, along with the Angels. When that occurs, GOD feels it is important for everyone's development that no one has the feeling that certain people are superior to others."

"Incidentally, both people and Angels continue to develop even while in Heaven. To foster this development, GOD wants everyone to feel equal with everyone else they interact with. If people in Heaven were to start having discussions with each other dealing with the issue of how many lives it took them to gain admission into Heaven, it would frustrate the general notion of equality. For instance, people who got in after five lives, might feel they are somehow superior to other people who had to live 30 lives before getting in. That's not what GOD wants. He wants everyone to feel equal. So if everyone in Heaven simply knows that everyone else satisfied GOD's criteria for admittance just like they did, and if no one knows how many lives on Earth it took them or anyone else to get here, or what the average number of lives is to be admitted, then no one feels falsely superior to anyone else."

"As I said before, whether you gain admission into Heaven after a particular life on Earth is based on how you led that life. But as I also said, there is no clear, definitive test for making that assessment. GOD considers all the facts and circumstances of how you led your life. He considers the difficulties you were faced with, your triumphs, your failures, how you approached various situations, the type of conduct you engaged in, what you were thinking about when you engaged in a particular course of conduct, what emotions you were feeling that led you to make certain decisions and a wide spectrum of other criteria that GOD in his sole and exclusive power and wisdom deems appropriate for consideration in judging your life. We're going to come back to

discussing certain aspects of the manner in which GOD judges a person's life, because they form the basis of the challenge that Tammy, Tom and I are making to GOD's power. But first, Tammy is going to tell you about some other aspects of Heaven that you need to be made aware of."

Tammy eagerly jumped in, "Okay, like this is going to be so cool. I'm going to tell you about the Angels. Angels have been around for thousands of years. I'm actually one of the oldest. "What?" exclaims Brad. "You don't look like you could possibly be more than 26 years old." Tammy smiles, "Silly, that's because I take care of myself. I do aerobics four times per week, I lay out in the sun and play beach volleyball once a week, I jog, and generally stay active as much as possible. But actually, I'm almost 34,000 years old. That makes me one of the elders."

"Now let me continue. The purpose of the Angels is threefold. First, like humans our main purpose is to enjoy our existence. We have the same powers that humans have when they come to Heaven such as being able to create any type of environment that we want to live in and a few additional powers. The additional powers we have are designed to fulfill our two other purposes, which are as follows. Our second purpose is to assist GOD in any manner he deems fit, since that is one of the ways that helps us to enjoy our own existence. Our third purpose is to help humans learn to live their life the right way on Earth, so their probability of being admitted into Heaven is increased when their life on Earth ends. The way we accomplish this third purpose is as follows."

"Unlike GOD, Angels do not have the power to read a person's thoughts or see into their heart. We can make an assessment of what a person is feeling based on how they conduct themselves on Earth, but we can't actually know for certain what they are thinking because we can't read their mind. Only GOD can do that. However, we do have one unique power with respect to a person's

thoughts. On occasion, when the circumstances are right, selected Angels that have been assigned to assist a person leading their life on Earth, can actually insert specific thoughts into that person's mind. We don't have the power to control what the person will do with the thought that we give them, but we can place the thought in their mind. Now, you need to understand why we do this and how the process works."

"First of all, only certain Angels can put a thought into a person's mind. To do so, you must be an Angel that has been assigned to help that person. In addition, you must obtain administrative approval from the Board of Human Assessment, which is located in Heaven, each time you place a particular thought in a person's mind. The Board is comprised of three member panels of Angels and they review the paperwork that the Angel must submit in triplicate in order to insert a thought into a person's mind."

"Since the functionality of Time is no impediment to anything Angels want to accomplish, the entire process for the Angel to prepare the paperwork detailing why a particular thought should be inserted into a person's mind, coupled with the Board's process of reviewing the paperwork and then rendering a decision, takes approximately one trillionth of second. The process can be even faster than that if an additional form requesting an expedited decision is submitted. The incredible speed with which the whole process occurs, allows for the Angel to make a decision to insert a particular thought in a person's mind based on an act of conduct that person might engage in, and then have the Board's approval and the thought in place within the person's mind within a fraction of a second. Once the thought is in place, that person is then left to act or decline to act upon the thought in any manner they deem fit. This is because while Angels may place a thought within a person's mind, GOD feels it is

imperative for the development of a human for them to maintain freedom of choice regarding how to act upon that thought."

"You of course may wonder why it is necessary for Angels to ever place any type of thought within a person's mind, particularly if GOD feels it is so important for people to maintain freedom of choice. The reason is that freedom of choice necessarily entails an understanding of the choices that are available. Often when a person is faced with a difficult decision, whether it is a decision that allows for time of reflection, or alternatively when a split second decision is necessarily such as whether to swerve one way or the other when driving a car to avoid an accident, that person is in a heightened emotional state. This is the type of state that is generally ideal for an Angel to insert a thought into the person's mind. The purpose of inserting the thought is to give the individual the incentive to fully consider the options available, or stated alternatively, to enhance that person's freedom of choice."

"In addition, we also place thoughts in people's minds to help them develop into areas that they would not otherwise have considered. Ultimately, GOD is seeking to assess what type of person someone really is in order to decide whether they should be admitted into Heaven after leading a particular life. For instance, sometimes a person leads a fairly inhibited life on Earth. They become locked into a certain lifestyle, whether it is one of economic ease or economic hardship, and as a result they simply don't develop or progress forward. By placing a thought of potential change into such a person's mind, we encourage them to consider other alternatives to the type of life they are leading. They may take the thought that we give them, consider it carefully, and then decide against acting upon it, and in fact this may give them a greater sense of appreciation for the seemingly inhibited type of life they have been leading. That in and of itself, is a form of human development."

Brad then asks, "did any Angels place thoughts into my mind, while I was on Earth?" Tammy grins and responds, "Everything you did on Earth was interconnected. We gave you the thought to go drinking with your friends, but you then decided to drive a car that night to have fun. We then gave you the thought to go to law school, which you decided to act upon, and we gave you the thoughts that were necessary to help you develop the type of knowledge that was needed to challenge the Oregon State Bar admissions process."

Brad angrily states, "This is total Bullshit!! What you're telling me is that nothing I did on Earth was of my own doing. You're saying that you caused me to do everything."

Tammy snaps back, "Quite the contrary. I'm saying the exact opposite. Everything you did on Earth was totally of your own choosing. Each and every decision you made was one of your own choosing. We simply gave you certain isolated thoughts that provided you with the information to allow you to recognize the choices available so that you could make your own decisions. You decided to drink alcohol. We just gave you the thought that offered it as a possibility. You decided to drive the car after drinking. You decided to go to law school. You decided to research the Bar admissions process and challenge it in Court. We just gave you the thoughts that presented these alternatives and helped you formulate a plan for doing it and a few thoughts also to help you decide what cases to look at."

Tammy continued, "Actually, giving you the thoughts related to challenging the Bar admissions process was my idea. I figured it would come in handy for what we wanted you to do up here. I have to admit, even I didn't imagine that you would do such a good job on the issue. Your research was phenomenal and the passion with which you formulated your avenue of legal attack was great. You really came up with a great way to leverage the entire

Oregon Judiciary to either make the process of Bar admission more fair, or alternatively placed them in a situation where they would look totally unfair and stupid to the general public."

"Well that pretty much covers what the Angels are all about. So now you know in general terms how Heaven works, what Heaven is, and how people are admitted into Heaven. Now, you need to understand exactly what Earth is. Tom will tell you all about that. I've got an aerobics class to go to. Bye!" And with that, Tammy just got up and went jogging down the path leading away from the hotel bar. Brad couldn't help but notice her perfectly shaped ass and breasts jiggling as she jogged away in her shorts and halter top. He thought to himself, "I truly can't believe that chick is almost 34,000 years old. I gotta admit. She really does seem to take care of herself. Man, she definitely is one of the best looking Angels I've ever seen. Certainly, better than the pictures of any Angels I've seen."

Tom looked at Brad carefully and asked, "What are you thinking?" Brad replied, "I'm thinking that although I've never been particularly religious in my life, I have at various times read parts of the Bible. And I really don't ever remember any Angel in the Bible being described as looking as great as Tammy." Tom nodded his head. "I have to admit, you're right Brad. When I first met Tammy about four thousand years ago on the Angels on-line dating service, I didn't think she was a day over 22 thousand, or maybe 23 thousand years old. I was surprised when I found out that at that time she had just hit the big 30 and was one of the elder Angels. You know it's tough when a female Angel turns thirty thousand. They kind of view it as a milestone in their life and sometimes reflect back with a certain sadness about how old they are."

Brad asked, "You met Tammy on an on-line Angels dating service? Are you two going out with each other?" Tom shook his head. "No, we dated for a

few hundred years, but then she met John and started dating him. Then she dumped us both for a young hotshot surfboarding Angel. But, we've all stayed friends. She introduced me to John and the three of us realized that we all felt the same way about changes that needed to be made with respect to the process of being admitted into Heaven. But enough of Tammy's dating habits. I'm now going to tell you what Earth really is."

8

Tom began telling Brad about Earth. He said, "All humans must spend a minimum of one life on Earth before they even have any chance of being admitted into Heaven. There are a few humans who are admitted into Heaven after only one life on Earth, but I don't know the exact number because as explained to you before, those statistics are classified information. Some have to live an extraordinary high number of lives on Earth before they develop sufficiently to justify admission. But, GOD does not give up on anyone and it is his intention for everyone without exception to ultimately be admitted into Heaven. When this occurs, it will be conclusive proof that GOD is all Perfect and at that time there will no longer be any need for Earth to exist. Until then, people who don't yet qualify for admission into Heaven, just keep going back to Earth to lead additional lives in the hope that their next life will be the one that teaches them what they need to know to be admitted. There are some people, and good people I might add, who have been going back to Earth for thousands of years to lead yet another life. I have to say that overall, while generally I am impressed with many humans, some of you just don't seem to catch on to quickly regarding what you need to know to succeed in the universe."

"As far as what we'll do with Earth when its existence is no longer needed, the matter still has to be decided. We have various committees up here comprised of selected Angels who are preparing Feasibility Studies pertaining to what to do with Earth when it is no longer needed. The proposals range from

placing the whole planet in a museum, to remodeling it into the largest condominium complex that ever existed, or perhaps even using it as a convention center when everyone in Heaven wants to get together. Overall, the eventual disposal of Earth is a somewhat controversial issue in Heaven because so many different Angels have so many different viewpoints on what should be done with it. And then of course, there are the environmental concerns. The important thing to realize though, is that at this time while Earth is still needed to assist humans with their development, there are only two places for humans to exist. One is in Heaven and the other is on Earth, because there is no such thing as Hell."

"The notion that there is a Hell was just an idea that a few Angels came up with to start scaring people on Earth to help them conduct their lives in a virtuous manner and help them develop the traits necessary to warrant admission into Heaven. Although I personally opposed the notion of introducing the concept of Hell into the lives of humans initially, I have to admit that it has worked remarkably well at encouraging certain people to conduct themselves properly. While the essence of GOD is love, and although he does not give up on anyone, and although he is all Perfect, he is also not at all adverse to using Fear on occasion to help people develop properly. The concept of Hell has been a fairly effective tool with respect to such."

"I would have to say that the fewer lives a person needs to live on Earth in order to gain admission into Heaven, the more Earth is like a school than anything else. On the other hand, to the extent that some people have to continuously go back to Earth, one lifetime after another, for hundreds or even thousands of years, the more Earth is like a prison than anything else. So depending on how you look at it, and depending on a person's particular circumstances, that is what Earth is. It's a school. Or it's a prison depending on

how you look at it. We up here in Heaven like to think that even to the extent it functions as a prison for some people, it's basically a rehabilitative prison, rather than one with a punitive intent. While GOD does punish people who engage in conduct that should be condemned, the punishment is always applied with a keen eye towards its' rehabilitative potential. Stated simply, the goal is to discourage poor conduct in the future, not just to punish a person for engaging in the reprehensible conduct."

"The last thing I want to talk to you about with respect to Earth is how GOD determines the circumstances on Earth that a person is born into. This is a tricky area. While the manner in which a person conducts their life on Earth is left to their own choice and decision, it is irrefutable that each individual is born into a set of circumstances that they have no control over. GOD does in fact exclusively decide with the advice and consent of a panel of Angels, the circumstances that a person is born into. It encompasses issues such as whether the person is born into a rich or poor family, whether they are born sick or healthy, what country they are born in, what race or religion they are born into, and similar things such as these."

"As a preliminary matter, I want to first dispel the notion that the circumstances you are born into are indicative of the type of person you are, or the type of life you led in the past, or how close you are to becoming the type of person who warrants admission into Heaven. The circumstances you are born into are not indicative of any of the foregoing. GOD believes that all people will eventually develop into good people, since this will be the most conclusive proof of his own Perfection."

"But during the process of development and as they go through leading many different lives on Earth, some people are irrefutably not good. That however, does not mean they will be born into what could be mistakenly

perceived as a negative set of circumstances. For instance, bad people are not necessarily born poor as a punishment for their previous lives. And good people are not necessarily born rich as a reward for their previous life. In fact, there are many good people who are born very poor. Similarly, there are many bad people who are born rich. Perhaps even more good people are born poor than bad people, although once again the statistics on that issue are classified so we can't tell for sure. There are also however, bad people that are born poor."

"The intent of GOD is to have a person born into a set of circumstances that will create a probability for that person to develop his character so as to maximize the potential for admission into Heaven after the life on Earth has lapsed. Let me give you some examples."

"If a person was financially wealthy in their last life, they may have developed an arrogant attitude and a lack of compassion for the problems of their fellow human beings. In such an instance, GOD may feel that if they are born poor in the next life, it will increase their empathy for the problems of others since they will personally experience the problems of being poor. Conversely, let us say that a person was financially wealthy in their last life, and devoted their financial resources and time to helping others. GOD may feel that if that person is born wealthy once again they will continue the process of development."

"Now let us consider the case of a person who was financially destitute in their prior life and as a result became embittered by the world. GOD may feel that in order for this person to get over their bitterness they need to continue the process of being financially poor in the next life until they learn to accept and make the best of their situation. Or GOD may feel this same person will develop further in the next life, if they are born wealthy because they will not be held back by their bitterness."

"Lastly, let us consider the case of a person who was financially destitute in their prior life, accepted and made the best of their situation, and in fact used the limited resources and time they had available to enrich the lives of others. This individual always had the feeling and belief that no matter how bad things were for them personally, there were others in the world who were worse off. This person is probably the one closest of all in the foregoing scenarios to being admitted into Heaven and may in fact be admitted into Heaven forthright without having to go back to Earth for another life. But if for some reason, this person is required to go back to Earth for another life, because although they are close to being admitted into Heaven, they still need a bit more development, then GOD may decide they should be born poor again to see how they develop further. The concept would be that GOD is providing this individual with an opportunity to seal the deal so to speak, regarding their potential admission into Heaven. Or alternatively, GOD may want this person to be born rich to see if wealth causes them to lose some of the empathy and sensitivity towards others that they developed in the prior life."

"So essentially, you can see that being born poor or wealthy is not in the least bit determinative of a person's character one way or the other. Both good and bad people can be born either rich or poor. Both good and bad people may become either rich or poor during the course of their life on Earth. The prior examples are just a few of the literally infinite number of fact sets that exist with respect to people going back to Earth. GOD considers all the facts and circumstances of each one of their prior lives and then places them in a situation in the next life that has the potential to maximize their development."

Tom then noted, "The only other thought that I'd like to leave you with regarding the nature of Earth and its' purpose with respect to humans is that in certain respects Earth parallels Heaven. It is most definitely not exactly like

Heaven, as I assume you have already been able to ascertain. Clearly, humans on Earth don't have any of the special powers that they are given once admitted to Heaven, but there are aspects of Earth that are reflective of the nature of Heaven. I'll give you two examples of this parallelism right now."

"The first example is the concept of tolerance. Tolerance of religion and tolerance of viewpoints and tolerance of beliefs. Everybody from humans to Angels has different viewpoints and beliefs. Everybody thinks the way they view things is best and that as a result we would all be better off if everyone else conformed to our concepts of the best way to do things. Of course, the only viewpoint, belief or concept that can be said with conclusive certainty to be correct is that of GOD. But the problem is, we don't know exactly for sure what GOD thinks. Even Angels don't have that much more insight into GOD's ultimate plan. We do know a bit more than humans, but frankly speaking, not a whole heck of a lot more. And GOD wants Angels to develop in the same manner that he wants humans to develop. This of course creates somewhat of a quandary. As Angels we are supposed to help humans develop to the point where they may be admitted to Heaven. But as Angels we also have to be concerned about conducting ourselves in a manner that fosters our own development in the Kingdom of GOD."

"The Angels have an innate understanding that in order for us to develop further we have to be tolerant of the beliefs and viewpoints of the other Angels. It is unknown how this innate understanding developed, but pretty much every Angel, as well as every human in Heaven, accepts, supports and understands the fact that tolerance of the beliefs and viewpoints of others is essentially the crux of what Heaven is all about. GOD's ideal conceptualization of Earth parallels this characteristic of Heaven. In fact, once all humans on Earth accept and support the tolerance of the views and beliefs of others, in all probability Earth

will no longer be needed, as all humans at that point would probably have successfully attained their goal of admission into Heaven."

"You will note that at this stage I have pointed out that Heaven is in large part predicated on the willingness of both Angels and humans to tolerate the fact that other Angels and humans will have different viewpoints and beliefs than their own. The process of analysis and discussion with substantial discourse is intended to hopefully aid in the development of all of us in Heaven. The goal is not necessarily to discern one right and conclusive belief or viewpoint with respect to any given issue, but rather instead to have all of us achieve an understanding of both the positive and negative aspects associated with any given viewpoint or belief."

"At this point, I have separated the concepts of tolerance of viewpoint and belief; from the concept of tolerance of religion. On Earth, the predominant religions at this point in time seem to be Catholicism, Other Christian Religions, Islam, Hinduism, Judaism and of course many other religions that are entitled to equal importance. GOD is for the most part unconcerned with which religion a given human believes in or accepts. However, he is definitely desirous that each person believes in GOD, loves GOD, wants to be with GOD, and accepts the feasibility of the correctness of other people's beliefs in GOD that differ from their own. The bottom line is that if a person does not believe in GOD, love GOD, and want to be with GOD, then their probability of going back to Earth for another life is substantially increased. That having been said, I am forced to concede that GOD's decision-making process for the admission of people into Heaven is not entirely known, and that we have on occasion had Atheists who were admitted into Heaven. Of course, once they were admitted, they readily acceded to the fact that their belief in Atheism was incorrect."

"The second example of parallelism between Earth and Heaven is with respect to the concept of justice. On Earth, laws are adopted by the various countries and societies and most of them enforce these laws through the use of Courts. The purpose of Courts on Earth is to resolve disputes. Sometimes the dispute is between two people, and sometimes in the case of criminal law the dispute is between a person and the State, with the State prosecuting the individual for the violation of some law that constitutes a crime."

"Now in Heaven, just like on Earth, we also have Courts. And similarly, the purpose of the Court in Heaven is to resolve disputes. The disputes that occur in Heaven typically pertain to ideological differences with both parties respecting the viewpoint of the other and seeking a decision as to which viewpoint is correct. All matters adjudicated in the Courts of Heaven are decided by GOD. But GOD does not actually appear in the Court. Rather instead, the proceedings are presided over by a panel of three elder Angels. The Angels control the admission of evidence and the proceedings as a whole. The ultimate decision however, is made exclusively by GOD himself."

"Incidentally, I might note that since Tammy is an elder Angel, she has on occasion presided over Court proceedings in Heaven, on behalf of GOD. She is one of the most adept judges with respect to rules pertaining to the admission of evidence in Heaven's Court. She knows virtually every case right off the top of her head. That is one of the reasons she is so important to our case. She provides a great deal of credibility to John and myself because she has functioned as a judge. Although I might add, it certainly didn't help us much when she presided over the last case in a Thong Bikini and was reprimanded for unprofessional conduct. But then again, that's just her way."

"I'll conclude on this issue by noting that although the concept of having Courts to resolve disputes in Heaven parallels the usage of Courts on Earth to

resolve disputes, there is a major difference. Unlike on Earth, we have no criminal courts in Heaven. Everyone in Heaven believes so strongly in the wisdom of GOD that no one, either Angel nor human, has ever intentionally violated any of GOD's laws while in Heaven. Consequently, there is no need for any type of criminal Court here. This of course is a testament to the Perfection of GOD. Once he decides you qualify for admission into Heaven, you are given complete Trust to sustain whatever type of existence you desire so long as it does not cause harm to anyone else. In the multiple thousands of years since time began, there has not been any Angel or human who has ever violated this Trust."

"This does not mean however, that all Angels and humans agree with everything that GOD does. Quite the reverse is true. GOD is wide open to giving consideration to changing certain aspects of the way things function both in Heaven and on Earth. He relies quite strongly on the advice and counsel of many elder Angels, some Angels that are not quite so old, and on numerous occasions he has also relied on the input of humans."

"Well Brad, I think you have all the background you need now. It's time for you to get to work. Tammy will tell you more about our case and what we want you to do."

With that, Tom got up and left. Out of nowhere, Tammy reappeared with a big, bright smile on her face. Brad was excited to see her. She had on that Thong Bikini that Tom had told him about.

9

"Hi, Brad." Tammy said. Brad replied, "Did you really wear that Thong Bikini while presiding over a case in a Court in Heaven?" Tammy blushed and she said, "I can't believe he told you that. You know the whole thing has really been blown out of proportion. First of all, it wasn't this Thong Bikini, it was my red, white and blue one. Second of all, the rumor that after the proceedings were over I tongue kissed the other female Angel on the panel is totally false. It was a light, gentle kiss on the lips and nothing more. And by the way, so what if the male judge on the panel, along with the other female Angel and myself had a sex threesome in the swimming pool later on. You know, there's no law against that up here in Heaven."

Brad's mouth dropped wide open. He didn't even know what to say. Then all of the sudden he knew exactly and precisely what to say. It just came to him in a rush, and he blurted out, "Tammy, you are the most incredible and beautiful woman that I've ever met in my life. You are also the best thing that has happened to me here since leaving Earth. Would you let me take you out on a date?"

"Whoaa!! Tammy responded. "You are going way to fast Brad. First of all, you haven't even gotten used to being here yet. Right now, you're going through a very traumatic experience. The process of acclimating oneself to Heaven after leaving Earth takes a bit of time. Second of all, we brought you here for a very specific purpose. You are the one chosen to represent us before

GOD himself, in a case that challenges certain powers of GOD and which GOD will decide. The fact that you would ask me out because I have great Tits and a great Ass, before even doing your job, raises the question as to whether you are truly willing to put the needs of others before your own. By the way, I really do have great Tits and a great Ass, don't I?"

Then Tammy said, "There's also the issue of the fact that you're a human and I'm an Angel. We are two totally different types of beings. Contrary to what people on Earth think, humans can not possibly become Angels when they die because Angels are not at all human. We can however, all co-exist in Heaven. And I am forced to concede that on occasion, humans and Angels do get it on with each other and date each other. It's certainly allowed and no one thinks worse of either the Angel or the human for doing so, but by the same token it's not all that common."

"As one of the hottest looking female elder Angels up here, I also have to tell you Brad that I have some doubts as to whether you could keep up with me sexually, even with the special powers that GOD gives humans up here. Now don't get me wrong Brad. GOD gives humans powers once they are admitted here that would allow them to get it up and ejaculate perpetually. But a female Angel needs a lot more than that. There's a certain feeling that most humans can't provide to an Angel even with their powers, just like there is a certain feeling that most Angels can't provide to a human."

"Now I must admit there is a certain kinky aspect about doing it with a human that turns most Angels on. I admit that. Similarly, there have been many successful sexual relationships between Angels and humans that have lasted for thousands of years. But the problem with most humans I've come across, is that even the ones that think they'd like to have sex perpetually, simply get bored of doing it after a few hundred consecutive ejaculations. I'm really

known as being not only one of the greatest legal and judicial minds up here, but also an incredible sexual dynamo. I was even Angelmate of the year a mere 1500 years ago. Go to the library and you can see the pictures. I need both intellectual and physical stimulation constantly. In fact, my written essay on the "Heavenly Application of Philosophical Principles to Judicial Decisions" was published the same month that I was voted by all the other Angels to have the most perfect Tits."

"And let's face it Brad, what about our age difference? I don't know how many lives you've had on Earth, but it's my guess that you can't be more than maybe four or five thousand years old at most, and probably a lot less. I'm a fairly good judge of people and you've got a certain immaturity about you that is typically characteristic of people under 5,000 years old. I'm almost 34,000 years old. How can we really relate to each other? You still need to learn the teachings of the great philosophers, while I've moved well past them, and now concentrate primarily on aerobics and cosmetics. By the way, is my lipstick smeared at all?"

Brad asked, "Is there any possibility that you'd ever go out with me?" "Well," Tammy said, "I do like you, so I won't rule it out, but for right now let's get down to business. Okay?" Brad was encouraged by the possibility, and so simply responded, "Okay, tell me what your case is all about. But first, you know what, I need another Scotch on the rocks."

Tammy got Brad the Scotch, ordered a Tequila Sunrise for herself and then she got serious. "You see Brad, overall GOD is in fact Perfect. However, the essence of Perfection varies with the times. For instance, for people, the perfect decision at one point in their life is dependent on the facts and circumstances in existence at that time. That which is the Perfect decision for a person to make when they are 30 years old, is probably quite a different decision

than would be Perfect when they are 60 years old. Let me give you an example. A person who wants to stay in good physical shape may be making the Perfect decision to go jogging five miles per day when they are 30 years old. But if they try to jog that same five miles per day when they are 80 years old, it would probably be a terrible decision, and not at all a Perfect decision. So Perfection is predicated in part on one's willingness to be adaptable to changing situations and changing times."

"That is why GOD is Perfect. It is because he is adaptable to all changing times, facts and circumstances. He can be presented with two seemingly identical situations and make two totally different decisions, both of which will be Perfect decisions, because the two situations are not in fact identical, even though they may seem so. Part of GOD's adaptability to all changing facts and circumstances is attributable to his willingness to be open to changing the way he does things. In this regard, GOD openly listens to the opinions of both Angels and people regarding the way he does things. And on occasion, he will change the way he does things, if by doing so the change will allow him to continue being Perfect in light of a new set of facts, circumstances or changing times. To facilitate this process, GOD openly allows challenges to the way he does things in the Courts of Heaven."

"Unlike on Earth, where the members of Federal and State Judiciaries, as well as other political officials, take personal offense when challenges are made to their position or authority, GOD actually welcomes such challenges. Open challenges to GOD's way of doing things, or to his power and authority that are grounded in an honest, well-meaning, intellectual and rational basis assist those in making the challenge to develop further; and also allow GOD to continuously maintain his Perfection."

"With the foregoing in mind, John, Tom and myself for several hundred years have been giving careful consideration to the way that people are admitted into Heaven after their life on Earth. While I can't emphasize enough that the three of us all know GOD is Perfect, we believe to maintain that Perfection, the method for admitting people into Heaven now has to change. Specifically, the crux of our challenge is that we believe the determination as to whether a person should be admitted into Heaven should be predicated solely on their actual conduct while on Earth."

"We do not believe that GOD should continue to read into a person's thoughts and look into that person's heart when making his decision to grant or deny admittance. We are seeking adoption of a fairly simple rule that if a person conducted their life on Earth in a virtuous manner, rather than a sinful manner, they would be admitted into Heaven. This admittance would occur regardless of whether the person had virtuous or sinful thoughts while on Earth. The actual conduct of the person would be determinative, and the inner thoughts, beliefs, attitude and heart of the person would remain a matter for that individual's personal privacy. Under our theory, GOD would not be privy to anything other than the person's actual conduct while on Earth."

Brad asked, "I follow what you're saying, but let me ask you this. Since you have acknowledged that GOD is Perfect, and since his Perfection has historically encompassed the ability to read into a person's thoughts and heart, why is that you now assert his continued Perfection should not include the ability to continue to read into a person's thoughts and his heart?" "Well," Tammy answered, "Because up until now there really wasn't much doubt that ultimately every single person on Earth would gain admission into Heaven. As we told you before, GOD doesn't give up on anyone and when everyone on Earth is finally admitted into Heaven it will be the most conclusive proof of

GOD's Perfection. The problem is that some Angels, including John, Tom and myself, are starting to wonder a bit whether everyone on Earth will in fact ultimately meet the criteria for admission into Heaven. There are people who have been going back to live an additional life on Earth for literally thousands of years. As a result, for the first time ever in Heaven, as these people continuously go back to Earth for one life after another without any seeming progress being made in each additional life they live, the question has started to circulate as to whether they will ever develop sufficiently on Earth to warrant admission into Heaven."

Tammy continued, "To put the matter another way, we want to make sure that everyone on Earth is ultimately admitted into Heaven, which will be conclusive proof of GOD's Perfection. As a result we believe that in light of the current situation, to accomplish such requires the standards for admission into Heaven be made more lenient. The concept would be that if you conduct yourself in a relatively virtuous manner on Earth, we will not look further than that when deciding whether you should be admitted into Heaven."

"There is also another reason we want this change," Tammy said. "You remember when we told you that once a person is admitted into Heaven, they are given numerous powers by GOD, and also GOD's complete trust? Well, the fact of the matter is, that a necessary facet of this complete trust given to each admittee, is that so long as no one in Heaven causes any type of harm to anyone else, they are no longer subject to GOD reading into their thoughts and heart while in Heaven. This gives rise to a moral dilemma."

"Essentially, people on Earth are having their thoughts and heart probed for purposes of being admitted into Heaven, but once they are in Heaven their is no continued assessment of their thoughts or heart. We think that should be changed. Either each person on Earth and also every member of Heaven should

both have GOD being privy to their thoughts and heart, or alternatively neither one should. We don't believe that a person's thoughts and heart should be open for review for purposes of being admitted into Heaven, and then once you're in, you are no longer subject to the same type of assessment process."

Brad jumped in, "Hypothetically, let's say that your suggestion is adopted. Let us presume that admission into Heaven becomes predicated upon a person's actual conduct while on Earth, without regard to their inner thoughts and heart. Then further assume someone who never engaged in any type of really serious misconduct on Earth, but who did have some evil thoughts while on Earth is admitted into Heaven. Now that person, who would not have been admitted into Heaven under the existing criteria, but who is admitted into Heaven under the more lenient criteria you suggest, is given all these new powers by GOD. And then the person uses the powers given to him by GOD in an immoral manner. What happens then Tammy? Wouldn't such a situation prove that GOD is not in fact Perfect? Wouldn't admission of the person in my example be indicative of a system that failed?"

Tammy smiled, "I'll tell you what Brad. Why don't you answer that question for me and we'll see if you're as good as John, Tom and myself think you are? But first consider this. When you were on Earth challenging the power of the Oregon State Bar to make inquiries into your moral character, the essence of your challenge was that they shouldn't be able to ask you questions for which inquiry was not made on a regular and periodic basis of licensed attorneys. Now let us assume that you won your case on Earth, and that as a result of your winning the case, a person is admitted into the Oregon State Bar and becomes a licensed Oregon attorney. Then one day, years later as a licensed attorney that person engages in dishonest conduct. Would such a case prove that you were wrong with respect to your challenge to Oregon State Bar

admission standards? Would such a case prove that the Bar was in error to admit that person because they clearly lacked sufficient good moral character? If you were left on Earth to argue your case before the Oregon Supreme Court or the United States Supreme Court, how would you respond to such questions if they were raised by the Justices to suggest that your proposed new State Bar admissions process should not be adopted?"

"Well," Brad replied, "I guess that my response on Earth with respect to the State Bar admissions process would be that anyone who is admitted to the Bar, could be kicked out of the Bar, a process known as Disbarment if they engaged in dishonest conduct." "Okay," said Tammy, "Now if the person is Disbarred does that mean it was wrong for the Bar to admit them in the first place?" Brad thought and then said, "Well, perhaps not. If they had not engaged in any type of serious misconduct at the time of their admission, or stated alternatively, if they had never been convicted of a serious crime at the time of their admission, then the fact that later on after being admitted they engage in misconduct, does not necessarily mean they shouldn't have been admitted in the first place."

"It could mean that the person changed after they were admitted. Whether the change was attributable to having the temptation of using the powers given to licensed attorneys in an immoral manner, or whether it was simply due to changing facts and circumstances in the person's life, it could be justifiably asserted that admitting the person initially was the Perfect decision. Similarly, it would follow that because the person subsequently changed for whatever reason, taking their law license away and Disbarring them is also the Perfect decision."

Tammy nodded in agreement. "Precisely. So it would similarly follow up here. Just because a person is admitted into Heaven under standards that are

more lenient than currently in existence, and just because a few people may ultimately engage in immoral conduct in Heaven, does not mean that it would show GOD to be imperfect by admitting them in the first place."

"Quite to the contrary, GOD's decision to admit them based on the facts, circumstances, and conditions in existence at a particular point in time would still be the Perfect decision. It would then follow that just like you suggest would occur with respect to the State Bar on Earth, people could be kicked out of Heaven if they engage in misconduct and sent back to Earth for an additional life if necessary."

Brad was uncertain and said, "But either John, Tom or you told me before that no one had ever engaged in misconduct once admitted into Heaven and that fact functioned as proof of GOD's Perfection. Now it seems you are suggesting that people could engage in misconduct in Heaven, be kicked out of Heaven by GOD and sent back to Earth, and that GOD would still be Perfect. How can he be Perfect under both sets of circumstances?"

Tammy reiterated, "The key is that the existing standards demonstrated GOD's Perfection in the past by virtue of the fact that no one ever engaged in misconduct while in Heaven. Our new and more lenient standard would demonstrate GOD's Perfection because it would be a process that is well-adapted to the changing times and situation here in Heaven. The new standard would convince the Angels who currently question whether all people on Earth will ultimately be admitted into Heaven by increasing the percentage of people admitted. People who previously would have been sent back to Earth for another life will now be given a chance in Heaven to prove themselves. However, due to this change, a corresponding change would have to be made to allow for people to be kicked out of Heaven if they misbehave."

"Thus, you can't look at the situation and say simply that GOD is Perfect under the current standards because no one has ever misbehaved in Heaven; and then also say that he would be Perfect if people do misbehave in Heaven and then are kicked out. Rather instead, you have to assess the situation by considering the admission standards in conjunction with assessing people's behavior in Heaven."

"I would state the matter in this fashion. GOD is Perfect under current standards for admission into Heaven as evidenced in part by the fact that no one has ever engaged in immoral conduct once admitted into Heaven. However, due solely to the passage of a lengthy period of time during which numerous people from Earth have been denied admission to Heaven, some Angels are currently beginning to question whether every person on Earth will eventually be admitted into Heaven. This potentially jeopardizes GOD's Perfection and necessitates changes in the admission standards. Under the new standards, GOD will continue to be Perfect because an increased number of people from Earth will be admitted into Heaven and given a chance. All the Angels will therefore be certain once again that all people on Earth will ultimately be admitted to Heaven. To the extent some people change after being admitted into Heaven and as a result engage in immoral conduct while in Heaven, GOD will make the Perfect decision by kicking them out of Heaven and sending them back to Earth to develop further."

"Tammy, it seems to me like you're kind of playing a game here with semantics, word play and the process of logical reasoning. I don't doubt that you make a convincing argument, but the fact is that you're really doing the exact same thing that judges, attorneys and State Bars do on Earth. You are continuously asserting that GOD is Perfect, but the bottom line is that you want to change the way he does things. Then you are simultaneously asserting that

under the new method he will continue to be Perfect, just like under the old method."

"Brad, I'm just saying that GOD can in fact be Perfect both under the old admission standards and also the new lenient standards that we suggest, if you consider that the times, situation, facts and circumstances of any given environment are constantly changing. I'll give you one last easy example to consider. Let us say that a person on Earth is thirsty. They are given two options. They can drink Orange juice or Apple juice, but not both. It is my contention that both are healthy choices. They both contain certain nutrients. Apple juice has some nutrients that Orange juice does not, and Orange juice has some nutrients that Apple juice doesn't have. I submit to you that whether the person drinks the Apple juice or the Orange juice they have made an equally Perfect decision. Perfection does not necessarily entail selecting one singular choice that is better than all other choices. Rather instead, Perfection simply means that the choice you selected is the correct choice, even though there may be other correct choices. Agreed?"

Brad found it hard to disagree with Tammy's logic. Particularly, since the type of case that she was proposing was so similar to the one that he felt so passionately about on Earth with respect to the Bar admissions process. He wasn't totally in agreement with her reasoning, but did conclude that it was pointless to argue the matter further with her at this time. Instead, he just asked, "Is that the whole case? Or is there anything else that I need to know?"

Tammy said that there was a bit more and that John would talk to him about it. Before leaving, she asked Brad if he was going to agree to represent them. Brad replied, "You know Tammy, I'll give you the same answer that you gave me when I asked you out on a date. I like you and I won't rule it out. But I still need more information. We'll see what happens and I'll let you know."

With that, Tammy got up and left. She could tell that Brad wasn't totally sold on their case and she was concerned that he might not help them. The normal perky bounce in her walk was gone, as she just walked away slowly.

10

John came walking towards Brad. As he did, he walked past Tammy who gave him a worried look. John could tell that convincing Brad about the merits of their position was going to be a bit more difficult than they had thought. He began speaking. "Brad, for right now why don't you put your drink down? Tom, Tammy and myself all like to down a few now and then, perhaps even more often than we should, and the three of us all definitely like to have a good time. But Brad, the reason we brought you here is definitely serious. On behalf of literally millions of people on Earth who should be given a chance to prove that they do belong in Heaven, we really need your help."

"I know Tammy has told you about most of our case, but there's another big issue we want you to address. I also want to tell you why you were the one we selected, and how we've been making some advance preparations for this case. Then it will be left to you to make your decision about whether to represent us before GOD."

"As you know, the main part of our case is that when deciding whether a person should be admitted into Heaven, we believe GOD should consider only the person's actual conduct on Earth, and not be privy to the individual's inner thoughts and heart. The reason we believe this is because we want to increase the number of people who are admitted into Heaven in order to ensure that eventually everyone on Earth gets into Heaven. In addition though, there's another change we want to make."

"Currently, although the exact process by which GOD makes his decision as to whether a person is admitted into Heaven is not known, we do know that when GOD assesses the individual's life on Earth including their conduct, inner thoughts, and heart, that the individual must prove to GOD "BEYOND A REASONABLE DOUBT" that admission into Heaven is warranted. As you may know from your criminal law background on Earth, that is a heavy burden of proof standard to sustain. While the burden of proof standard of "beyond a reasonable doubt" has never been precisely quantified, most people consider it to mean that a person must show there is a 95% - 100% probability that admission is justified."

"Part of the change we want to make to help people from Earth get into Heaven is to reduce the burden of proof standard that must be sustained to that of "PREPONDERANCE OF EVIDENCE." The "preponderance of evidence" standard as you know, means that the individual merely would need to show that there is a "more likely than not" probability that admission into Heaven is warranted. This means that essentially, the person would simply have to show that there is more than a 50% probability that they should be admitted into Heaven."

"Alternatively, if we can't get that standard of proof adopted, we are going to ask for the standard to at least be reduced to that of demonstrating by "CLEAR AND CONVINCING EVIDENCE" that admission is warranted. Once again, the burden of proof standard of "clear and convincing evidence" has never been precisely quantified, but some theorists have suggested it would mean about an 80% probability that admission is warranted."

Brad interrupted. "This new suggestion you have creates an even bigger dilemma than previously indicated by the first change the three of you propose. I indicated to Tammy that I had some doubts as to the validity of her position

that GOD could logically be viewed as being Perfect under both of two alternative sets of admission standards. She responded that it was definitely possible because being Perfect takes into account different facts and circumstances at varying points in time. She also suggested that being Perfect does not entail making one singular Perfect decision or choice. She asserts that in fact since there could often be more than one correct choice or decision with respect to a particular situation, GOD could take varying courses of action and still be Perfect. Tammy's argument has merit, but to a certain extent it is simply grounded in playing games with logical reasoning that are characteristic of what judges do on Earth. And as you know, I am not particularly fond of the judges on Earth."

Brad continued, "Now however, you suggest that the burden of proof to be sustained for admission into Heaven should be lowered. This raises a question once again as to the notion that GOD is Perfect. First of all, you say that currently the burden of proof standard in Heaven is that of "beyond a reasonable doubt" which means that there is a 95% - 100% probability that admission is warranted. Without even addressing the suggestion that the standard should be lowered, my first question to you is how can GOD be Perfect unless his admission decisions under the current standard are nothing less than 100% correct?"

John replied, "Brad, you misunderstood what I said. I didn't say to you that the standard is simply that of "beyond a reasonable doubt" and that means there is a 95%-100% probability that admission is warranted. Rather instead, I said to you that "MOST PEOPLE CONSIDER IT TO MEAN THAT A PERSON MUST SHOW THERE IS A 95%-100% PROBABILITY THAT ADMISSION IS JUSTIFIED." Although most people typically interpret the standard that way, the fact is that they are interpreting the phrase "reasonable

doubt" within the context of "doubt" that a person on Earth might have with respect to a given situation. However, the phrase "reasonable doubt" has quite a different meaning when considered within the context of "doubt" that GOD might have, since GOD is the ultimate decision-maker with respect to a person's potential admission into Heaven."

"Under the existing standards for admission, "beyond a reasonable doubt" with the term "doubt" being construed as any "doubt" that GOD might have, does arguably mean there is a 100% probability that admission is warranted. I use the term "arguably" because in fact no one, not any Angel, nor any human, knows with absolute certainty whether GOD ever has any "doubt" at all in any given situation. Only GOD knows that."

"Now Brad, with respect to lowering the burden of proof standard to that of "preponderance of evidence" or "clear and convincing evidence," I must concede there is some merit to your objections to our position. I can see how you would assert that if GOD's decision is not 100% correct, it would mean that GOD's admission decision could not be fairly interpreted as being Perfect."

"But consider this example. A person on Earth has two children, both of whom are hungry, but the person only has one full serving of food. The person can give the full serving of food to one child, and let the other child along with himself go hungry. Or alternatively, the person can split the one full serving of food between the children; or between the children and also himself. What is the Perfect decision to make in that situation? Obviously, no decision in that situation satisfies the needs of both the children and the parent. Yet, to the extent either of the children or the parent gets a share of the food they need it. As indicated by this example Brad, sometimes no decision in a given set of circumstances is any more Perfect than any other available alternative. Because

virtually every decision one makes ends up having some positive consequences and some negative consequences."

"Similarly, applying this premise to our admission standards, let us consider the case of a person where it is determined that there is a 51% probability, (the preponderance of evidence standard), that admission into Heaven is warranted. I submit to you that sending that person back to Earth is not a Perfect decision. My position is predicated on the fact that there is more than a 50% probability that they belong in Heaven, even though they don't meet the current standard of roughly 100%."

"By the same token, I readily admit you can look at this situation differently. If there is a 51% probability that a person's admission into Heaven is warranted, then arguably admitting that person into Heaven is not a Perfect decision because there is less than a 100% certainty that they should not be admitted."

"So the question is Brad, does Perfection necessarily entail a 100% certainty that the decision being made is correct? I say No, because whenever there is less than a 100% certainty with respect to any decision to be made, either decision that is made on the issue may prove to be wrong. Remember, GOD can currently look at a person's conduct, consider their inner thoughts and heart, but each person maintains the free will to make their own decisions. GOD has immense, total power, but he still allows each person the ability to make their own choices. Correspondingly the choice is left to each person to lead either a moral or immoral life as they so choose."

All of a sudden Brad smiled knowingly and said, "You know, I just realized something. You all say that GOD is Perfect, but that is because you can argue that any given decision he makes is the Perfect decision, for varying reasons. All you have to do is be creative with the application of logical

reasoning and word play. When it comes right down to it, you're doing the same thing that judges do on Earth. They look at the case or situation only as they want to see it. By using your method of logical reasoning, I could assert that every single decision that I have made in my own life has been a Perfect decision. But the fact is that it hasn't. I know that. Each decision I've made has had positive and negative consequences."

"Brad, you know, it sounds to me like you're starting to realize that the essence of Perfection is to look at the overall result, which may extend over a period of time. Each decision can't be assessed by itself in a vacuum, or only with regard to its' immediate results. You have to look at the whole situation. You have to look at how one decision leads to another, which leads to a different set of consequences, and gives rise to a new set of issues, which then requires additional decisions and so on. You have to look at all the facts and circumstances and the overall picture."

"When you do so, you can't help but conclude that while individual decisions that GOD has made may seem to be imperfect at the time, each one of his decisions leads to another set of consequences, and that when all are taken into consideration together with both the positive and negative results of each, the inescapable conclusion reached is that GOD handled everything Perfectly. And therefore, GOD is Perfect, although individual decisions that he makes may seem imperfect at the time to Angels and people."

"Or," Brad countered, "If I apply the principles you just delineated, I could just as easily assert the opposite. I could assert that individual decisions GOD makes are imperfect, and that therefore GOD is not Perfect, even though ultimately in the end things work out just as he wants them to and to everyone's benefit. It all hinges on how you define Perfection. It all hinges on semantics and word play. Is the definition of Perfect contingent only on the final outcome

which may not be for years, centuries or more down the road? Or is the definition of Perfect to be considered with respect to the consequences of each individual decision or situation? I see your point John, but the bottom line is that you can look at it either way. And you know that I'm right."

John nodded, "You are right Brad. We view GOD as being Perfect because he has an overall Perfect plan that is guaranteed to have an overall Perfect outcome eventually for everybody. But in order to accomplish the Perfect plan, there are bumps in the road that are necessitated and certain negative consequences associated with individual decisions, and if these bumps in the road are viewed in isolation, rather than within the context of the overall plan, GOD could possibly seem imperfect, at least in the short run. Brad, it's now time for you to make a decision. I'm going to call Tom and Tammy back here."

11

Tammy came bouncing back first. She had regained her bubbly self and that certain spark in her personality that absolutely emanated off of her. Brad then realized that while he didn't have the faintest conception of what John or Tom were wearing each time he saw them, he had kept close track of what Tammy was wearing each time. When she came back now, she had on a very professional looking pantsuit. Not at all like the halter top and shorts, or the Thong bikini she had on earlier. Tom came back shortly thereafter and looked at Tammy as if they both shared the secret of knowing that Brad had a crush on her. When all three of them were seated together with Brad, Tammy spoke first since she was the senior, elder Angel.

"Brad, when I came up here, I noticed that you looked at what I was wearing." Brad blushed. Tammy continued to speak. "I figured you were getting a little too hot for me in the halter top I was wearing earlier, and then later in the Thong bikini, so I figured I'd dress a little more professionally this time around. Brad, you have a big decision to make. That decision is whether you will represent us before GOD, in our challenge before GOD himself. I don't want your decision-making process on this critical issue to be clouded in any manner by the fact that I am one of the hottest looking Angels up here. So what's it going to be Brad? Do you believe in our case? And will you represent us? Oh, and by the way, definitely don't try to Bullshit us. We want the truth."

Brad then spoke. He found that he had started to gain some confidence about the situation he was in. He realized that these three clearly very bright Angels needed him and that at least for the time being he held the cards. But, he wanted to find out why. So he said, "Tammy, you definitely are hot as a pistol. But now that I see what's at stake here, I can assure you that I'm not going to base my decision on whether to represent the three of you on whether or not your wearing a Thong bikini. However, there are some additional things that I want to know before I decide. First of all, why me? The three of you are clearly very smart Angels. Why do you need any human to represent you? And of all the humans, why do you want me? I'm not even an attorney on Earth. I couldn't get into the Bar. So why was it so important to take my life to represent you?"

Tom interjected and said, "Let me field this one. Brad the reason we want you is singular. It is because you personally felt so strongly about an issue on Earth that is so similar to the essence of our case, that we felt you were the perfect candidate to represent us. That's the reason, but let me give you some additional background."

"GOD is always open to change and legal challenges to the manner in which he functions with respect to all aspects of Heaven from both Angels and humans. But, when it comes to matters pertaining to Earth, including most particularly the standards by which people are to be admitted into Heaven from Earth, any type of challenge carries with it a significant greater degree of credibility if it is presented by a human."

"GOD does not have any favoritism of Angels over humans, or vice versa. However, it is an inescapable fact that humans are more closely connected to matters pertaining to the Earth than Angels, since humans spend almost all of their existence on Earth until they are eventually admitted into Heaven. Angels on the other hand only spend an amount of time on Earth that is necessary to

help the humans that are under their care get into Heaven. So right off the bat, the notion that we would represent ourselves as Angels was out of the question. We needed to find the right human, who would zealously support our position to represent us. We knew the challenge would be viewed as more credible by GOD if presented by someone that had a closer connection with Earth than the typical Angel has."

"So in short, we needed a human generally speaking. We wanted you because your Equal Protection Clause challenge to the Oregon State Bar admissions process was similar in concept to our challenge to the process of being admitted into Heaven. You were asserting on Earth that State Bar applicants shouldn't have to answer moral character inquiries that are not made on a regular and periodic basis of licensed attorneys. We are asserting in Heaven that GOD should not read into the thoughts and heart of applicants to Heaven, since he doesn't read into the thoughts and hearts of those who are already admitted into Heaven. I assume you see the obvious similarity and parallelism. So what's it going to be Brad? I'll repeat Tammy's questions. Do you believe in our case? Will you represent us before GOD?"

"I have two more questions before I decide," said Brad. "First, if I decline to represent you, what happens? Do I go back to Earth?" John answered, "No, Brad. You are here to stay in Heaven. GOD has granted you unconditional admission. We requested to GOD that you represent us. He agreed to allow such, but left the final decision on the issue to you. Like all other humans, and Angels alike for that matter, you have total, complete, free choice to make your own decisions and decide what you want to do in the future."

"GOD allowed us to take you from Earth, because he had already decided that you would be granted admission into Heaven. He reviewed your conduct on Earth, what you did during your life, and considered your inner thoughts. He

also looked into your heart, which he was privy to because the current process for admission into Heaven provides for such. GOD granted you admission into Heaven without condition. You are entitled to remain in Heaven perpetually like any other human granted admission into Heaven, and you are to be given the powers associated with such whether you agree to represent us or decline to do so."

"Last question now," said Brad. "Or I should say, the last group of questions. If I agree to represent you, what happens next? I mean how would I start? How would I develop the case strategy? How would I learn about the court procedures that control the proceedings in Court up here?" Tammy smiled, "Brad, I think you're going to like our answers to those questions. You see, many people who functioned as attorneys and judges on Earth decide to perform a similar function in the public interest once they are admitted into Heaven. We've got someone very special to help you in this case if you agree to represent us. He's a former U.S. Supreme Court Justice that you know quite well, because he took part in many of the opinions written in the Bar admission cases on the Warren Court in the 1960s."

"I have to tell you Brad, that we chose this individual to function as your co-counsel specifically because he is as familiar with the issues as you are and we thought you'd really get a kick out of working with him. Of course, you'll be the lead counsel, but he'll help you learn and get accustomed to all the applicable court procedures up here, and he'll even help you develop your strategy on the case. He's a really great guy and Tom, John and myself all have the utmost faith and confidence in him, along with you. So what do you say, Brad?"

Brad replied, "I have to ask, is this guy who would be my co-counsel, is it former U.S. Supreme Court Justice William O. Douglas, Hugo Black, or Thurgood Marshall? I have to admit the thought of working with any one of

them totally excites me. They're my heroes. I really don't even care which one it is. Tammy smiled, "Brad, will you represent us?"

Now, Brad smiled, "Okay, you've got a deal. I'll be your attorney." John, Tom and Tammy all smiled now. "Great," Tammy said. "We knew we could count on you. You won't regret this Brad. You're doing one of the greatest things for humanity and the people of Earth that anyone could ever hope to be part of."

"Let's go guys," Tammy said to Tom and John. "I've got an aerobics class that starts in 20 minutes, and I know you both want to hit all of the local bars tonight. So let's get out of here." Brad was stunned. "Hold it! What do you mean get out of here. Don't we have to talk more about how to handle the case?"

Tammy again smiled and said, "Not at all Brad. You've just agreed to be our attorney and represent us. We've told you our position and what we're trying to accomplish. The case is now yours to handle in totality. You'll decide how to proceed with all the issues from here on out. We're not going to cramp your style or your strategic decisions in the least bit. You've got great co-counsel who'll you'll be meeting shortly. There's no reason for us to stick around. If for any reason there's any type of really major decision that you need us to take part in with respect to the case, your co-counsel will know how to contact us. But outside of that, you're on your own now. Bye!

And with that the three of them left. To a certain extent, Brad felt a bit abandoned. He had gotten to like Tammy, Tom and John a lot. He enjoyed talking with them, debating with them and getting to know them. Up until now, they were the only three beings that he had interfaced with in Heaven. Now all of the sudden, they were just gone. He felt like they got him to agree to

represent them, and then just left him all on his own. That didn't give him too good of a feeling.

He wasn't alone for too long though. Within no more than a few minutes of Tammy, Tom and John leaving, an older man came dressed in jeans and a golf shirt came walking towards Brad. Brad had never seen pictures of former U.S. Supreme Court Justice William O. Douglas, or Hugo Black or Thurgood Marshall, and so didn't know which one of them this man was. However, he did know that Thurgood Marshall was an African-American and this man was obviously a white caucasian. So he wasn't Marshall. Brad then said in a tone that was simultaneously both trepidatious and eager, "You must be my co-counsel in this case. I've waited my whole life to meet and speak with you. Are you Justice Douglas or Justice Black?"

The man smiled broadly and simply said, "Neither. However, you are correct that I am your co-counsel in this case. Please allow me to introduce myself. My name is John Harlan."

12

Brad felt like he had just been sucker punched. "WHAT? Who are you? Harlan? What kind of Bullshit is going on here?"

Harlan said, "Brad, now calm down. We were pretty sure that initially you wouldn't take this too well. But, I think you and I are ultimately going to be really good friends. I actually like the way you think. You definitely have the potential to be a great attorney."

Brad snapped back, "How can you say that? How can you possibly say that you like the way that I think? You think totally different than I do. Everything that I am for, you were against when you were a U.S. Supreme Court Justice. And everything that I am against, you were for. This is absolutely, total Bullshit! I can't believe they set me up like this with you. I feel like I have been totally scammed. I feel like the biggest sucker in the world! And Tammy lied to me. She said that I was going to be working with Douglas, Black or Marshall"

Harlan replied, "You know that's not true Brad. Tammy simply told you that they had someone very special to help you and that he was a former U.S. Supreme Court Justice that you knew quite well, because he took part in many of the opinions written in the Bar admission cases on the Warren Court in the 1960s. She also indicated that they chose me to work as your co-counsel because I was as familiar with the issues as you are and they thought you'd really get a kick out of working with me. Brad, you just chose to interpret what

she said to you as meaning that you would be working with Douglas, Black or Marshall. But the fact is that she never said any such thing."

Brad shook his head in disbelief. "Everything up here is just word play. Maybe she didn't expressly say that I would be working with Douglas, Black or Marshall, but she knew very well that was precisely how I interpreted what she was saying. If she didn't lie to me, then she at least misled me."

Harlan countered, "Whether she misled you or not is open to debate. She did not however make any express false statements to you. And of course, she has no control over how you interpret what she says. Aren't I right? Why should she be held responsible for your faulty interpretation? Remember, how you objected to the manner in which the Board members of the Oregon State Bar interpreted your answers to their questions? You felt it was unfair to have your words twisted. But now you are trying to twist the words that Tammy spoke to you about me, by asserting that she meant something more than she expressly said."

Harlan continued, "I don't suggest that there's not some degree of merit to what you're saying Brad, but the fact is that the very essence of practicing law is to construe the facts in the light most favorable to your client. The key is to use the process of logical reasoning to help others arrive at the conclusion you want them to arrive at, without overtly lying to them. And you are right, that to a great extent this encompasses the artful use of word play. Judges and attorneys both do it all the time. Incidentally, when I say that judges do it all the time, I mean both conservative and liberal justices alike. Douglas, Black and Marshall, the ones you refer to as your heroes, did it as much as I did. The technique was in fact even overtly and expressly recognized by the great former U.S. Supreme Court Justice Oliver Wendell Holmes when he wrote as follows in Towne v Eisner, 245 U.S. 418, 425 (1918):

"A word is not a crystal, transparent and unchanged; it is the skin of a living thought, and may vary greatly in color and content according to the circumstances and time in which it is used."³⁷

Harlan continued, "What Holmes was saying is that words mean different things at different times and their usage and meaning may vary greatly based on the particular circumstances at hand. I'll tell you this much, Brad. You express passionate, strong objections to the use of semantics and word play when used by others to support their position. Your objections are predicated on the premise that others are doing something wrong and unethical when they resort to the effective use of word play and semantics."

"But you do exactly the same thing to support your positions. You interpret words, circumstances and facts in the manner that best suits your immediate needs and position. Don't get me wrong. There's nothing wrong with that so long as you don't take the matter too far. Similarly, you can't expect others to stop interpreting words in a manner that best supports their position. For better or worse, the effective interpretation of words is the heart and soul of legal advocacy and the practice of law. So forgive me for being blunt Brad, but I suggest you get used to it and quit your complaining and bellyaching."

Brad ignored the insult. He didn't even like talking with Harlan in general, much less debating against him. He simply asked, "Let me ask you this, quite simply. Why do I have to have you as co-counsel? Why can't Douglas, Black or Marshall work with me?"

Harlan replied, "Several reasons. Marshall was out of the question from the beginning. He's so well regarded up here that he's one of only a handful of humans who function as a direct assistant to GOD along with the Angels. That's a real rarity. Justice Hugo Black was considered as a possibility and the matter was discussed with him. It was his idea that I be your co-counsel instead

because he felt that this would help you see both sides of the issue better. As for former Justice William O. Douglas, there's wasn't a chance in the world of him either working with you or even speaking to you for that matter."

"Why not?" Brad asked. "Why won't Douglas have anything to do with me? I agree with almost every opinion he's written. He's my hero. So why wouldn't he want to work with me?"

Harlan grinned, "Precisely for the reasons that you just outlined. Douglas is totally confrontational. Everybody knows that. He was that way on Earth both before and after he became a U.S. Supreme Court Justice. You agree with him on most issues. As a result, he doesn't need you. There's nothing that he needs to convince you of. He doesn't have to try to change your mind at all, because you already agree with him. So he can't have the fun of berating your opinions or insulting your position."

"Douglas only likes to interact with those who totally disagree with him and everything he believes in. The more a person dislikes him or disagrees with him, the more Douglas wants to associate with that person. The more a person agrees and likes Douglas, the less Douglas wants to have to do with that person. I have to admit, we've never really had anyone like him up here in Heaven. Everybody including most particularly GOD and the Angels get a real kick out of Douglas. In fact, I recently heard that there's some talk about him giving up law altogether and becoming a stand-up comedian who berates everyone in the audience. I guess we'll just have to see what happens on that one."

Brad frowned and spoke, "So Marshall is a virtual Angel, Douglas won't have anything to do with me because I agree with him and also because he may become a stand-up comedian, and Hugo Black says that I'd be better off working with you. You know, I am really beginning to think that this is one Nutso place. I'm supposed to work side by side with the one former U.S. Supreme Court

Justice who I detest more than anyone else. How can you even assist me on the substantive issues when you don't even agree with the essence of the case?"

Harlan snapped back, "That's where you're wrong, Brad. I do in fact agree with Tammy, John and Tom. You mistakenly assumed that I wouldn't agree with their case because you don't really understand me. For that matter, you also really don't understand Douglas, Black or Marshall or any other judge for that matter. You have a lot of potential Brad, you really do. But the fact of the matter is that you're not nearly as smart as you think you are. So let's begin with me telling you some things about myself that you never knew. Then maybe you'll begin to see that I'm the perfect person to be your co-counsel and that you and I are not quite as far apart on the issues as you have always thought."

"I'll begin with my background, since to properly understand how the opinions of any judge are developed, you need to appreciate the roots of where they came from and what they did in their life prior to becoming a judge. This helps you grasp the driving forces behind their opinions. To state the matter differently, what I'm saying is that to know the judge, you need to know the man."

"Brad, you view me as an ultra-conservative. You see me as the person directly responsible for the process that denied you admission into the Oregon Bar. Did you know though, that my reputation as a judge was one of being a Great Dissenter? That's what they called me. The Great Dissenter."

Brad fired back, "Yeah, but that's because you were on the Warren Court in the 1960s, which was a liberal Court. You never would have been a dissenter in the 1990s or early 21st century."

"You don't know that for a fact." said Harlan. "You're just guessing. The fact is that to be a dissenter takes a great deal of courage whether you are a

liberal dissenting against conservatives or a conservative dissenting against liberals. Either way you are bucking the system. Either way you are going against the status quo. So give me a little credit will you? Dissenting is part of my family heritage. My grandfather, the first John Harlan also served on the U.S. Supreme Court and had a reputation as a dissenter. He was the lone dissenter in Plessy v Ferguson in 1896, where the Court's majority held that separate but equal accommodations for blacks was constitutional. As you may know, 50 years later in Brown v Board of Education my grandfather's position was vindicated when the Court ruled that segregation was unconstitutional."

"You're so certain that I'm an ultra-conservative Brad, aren't you? Now don't get me wrong. I admit that because of my family I grew up in a world of societal privilege. I attended Princeton University and was a Rhodes scholar. I became a U.S. Attorney during the Prohibition era and was named to head the Prohibition division."

Harlan then laughed and said, "I was head of the Prohibition division, but I was pretty skeptical from the start about the legitimacy of Prohibition. My sister Edith once remarked that I thought Prohibition was ridiculous. She said that we were all making gin in our bathtubs and had our own bootleggers. I even gave her a bottle of scotch when she graduated from Vassar, which was against the law of course.³⁹ So, I'm not quite the conservative prude that you think I am Brad."

"In 1928, I got married. At that time, it was virtually unheard of for someone to marry a divorced woman. But I did it. Her name was Ethel Andrews. In 1930, after leaving the U.S. Attorney's office, I assisted in the defense of heavyweight boxer Gene Tunney. A Bronx speakeasy operator was the best possible witness for us and I recall drinking alcohol with him for days before he agreed to testify.⁴⁰ "

"Another case that I was involved in was the representation of British scholar Bertrand Russell in 1940. He had been imprisoned in 1918 for seditious writings. Although he had a reputation as a great philosopher, Russell led an unorthodox personal life that allegedly involved several adulterous relationships. After he was offered a professorship at City College by the Board, a civil suit was instituted against the Board challenging Russell's appointment on moral character grounds. Specifically, the suit addressed his "notorious immoral and salacious writings. The trial court ruled against the Board and against Russell. I represented the Board on behalf of Russell at the appeals court. I asserted that the trial court's conclusion was arbitrary and capricious, but I lost. I have to admit that I was really angry when I lost.⁴¹"

Brad couldn't believe what he was hearing. "Hold on!! You mean that you defended a man who was denied a professorship on moral character grounds because of things he wrote, you lost the case, you got angry about losing the case, and yet years later you gave the rubber stamp of approval to the Bar admissions process. How could you do that? It's the same type of arbitrary and capricious process. How can you possibly justify attacking the arbitrary and capricious nature of moral character assessment in the Russell case, when you wrote the opinions approving of a similar process with respect to Bar admissions?"

Harlan responded, "Don't worry, Brad, we'll get to that. You'll understand shortly. But, first let me tell you a few more things. From 1948-1950, I was Vice-President of the American Bar Association. After President Eisenhower nominated me to the U.S. Supreme Court I attended confirmation hearings where my own moral character was attacked. My fiercest interrogator was Mississippi Senator Thomas Eastland. He opposed my nomination on grounds that included the allegation that the character and nature of my evasive answers

lent weight to the conclusion that I would side with those who would forfeit American sovereignty.⁴² Ultimately, I refused to answer numerous questions of the congressional committee and became the subject of criticism for my refusal.⁴³ So, you see Brad, I know what the process is all about, because I've been through it, and in fact have been victimized myself by the almost identical process of moral character review that is part of the judicial nomination scheme."

"Oh I almost forgot, Brad. There's two more things that I want to tell you about my background. In the mid 1960s, my household cook Leanna Mitchell was being pressed by the Internal Revenue Service for unpaid taxes. I violated judicial ethics by writing a lengthy letter to the IRS on her behalf explaining that she was making monthly payments under a prior agreement with the agency."⁴⁴

Harlan continued, "The other thing I wanted you to know Brad was that in the 1960s, while I was on the U.S. Supreme Court we had a growing docket of pornography cases. At that time, in order to determine whether a movie was obscene the Justices would view the movies. Ah, those were the days!! It was a great breather from all the other cases we had. Each week we gathered in a basement room to watch the adult movies that we were called upon to review. We called it Dirty Movie Day. At one time, I was required to schedule the screenings. In my memo announcing the viewing for the movie "Language of Love", I comically noted that "No tickets are required." And of course, if I missed a screening, I enjoyed probing my embarrassed clerks for a detailed description of the movie. My favorite part though Brad, was when I was watching a porno flick, I would exclaim about every five minutes or so, "By George, extraordinary."⁴⁵ The other Justices definitely got a kick out of that. Ah, I miss those days Brad. Life seemed a lot simpler and more fun in many regards."

Brad's jaw dropped!! He never imagined that he would hear his arch-rival Harlan talk about watching porno flicks at the U.S. Supreme Court, illegally buying alcohol as a U.S. attorney, marrying a divorced woman at a time when no one did it, violating judicial ethics by interceding with the IRS on behalf of a friend, and most importantly overtly refusing to answer questions to the congressional committee that was probing his own nomination to the U.S. Supreme Court on moral character grounds.

If Harlan was telling the truth and Brad knew he was, then he clearly was not the stodgy conservative that Brad had always thought he was. Yet, by the same token, if he wasn't the prude that Brad always thought he was, then why did he write those Bar admission opinions that gave the Court's rubber stamp of approval to a totally unfair process. Brad had a lot of questions now, and for the first time since they met, he was now quite interested in talking further with Harlan.

13

Brad asked, "I just don't understand how you could have the background that you have and yet still have ruled in favor of supporting the unfair nature of the Bar admissions process. I'm obviously missing some fact, some piece of the puzzle. What is it? How do you justify your Bar admission opinions?"

Harlan answered, "Brad, you are missing an important fact. It's been told to you time and again since you arrived here, but you haven't yet fully caught on. It's the piece of the puzzle that your missing. The answer to your question about how I could write the opinions justifying the Bar admissions process considering my own morally questionable background is the functionality of Time. You have to consider the nature of the opinions that I wrote within the context of the time during which they were written. You have to consider my own refusal to answer questions to the congressional committee within the context of the time during which the hearing took place, as well as the circumstances in existence at that time."

He continued, "When I defended Gene Tunney and went drinking alcohol with a potential witness to get him to testify, I was a younger man. More importantly, the United States was immensely more conservative politically than it was when I wrote the Bar admissions opinions. Similarly, when I defended Bertrand Russell in 1940, the nation was immensely more conservative and even on the brink of World War II. But, when I wrote most of the Bar admission opinions during the late 1950s and 1960s, the nation was in the midst of a

massive backlash against McCarthyism in the 1950s and then the Vietnam War in the 1960s."

Brad was starting to catch on a bit. Harlan said, "So you see if you really consider what I was doing within the context of the times, I was fulfilling or perhaps more appropriately stated, starting my role as that of a dissenter. At each instance, I was doing the opposite of whatever the political state of the nation was. During the 1930s, 1940s and early 1950s when the nation was ultra-conservative, I was engaging in what was considered to be questionable moral conduct for the times, and rebelling to a certain extent against the status quo. Yet, during the late 1960s when the nation became way too liberal in my opinion, I was the one who wrote the conservative opinions of the Warren Court."

"Brad, the real key to my view of the Bar admissions process was what I wrote in a particular passage in one case included within the last set of cases in which the Court addressed this difficult issue. You know the passage. When you were on Earth, the Angels got permission to put the thought in your mind to read and consider this passage carefully."

"You saw its' importance. You remember the case Brad. It was the case of In Re Stolar, 401 U.S. 23 (1971). In Stolar, an applicant to the Ohio Bar refused to answer three questions that inquired into the names and addresses of all clubs, societies or organizations that he had been a member of. Justice Black wrote the lead opinion, which ruled in the applicant's favor and I wrote a dissenting opinion."

Harlan went on, "This was largely similar to most of what transpired in the Court's Bar admission cases throughout the late 1950s and 1960s. However, there was one major difference. In Stolar, I opened the door for change to Bar admissions process. I did this because I was starting to see the process was

getting out of hand. The State Bar committees were going a bit too far in their application of my prior judicial opinions. Just like I had supported the State Bar's moral character review process as the nation moved too swiftly towards social liberalism in the 1960s, I saw in Stolar, the seeds being sown by the State Bars for what I believed might ultimately be a very unfair application of the moral character review process. So I included the following passage in my dissenting opinion in Stolar:

". . . I have little doubt but that the candidates involved in *Wadmond* will promptly gain admission to the Bar if they straightforwardly answer the inquiries put to them without further ado. And I should be greatly surprised if he same were not true as to Mrs. Baird and Mr. Stolar in Arizona and Ohio. **But, if I am mistaken, and it should develop that any of these candidates is excluded simply because of unorthodox or unpopular beliefs, it would then be time enough for this Court to intervene.**" ⁴⁶

"Brad, I was trying to send a very clear message and warning to the State Bars that while I was continuing to support their moral character review process, I had concerns that they were starting to infringe on the First Amendment rights of applicants. I was quite clearly indicating to them as their biggest supporter that if they continued down the road they were going, I would pull my support away from them. And without me, as you know, the Bar admissions process would have collapsed."

Harlan frowned stating, "I'm forced to concede in hindsight, I should have gone farther than what I wrote in Stolar. The State Bars did not heed my warning. If I had it to do over again, and if I knew that in the 1980s, 1990s and early 21st century, the State Bar admission committees would ultimately twist and pervert everything that I had written in my opinions supporting the Bar

admissions process, I would have changed my opinions in the three cases handed down in 1971.

"Brad, given the chance to do it all again, I would in fact rule in favor of the applicants in Baird, Stolar and Wadmond in 1971. But in my own defense, you have to understand that is a virtually impossible thing for a U.S. Supreme Court Justice to do. If I had reversed my opinions on the Bar admissions process in the 1971 set of cases, and I was in fact quite tempted to do so, it would have called into question the validity of every other single opinion that I wrote on all different unrelated issues."

"I would have virtually illegitimated my entire tenure as a U.S. Supreme Court Justice. People would start saying that if I had written my Bar admission opinions in the 1960s supporting the State Bar with such certainty and was now reversing myself on that issue, maybe I was also wrong with respect to my opinions on all other matters. I simply couldn't risk jeopardizing the validity of every single opinion I wrote on every other issue, just because the State Bars had taken unfair advantage of the support that I mistakenly gave them in good faith."

"You see Brad, I had been such a staunch supporter of the Bar admissions process during a time period in the nation's history when I still believe the admissions process needed support. Considering all the turmoil that was taking place in the United States during the 1960s, it would not have been a good time to change the process in which people became attorneys."

He continued, "Times have changed though. The State Bar admission committees irrefutably took unfair advantage of the support that I gave them. In addition, the country through the Reagan and Bush years became immensely more conservative. The opinions of the Warren Court, many of which I concede that I opposed, have been virtually nullified in their entirety. It's almost as if the

Warren Court never existed. If I were on the U.S. Supreme Court during the 1990s and early 21st century, due to the fact that the country became immensely more conservative, I would probably write opinions that were significantly more liberal in nature. Because that is what the country needs now. Just as it needed my conservative opinions in the 1960s, it now needs socially liberal opinions to help swing the pendulum back the other way."

Brad nodded in agreement and questioned, "If I understand you correctly, you're saying that if you were to write an opinion on the State Bar admissions process today, you would hold that it is unconstitutional." Harlan replied, "That is correct, but by the same token you need to understand that the reason I would do so is because of the element of Time that we have been discussing. The Time is now right in the United States for the process to change. I can't emphasize enough that I adhere to my position that my opinions in the late 1950s and 1960s, although concededly not my opinions in the 1971 set of cases, were correct."

Brad then questioned, "But that means you would support the process in the 1960s, but condemn the process in the 1990s and 21st century. Harlan replied, "That is precisely correct. It is also my position that by adopting two such openly contradictory positions, I would still be correct in both instances, specifically because each opinion would be tailored to the times, facts and circumstances in existence for the applicable period."

"Well, Justice Harlan, I gotta tell you, what you're saying really doesn't make a whole lot of sense to me. It's my position that the moral character review process of State Bars on Earth is wrong. Period. That's all there is to it. I understand what you're saying about how time, facts and circumstances can influence an opinion, but by the same token it's my position that things are either right or their wrong. And I think the Bar admissions process is totally wrong.

Nevertheless, since it seems that at least for the time being your position is that the Bar admissions moral character review process is unconstitutional, perhaps there is a possibility we can get along. I'll try working with you. So, let's get's back to the case at hand. What do you think of Tom, John and Tammy's case?"

"Brad, once again due to the functionality of Time as it exists even in Heaven, I believe Tom, John and Tammy are correct. The admissions process for Heaven is ready for a change. More people should be able to get in and be given the chance to succeed up here. Let me give you some initial thoughts on how we should handle this case, recognizing of course that all of the key decisions will be made by you since you are the lead counsel they have selected."

Both of them then began developing a strategy of how to proceed with the case in Heaven. Harlan turned to the issue of parallelism between certain facets of Heaven and Earth. "Brad, as you know there are certain parts of Heaven including in the application of Justice that to a certain extent parallel what transpires on Earth."

"The three Angels we are representing are challenging the power of GOD to look into a person's inner thoughts and heart for purposes of ascertaining whether that individual should be granted admission into Heaven. It occurs to me Brad, that the position of the three Angels is somewhat similar to the position that the U.S. Supreme Court adopted in Stanley v Georgia, 394 U.S. 557 (1969). In that case, a person was criminally charged by the State of Georgia with possessing obscene pornography. The U.S. Supreme Court ruled that the State could not prohibit the mere possession of obscene material. Georgia argued that as a State it had the right to protect an individual's mind from the effects of obscenity. The Court rejected that argument stating:

"Whatever the power of the state to control public dissemination of ideas inimical to the public morality, it cannot constitutionally premise legislation on the desirability of controlling a person's private thoughts." ⁴⁷

Brad jumped in, "You know, that's not the first time that various Justices of the U.S. Supreme Court opined that a person's private thoughts are protected. I remember reading the case of American Communication Assn. v Douds, 339 U.S. 382 (1950) where Justice Jackson wrote:

"Our constitution explicitly precludes punishment of the malignant mental state alone as treason. It requires a duly witness overt act of aid and comfort to the enemy. It is true that in England of olden times, men were tried for treason for mental indiscretions such as imagining the death of the king. But our Constitution was intended to end such prosecutions. Only in the darkest periods of human history has a western government concerned itself with mere belief, however eccentric or mischievous, when it has not matured into overt action, and if that practice survives anywhere it is in the communist countries. If power to forbid acts forbids power to forbid contemplating them, then the power of government over beliefs is as unlimited as its power over conduct and the way is open to disclosure of attitudes on all manner of social, economic, moral and political issues." ⁴⁸

Brad continued, "You know, in the same case, Justice Frankfurter wrote a separate Concurring opinion that stated:

". . . probing into men's thoughts trenches on those aspects of individual freedom which are the most cherished aspects of western civilization." ⁴⁹

Brad and Harlan were in agreement that the U.S. Supreme Court seemed to conclusively hold that government cannot probe into a person's thoughts. They also agreed that in certain aspects, but not all matters, Heaven paralleled

Earth. However, they weren't exactly sure how to tie the two together. The notion that it was somehow morally wrong to probe into a person's thoughts if applied to GOD, would in essence be equivalent to adopting the position that GOD was not Perfect, because it necessarily inferred that he never should have been probing into people's thoughts in the first place. But if they tied the premise to the functionality of changing times, facts and circumstances they might be able to successfully apply principles of the First Amendment without questioning the Perfection of GOD. It would undoubtedly be a somewhat difficult balancing act, but by no means impossible.

A perhaps easier alternative route was to simply use the premise that Tom, John and Tammy had suggested. Point out that it was unfair for people to have their thoughts probed for purposes of being admitted into Heaven even though people after being admitted to Heaven did not have their thoughts probed on a regular and periodic basis. This was of course more similar to the strategy Brad had adopted in his own moral character State Bar case on Earth. It mandated application of principles of the Equal Protection Clause of the U.S. Constitution to the distinctions being made between two classes of people. The two classes were those people already admitted into Heaven and those people still in the process of seeking admission into Heaven.

Brad and Harlan briefly entertained the possibility of also addressing class distinctions between Angels and humans in Heaven, but ultimately decided against such. They rejected the idea because they concluded that Equal Protection Clause principles would not apply to Angels and humans. The basic reason was that it was well-accepted case law on Earth that the Equal Protection Clause did not apply to class distinctions between people who were not similarly situated. Thus the principles were not applicable to Angels and humans due to

the fact that since they were two totally different types of beings, they were not similarly situated.

Finally, after lengthy discussion, Brad and Harlan decided that they would use both the Equal Protection Clause and First Amendment strategies in Heaven's Court, but only as applied to humans. They also decided that it would be necessary to question the nature of GOD's Perfection, but they would address that issue very delicately and gingerly.

Next they discussed the matter of how to address the proposed reduction in the burden of proof that needed to be sustained by a person seeking admission into Heaven. Currently, that burden required proof beyond a reasonable doubt. The term "doubt" was construed as being any "doubt" that GOD might have, as opposed to its' definition on Earth which was any "doubt" that a reasonable person might have. The effect was that since most Angels and humans in Heaven believed that GOD never has any doubt with respect to the decisions he makes, then proof beyond a reasonable doubt meant that there was a 100% certainty admission was warranted. Brad and Harlan wanted to reduce the burden of proof percentage that needed to be sustained to either a "preponderance of evidence" standard, which meant there was at least a 51% chance that admission was warranted, or alternatively to a standard of "clear and convincing evidence" which meant roughly there was about a 75% to 80% chance that admission was warranted.

They discussed the matter for hours and had difficulty arriving at a resolution. Harlan drank about 10 shots of gin, and Brad had about 12 shots of scotch. Since this was Heaven, neither one of them got particularly drunk and both maintained all of their mental faculties. Finally, they realized there was no alternative in arguing this issue other than to concentrate on the questionability of GOD's Perfection.

The only way they figured that they could justify reducing the burden of proof percentage to be met by a person seeking admission into Heaven, was to argue that under the current standard many people were being denied admission, even though there was more than a 51% probability admission was warranted. That meant inescapably that people were being wrongfully denied admission. Consequently, GOD's decisions under the current standard were not Perfect.

They also came to realize as they talked about the case and drank more and more alcohol, that the litigation was focusing increasingly on whether GOD was Perfect. If they were going to argue that GOD was imperfect, they both agreed that they needed to get the approval of their clients, Tom, John and Tammy. So they called a meeting.

14

They all got together at a place that Tammy said was really nice. John and Tom knew of the place, but neither Brad or Harlan had ever heard of it. As a result, when they got there Brad and Harlan were surprised to say the least. It was a Strip Joint called Heaven's Oasis. When Brad and Harlan walked in they saw all of these gorgeous women dancing topless. Then they saw John and Tom sitting at a table and so they joined them. They asked where Tammy was and Tom said she was on stage next. John then told them they were going to absolutely love her dance.

Once again Brad's jaw dropped. He didn't know what to say or think. He had come here figuring that he was going to have a high level legal strategy meeting and instead found that he was waiting with eager anticipation to see the female Angel that he had fallen in love with doing a striptease dance. He turned to Harlan figuring that Harlan would be equally ill at ease. Instead, he saw that the former U.S. Supreme Court Justice was already making time with two Strippers. He had paid them each \$50 for a three minute table dance, even though nobody really needed money in Heaven. One was a blonde and one was a brunette. In Heaven, there were no local laws regulating conduct in a Strip Bar. So the blonde had her pussy pushed up to Harlan's face and the brunette had each of John Harlan's hands cupped on each one of her breasts. Brad thought to himself, "so much for John Harlan being an ultra-conservative prude."

Then the DJ announced to the crowd that they had a special attraction tonight. A former Miss Angelmate, and one of GOD's favorite Angels, along with one of everyone else's favorite Angels, named Tammy was going to perform next. Brad was excited. For the first time in his life he was madly in love. He couldn't believe how everything in his life had changed in such a short time.

Just awhile back he was on Earth, a regular guy, mad at an administrative agency run by Oregon Nitwits that had denied him a law license. Now he was in Heaven, working side by side with former U.S. Supreme Court Justice John Harlan, a man who he thought that he had hated but whom he had really grown to like, waiting at a table with two Angels in a Strip Bar who were his clients, to see the love of his life a third Angel do a Strip-Tease dance in front of him. And then, after the dance was over he would talk to them all about how to litigate the most important case in the history of humanity, which he was personally in charge of. For the first time in a long while, Brad thought to himself that life was good. And "life" is precisely what it was in Heaven.

The music started playing. Brad didn't recognize the song at all. And it didn't matter. What did matter was the outfit that Tammy was wearing. She was of course dressed like an Angel. Previously, although Brad knew she was an Angel, she had worn skimpy human clothes. Now however, she had the whole Angel outfit on. Big white wings and well, actually nothing else. The big white wings constituted the whole Angel outfit. That was all she had on. Absolutely nothing else. A gorgeous naked Angel, both topless and bottomless other than those two huge white wings.

Initially, Tammy danced for everyone at the bar, other than Harlan of course, who was too busy getting table dances from his own two Strippers. Then she came over to Brad's table. Tom and John first tried to get her attention

figuring that she'd dance for them because they had known her for a long time. But, she ignored them. She came down from the stage and with music playing went directly to Brad's chair where she proceeded to give him a personalized dance. She sat on his lap, which was one of the most incredible feelings he ever had in his life. Then she allowed him to put his nose in between her two absolutely perfect breasts, while she squeezed the two Tits directly into his face. Brad thought to himself that he must be in Heaven, and then realized that was precisely where he was as a matter of fact.

This went on for about 15 minutes, when Tammy whispered into Brad's ear, "You know, I'm still thinking about dating you, but first I understand that you wanted us all here to talk about our case." Brad was dumbfounded and simply mumbled, "Uuuhhhh." Tammy replied, "Well, I certainly hope you do better in Court for us than that." Brad simply replied, "Uuuhhhh." Then Tammy said, "I'm going backstage to change. When I come back here to talk to you about the case you better have your Shit together or your history." Then she smiled at him and left.

Brad knew she was right. He had to get focused again. He called over, "Harlan, it's time to get to work." But Harlan was still enjoying the two Strippers and by the looks of how they were all over him, they were definitely enjoying him also. "Harlan, I said it's time to get to work." Harlan begrudgingly came over and said, "You know Brad, sometimes I don't think you have your priorities straight. Okay, I'm here. We can start."

Tammy came back, sat down and asked, "what's up?" Harlan replied, "Brad has something to tell you. You're absolutely going to love this." Brad then began. "We need your permission on a very big issue in this case. Overall, we're going to proceed in a manner very similar to how we discussed previously. But, there is an important matter you need to be aware of. We want to present to

the Court the direct, express proposition and suggestion that GOD is not Perfect, but rather instead may be imperfect and makes errors." Tammy, Tom and John immediately became noticeably uneasy. They hadn't been expecting this.

Brad continued, "You see the fact is that while you all use a certain degree of word play, semantics and logical reasoning to support the premise that GOD is all Perfect, the irrefutable fact is that you want to change the way he does things and you want to change the scope of his power. I understand your reliance on the functionality of Time to justify the change, rather than to simply assert that the way GOD was doing things in the past was just wrong. And we will present the functionality of Time argument. I'm not saying that we want to adopt the position that GOD is definitely imperfect. Rather instead, I think it is important in order for us to be credible to expressly present the definite possibility that GOD may be imperfect."

Brad was on a roll now, "There's a lot we have to go on to support this premise. We can use certain parts of the Bible that arguably demonstrate GOD has made mistakes throughout time. In addition, by relying largely on the existent parallelism between Heaven and certain aspects of Earth, we can use First Amendment principles as delineated by the U.S. Supreme Court for the premise that a person's inner thoughts are personal and should not be probed. This relies on the premise that regardless as to whether a justifiable end is achieved by probing a person's thoughts, it is morally wrong to do so in and of itself. Once again, that supports the possibility that GOD is imperfect, because it raises the prospect that he has been doing something that is morally wrong, even if in doing so he achieves a moralistic goal."

Then Brad concluded his presentation to three very clearly uneasy Angels by saying, "Lastly, on the burden of proof issue, the notion that GOD is imperfect is supported simply by using the process of logical reasoning. As we

all discussed, and in fact as you argued to me, if there is a 51% probability that admission into Heaven is justified for a person; then to send that person back to Earth solely on the ground that there is not a 100% certainty is by application of logic an imperfect decision. So, what do you say, Tammy?"

Tammy remained silent. Instead, Tom jumped in. "Brad, I speak for all three of us when I say that we are uneasy with this approach to the case. I'm not saying we won't agree to it, but it's not how we envisioned doing it. You see, although we are definitely challenging an existent power of GOD, and although everything that you just said does make some sense, the simple fact is that in our own hearts we do truly believe that GOD is Perfect. With respect to some things, the process of argument no matter how good cannot be a substitute for the emotion and feelings of a person or an Angel."

Tom continued, "I admit that I can't necessarily justify this to you. But, the problem is that we can't just assert that GOD is imperfect in order to win our case, even if we were to be successful in doing so, because the bottom line is that isn't what we believe. We believe in our hearts and know with an absolute certainty that GOD is in fact Perfect. We also don't believe that by asking him to change the nature of how people are admitted into Heaven supports the premise that he is imperfect or has been doing things wrong in the past. We just think it shows that in light of the current time, facts and circumstances, his continued Perfection mandates this change."

Harlan now spoke. "You know Tom, I've worked closely with you, John and Tammy in the past. I have an immense amount of respect for the three of you. I respect your guts, courage and sincerity to launch this challenge in the first place. Now, I've gone over all of this with Brad and I agree with him. It's the only way we have a chance to win the case. But, I don't think that it requires you to compromise your principles or beliefs as you have just outlined."

Harlan continued, "You said that you can't agree to allow us to assert to the Court that GOD is imperfect because it is not what you believe. We're not asking you to do that. What we're asking you is to allow us to directly and expressly assert to the Court that there is substantial evidence supporting the possibility that GOD is imperfect. You can see the difference can't you? If we just make an argument to the Court that there is evidence supporting the possibility that GOD is imperfect, you can still maintain your steadfast belief that he is Perfect. To put the matter another way, think of it like this. GOD can be irrefutably Perfect in the face of evidence supporting the possibility that he is imperfect."

Now, Tammy smiled. "You know, I actually kind of like that. It's true. It's a bit tricky, but there's nothing really wrong with that in litigation. And it allows us to maintain our steadfast belief that GOD is all Perfect. Let me say it again myself. GOD can be irrefutably Perfect in the face of evidence supporting the possibility that he is imperfect. Sounds good! I like it. I'm on board. John and Tom, is this okay with you?" They both nodded in agreement. Tammy then spoke to Brad, "You know, Brad you're not bad. This may work out pretty good. Go ahead with presenting the case as you have just outlined. You've got our approval."

Tammy got up and said she had to leave to attend a meeting of elder Angels. Brad looked at her somewhat disappointingly. He had kind of hoped that she would stick around after their meeting to talk. Tom and John said they also had to leave because they had a tee-off time for golf. So Brad and Harlan were left in the Strip Joint together. Brad asked Harlan, "Well, I guess we might as well go to." Harlan replied, "I'll tell you what Brad, you go ahead without me. I'll meet you for dinner later on tonight. I'm gonna stick around here for

awhile longer." Harlan then turned his attention back to the two Strippers that he had been having fun with before. So Brad left by himself.

15

For the first time since he had been in Heaven, Brad was now alone and had some time to himself. He had been so busy with the case since he got here, that he really hadn't done much to try out his new powers. So he figured now was a good time. First, he imagined himself on a beautiful beach and he was immediately there. Then, he tried Las Vegas and he was immediately there. He imagined Europe, other planets, skydiving, boating, hotels, resorts, restaurants and as he thought of each place or each activity, he found that was where he immediately went. It didn't take too long for him to get bored. Then he came up with a more interesting idea of how to use his new powers."

He imagined he was in a room watching the life he had led on Earth and that each part of the film focused only on the mistakes he had made in his life. Brad was in essence trying to judge himself. He viewed things he had done during his life on Earth as a child, the drinking as a teenager, high school, law school and every significant time period of his life on Earth focusing on each error that he made. Being in Heaven, he had forgotten a lot about what his life on Earth had been like.

As he watched his life transpire before his eyes he became filled with regret. He viewed how at various times in his life he had been insensitive, arrogant, nasty, prideful, reckless and a wide host of other bleak moral character traits. He realized that he hadn't led such an exemplary life and began to reflect

on all the errors, and mistakes in judgment that he had made. He thought about how if he was on Earth again, he would do many things differently.

"It's no fun to look back, kid." Brad turned and Harlan was standing there. "No, it's not," Brad said. Harlan looked at him understandingly and said, "You know, we all go through it when we come up here. We look back on our life on Earth and we all have regrets. Remember, how I told you that I would write different opinions if given the chance in the three Bar admission cases that came to the U.S. Supreme Court in 1971? Well, you know that's only part of it. The fact is that since I've been up here, I've thought back on a lot of opinions that I wrote, as well as many things that I did when I was a U.S. attorney. I lived a lot longer life on Earth than you did, Brad. And what that means, is that I have a lot more regrets than you do."

Harlan continued, "There's not a single former U.S. Supreme Court Justice up here, or a former judge of any Court for that matter who doesn't look back on opinions they wrote or decisions they made and wish they had a chance to change some of them. Hopefully, most of us wouldn't want to change the majority of the opinions we wrote. I know that overall I'm satisfied with most of the opinions that I wrote. But, there are a lot of them that I would change. It's the same way for all the former judges. But you know what Brad, I can't change them. They seemed right at the time and now I'm up here, so it's left for someone else on Earth to write new opinions there. The same holds true for you Brad. You can't change the life you led on Earth now. That's one power GOD has not given you. You lived your life the way you lived it, so don't look back and try to change it, because it's just not going to happen."

"Brad, you need to move forward with your existence. Stop looking back. Besides, we've got some things to talk about." Brad replied, "What do you mean? We've got our whole strategy laid out." Harlan said, "That's true, but I

need to talk to you now about some basic procedural and administrative matters regarding how the case will proceed."

Brad asked, "I have been wondering about that a bit. We got so tied up in addressing the substantive issues of the case, I never really got to find out exactly how I'm supposed to present the case. I don't know if you know this Harlan, but on Earth I never appeared in Court to argue any legal issue before a judge. The only time I ever was in Court was when I was a criminal defendant in the drunk driving cases. So tell me, how does it all work up here?"

"Well Brad, our case is set to be heard in seven days. Things happen pretty quickly up here. The Court in Heaven doesn't drag its' feet like the judges on Earth. There is no such thing as a postponement for any reason. Over the next seven days, we'll need to get all of our research together, file any pre-trial motions that are necessary and then on the day of the hearing you'll present our case to the Court. Incidentally, Brad, on that day you will be in Court without Tammy, John, Tom or myself to accompany you."

Brad was surprised and rather displeased to hear that. "What do you mean? You're my co-counsel. You should be in Court with me. And we're representing Tammy, John and Tom, so they should be with us also." Harlan sensed Brad's disappointment and replied, "Brad, up here co-counsel is allowed to assist with all pre-trial matters, legal research, discussing the issues with all necessary people and parties. But only lead counsel is actually allowed in the Courtroom on the day of trial. That is because the Courtroom in Heaven is a sacred place. As such, GOD only allows those who play the most important roles with respect to the case to be present. He doesn't allow people or Angels or co-counsel to attend because if they were present they would just be spectators through most of the proceedings."

"But don't worry," Harlan continued. "I'll be right outside the courtroom in the waiting room while the whole thing is going on. If for any reason, you have any question that you want to ask me or if you are uncertain about how to proceed, you can ask to leave the Courtroom briefly to speak with me and you will be allowed to do so. Such a request by any lead counsel in any case has never been denied."

Brad asked, "As I understand the situation, the proceedings and rulings for the most part will be controlled by three senior Angels who function as judges. But they don't make the decision do they? GOD himself makes the decision in the case, is that right?" Harlan said that was correct. Brad then asked, "Doesn't this create a bit of a moral dilemma in and of itself. I mean the concept of someone judging themselves is more than a bit unusual. It normally would tend to create the impression that the proceedings are unfair and biased. I mean on Earth it's well known that a judge can't hear his own case. So how can GOD judge himself?"

Harlan glared back at Brad sharply and said, "Brad, I'm only going to say this once. Don't Go There!! Our job is to present the case that Tammy, Tom and John have given to us as our client. We are not here to question any other aspects of Heaven or the way things function. Don't forget, you're not litigating for yourself, you're litigating for Tammy, John and Tom on behalf of millions of people from Earth who are trying to get into Heaven."

He continued, "I'll also point out to you that even on Earth, while judges typically don't rule in cases that will affect them or their position personally, it does occur on occasion. There is a judicial principle on Earth you may have heard of, called the Rule of Necessity. It stands for the premise that since each adjudication must be decided, there are certain peculiar sets of circumstances where judges do in fact decide cases that affect their own position or power. I'll

give you an example. If someone challenges the constitutionality of a U.S. Supreme Court rule, or the jurisdiction of the U.S. Supreme Court, it is the Justices of the U.S. Supreme Court that decide the matter even though they are irrefutably affected by the decision they make."

"Up here, Brad, there is no one who can decide the scope and nature of GOD's power other than GOD himself. So it is logically inescapable that he is the one who must decide the case."

Brad nodded, "Okay, I can tell this is something I simply have to accept so I will do so. But let me ask you another question. How will GOD let us know his decision? I mean, will he write an opinion like judges do on Earth?" Harlan replied, "No, Brad, that's not how it works here. This is a situation where things are quite different from how they work on Earth. GOD will render a conclusive decision on each one of the issues presented. Specifically, he will decide and render a ruling as to whether he will continue to probe a person's inner thoughts, mind and heart for purposes of determining whether they are to be admitted into Heaven. He will also decide and render a ruling as to what burden of proof standard needs to be met by a person seeking admission into Heaven. He will let us know whether the burden of proof standard that needs to be met is proof beyond a reasonable doubt, clear and convincing evidence, or preponderance of the evidence."

Harlan continued, "There will be no ambiguity or uncertainty in GOD's decisions. Unlike the Courts of Earth, GOD does not dodge the issues or chicken out from making tough decisions as I am forced to concede the judges on Earth, including myself incidentally, have done on numerous occasions. By the same token however, GOD will not provide any opinion or any justification of any nature for the decisions he makes. We will not have the slightest idea why he decided the issues in the manner that he did.

Every Angel and human in Heaven trusts GOD totally, and trusts that he will render a totally fair and impartial decision. As a result, there is no need for him to justify himself to us. We will get his clear and unambiguous decision on the issues and that's it. We won't know whether he based his decision on one particular facet of our presentation or the presentation of opposing counsel, or concentrated on certain pieces of evidence more than others. All we get to know is how the admission process for people to get into Heaven will proceed from here on out with respect to the issues that form the basis for the case.

Brad interrupted and exclaimed, "Opposing Counsel!! You mentioned opposing counsel. Shouldn't I meet who I'm going to be up against. I forgot all about that. Who is the opposing counsel in this case?"

Suddenly Brad heard a voice that he had never heard before say, "That would be me. How are you anyway, Harlan? Still sticking your face into Stripper's Titties?" Harlan grinned, "Always. Nice to see you too." The man then said, "Brad, "I've been wanting to meet the competition in this case for awhile, but I knew you had to get your Shit together first so I figured that I'd give you some time. I'm the guy you're going to be going up against. My name is Hugo Black."

16

Brad muttered, "Oh Shit, this can't really be happening! I can't go up against you. I agree with everything you wrote as a U.S. Supreme Court Justice. We should be on the same side of this case. You know that. Now that I think of it, they did ask you to be my co-counsel on this case, didn't they? I remember being told that. You're the one that said I'd do better with Harlan. And now you turn out to be lead counsel on the other side? What kind of Bullshit is this?"

Hugo didn't like being talked to like that. He fired back, "I'll tell you what kind of Bullshit it is Brad, it's the kind of Bullshit that you don't have any choice but to accept. Contrary to what you may think or believe, you're not in charge of everybody and we don't all just dance to your tune. Now, if you'll sit your snotty Ass down, I'll explain things to you a little more."

Brad was pissed. He wasn't going to cowtow to anyone, not especially opposing counsel, even if it was Hugo Black. Brad raised his voice saying, "Nobody tells me when to sit my Ass down. I'll sit down whenever I feel like it. So, if you've got something to say, just say it. You may be former U.S. Supreme Court Justice Hugo Black and I may have loved everything you wrote as a Justice on Earth, but right now you seem to me to be a real Jackass. You wrote almost every lead opinion condemning the moral character review process for

Bar admissions on Earth, and now you're going to support the same type of admissions process in Heaven. How do you justify that?"

Hugo looked at Harlan and said, "You know I kind of like this guy. They seem to have made a pretty good choice with him. I almost wish that I had agreed to work with him instead of against him. Okay, Brad, let's get down to business, here's the scoop. The reason I'm on the other side is solely because I'm the best damn attorney up here. Good attorneys can argue either side of a case. Just like you're representing your client, I'm representing my client. Since your clients are challenging the power of GOD, that means my client is GOD himself. And GOD wants the best. And that, my little foul-mouthed, reckless Punk, is not you. It's me. You've got a lot of potential Brad, but you don't have my experience or my knowledge. So to state the matter simply and succinctly, you are in fact going to lose."

Hugo continued, "But, before I knock you on your Ass in Court, I want to teach you a few things that may be of use to you in the future. I know you agree with all the opinions that I wrote in the Bar admission cases and also know that you agree with most of my opinions on the Warren Court that enhanced the civil rights of minorities throughout the U.S. It is well known that I probably did more to help the plight of minorities and the impoverished than any other Justice, except perhaps for U.S. Supreme Court Justices William O. Douglas and Thurgood Marshall. But let me ask you this now Punk, do you have even the slightest idea as to how I came to feel so strongly about these issues? Harlan told you about his past, which you found to be somewhat surprising. Now, let me tell you a little about my past and I think you'll be equally surprised."

He continued, "I was a high school dropout at age sixteen. In 1903, I took a statewide test to become a teacher, but failed it. In 1904, with what could fairly be characterized as a scattered academic record, I entered the University of

Alabama Law School. The school's admission requirements mandated that applicants be either a college graduate or alternatively pass an examination in English and History. I did neither, but was nevertheless admitted to the law school in violation of the school's own regulations."⁵⁰

Hugo was on a roll now. "In 1911, I became a trial court judge in Birmingham, Alabama. In 1921, at age 32, I married a woman who was thirteen years younger than me. She was 19. I then went back into the private practice of law. People described me as nearly unbeatable as a trial court attorney. They say I had a way with juries, that I bluffed and gambled, and would sometimes make jurors think that there was important information on a blank piece of paper that I would wave in front of them. The courtroom was my turf. I deliberately skirted the limits, provoking foes and infuriating judges who often threatened to charge me with contempt, but never did. You know Brad, it's always been my belief that if an attorney isn't threatened by the judge at least once during a case, he's not doing his job."⁵¹

"But Brad, here's the real incredible stuff now. You probably won't even believe what I'm about to tell you. Almost everyone is shocked when they find it out about me. The fact is Brad, that although I was one of the biggest supporters of civil rights for minorities when I was a Justice on the U.S. Supreme Court, it is an irrefutable fact that I was once a bona fide member of the Ku Klux Klan. Yes, that right, Brad, you're hero Hugo Black was a KKK member in 1923. I was active in the organization, marched in parades and dressed in full costume including hood and mask. I did ultimately resign from the organization though, and was subsequently viewed by the KKK as being a traitor."⁵²

"Brad, here's some other stuff for you. Remember how Harlan, the Justice who fervently supported the Bar's moral character review process told

you that when he was younger he attacked the similar moral character review process of City College in his capacity as an attorney when defending Bertrand Russell? Well, try this one on for size about me."

"I was the biggest critic of the moral character review process of the State Bars when I was a U.S. Supreme Court Justice, but when I was a U.S. Senator in the early 1930s I was totally ruthless in my own investigative tactics while leading a congressional committee that was investigating lobbying. At that time, comments were made about me that I had virtually set up a grand inquest on Capitol Hill, engaged in unconstitutional searches and seizures and unjustly intruded on the privacy of citizens."⁵³

"So you see Brad, although I wrote all those opinions you love that condemn the moral character review process of the State Bars, the fact is that I once personally engaged in the exact same type of tactics they use. I regrettably supported my use of such tactics by saying that the power of the probe is one of the most powerful weapons in the hands of people to refrain the activities of powerful groups who can defy every other power."⁵⁴

Brad was totally dumbstruck, but he was getting used to having the feeling since he entered Heaven. It seemed everything that he believed in was constantly being turned upside down. He had entered Heaven hating Harlan and loving Hugo. That was because he loved Hugo's opinions regarding civil rights and the State Bar admissions process on Earth and hated the opinions of Harlan regarding State Bars. Yet now, in Heaven he finds out that Harlan when he was younger had condemned a similar moral character review process and Hugo had personally engaged in the same type of despicable tactics used by the State Bars. They were the key Justices on the U.S. Supreme Court with respect to the Bar admission cases. Yet once they got on the U.S. Supreme Court, they both had done a total reversal from how they viewed the issue in their younger years.

Brad really didn't know what to think. Being in Heaven was causing him to question virtually every set of belief systems he had previously felt so sure of.

Hugo then spoke. "Well Brad, I assume now that you know about my background, coupled with the information Harlan gave you about his background previously, you're not quite so sure or certain of yourself or anything else for that matter right now. I do believe that I have sufficiently unnerved you and caused you to question your own beliefs and abilities. That of course, may jeopardize your ability to competently present your case in Court and therefore increases the probability that I will win. I guess you could say that you've just become one more victim of my tactics of gamesmanship. Like I said, I'm the best trial court attorney up here! See you later, kid!"

Brad quickly yelled out, "Hold it right there, Hugo! Not so fast. I've got one question for you before you go. You say you're the best attorney up here and perhaps that's the case. And you seem pretty sure that you've shaken my self-confidence in the hope that it will adversely affect my ability to present my case. One problem though. You still haven't provided any justification for the fact that you are defending an admissions process in Heaven that has similarities to the admissions process of the State Bar on Earth, which you so strongly condemned in your opinions as a U.S. Supreme Court Justice. If you're so certain about yourself, tell me how do you justify that? What do you have to say about that, Kid?!!"

Now Hugo was a little shook and definitely somewhat dumbstruck. He hadn't figured that Brad would be able to come back so strongly. He said, "Brad, I can see that I'm not going to be able to get the best of you by bullying you, so I'm going to stop trying right now. I'm going to just straightforwardly answer your question. My opinions on the Bar admissions process on Earth are the most important opinions that I wrote on the Court. If the admissions process

for the State Bars were properly reformed as I assert it should be, it would have an overwhelming positive impact on the administration of justice throughout the entire United States. I believe that sincerely and within my heart. GOD knows that I feel that way."

"But you know what Brad? Heaven's not a State Bar. And GOD is not a State Bar admissions committee Board member. I admit there are some similarities between the current admissions process for State Bars on Earth and the admissions process for Heaven, but that's all they are. They are just similarities. They are not by any means two identical processes. You simply can not equate the decision-making power of GOD which is irrefutably intended for the well-being of all those in the Universe with the decision-making power of State Bars, which is not intended at all for the well-being of society. Quite to the contrary, the State Bars apply their decision-making authority for the benefit of perpetuating an economic monopoly that has historically taken advantage of impoverished people and minorities."

Hugo concluded, "That's the difference Brad. That's why I don't feel I am being at all contradictory by continuing to support the opinions pertaining to State Bar admissions that I wrote as a U.S. Supreme Court Justice, while I am simultaneously defending the unlimited power of GOD to probe a person's inner thoughts for purposes of determining whether that person should be admitted into Heaven. GOD is not a State Bar. GOD is GOD. Unlike the State Bars, GOD can be trusted. Goodbye Brad, I'll look forward to seeing you in Court. Overall, you strike me as a fine, young man and I think you're going to prove to be a very worthy adversary. I'm glad we got to meet."

Brad simply replied nicely, "Goodbye Justice Black. It was nice meeting you too. I'll see you in Court."

Harlan came over because he saw Brad's troubled look. He wanted to help build Brad's confidence and was worried that Hugo had just demolished it. Harlan knew that Brad felt he was in over his head going up against Hugo. Hugo's reputation was legendary. Harlan knew that Hugo was sometimes too stern and definitely too cocky. By the same token however, Harlan knew that in the long run although he and Hugo definitely had different backgrounds, the fact was that Hugo's opinions on the State Bar admissions process had been correct. And notwithstanding his brusque nature, deep down Hugo was a very compassionate man who had done a lot to help many people in need.

Harlan asked, "Brad, is there anything I can do for you?" He was shocked by Brad's response. "Yes, Harlan, there definitely is something you can do for me. You need to show me how to draft a pre-trial motion for Heaven's Court. Because after speaking with Hugo, I just realized something. To win this case, we need to get our hands on those statistics that quantify how many lives people have led on Earth before being admitted into Heaven, and which up until now have been classified information. We're going to file a motion requesting access to those statistics.

17

Harlan had never considered that possibility. He immediately knew that he should have and that Brad was ahead of him. Brad didn't even need to explain his reason for wanting the statistics to Harlan. Harlan knew their value.

If the statistics demonstrated that an inordinately large number of people, in comparison with the total number of people in existence, were being sent back to Earth to lead additional lives an inordinately large number of times, this would lend support to the premise that the current admissions system jeopardized the prospect of all people on Earth eventually being admitted into Heaven. Of course, by requesting the statistics they also ran a risk. If the statistics showed that most people ended up being admitted into Heaven after leading only a few lives on Earth, this would suggest that the current admissions system was functioning adequately with respect to ensuring attainment of the overall goal of everyone's eventual admission into Heaven.

It was also quite possible that their request for the statistics would be denied. The statistics had never been shown to any human before and most Angels didn't even have access to them. Brad didn't want the motion requesting access to the statistics to assert that the statistics were imperative to his case because he felt he could still win the case without them. By the same token though, he did want the Court to understand their importance because Brad did believe they would be quite helpful if they showed what he thought they would. Harlan helped him draft the motion. To impress the Court about the importance

of the statistics, while at the same time maintaining the stance that they could win the case without the statistics in case the motion was denied, they wrote that:

"while the impact of these statistics will be neither conclusive of the suitability of Heaven's current admissions review process nor of its' asserted unsuitability to current times, facts and circumstances, a presentation of their application to the issues will allow GOD to be provided with the most complete and relevant evidence as is pertinent to the issues at hand"

"Well, now that it's prepared, what do we do with it?" asked Brad. Harlan told him that he would have one of the Strippers that he had met the other night bring the Motion to the Courthouse for filing the next day. Brad asked if that was really a good idea, to have a Stripper bring the Motion to Heaven's Courthouse for filing. Harlan responded, "Are you kidding? She's no ordinary Stripper. On Earth, many years ago, she served as a Justice on the Florida State Supreme Court. When she got up here, they asked her if she wanted to be one of the attorneys in Heaven like me. She was all set to start practicing law up here when she met Tammy. Tammy convinced her that she shouldn't degrade herself anymore by continuing to be involved in the legal profession since she had already degraded herself for so many years on Earth by being a Florida State Supreme Court Justice. Tammy told her she should think about doing something more honorable and which she could actually be proud of. So she did and became a Stripper. She's also one of the most well-regarded Strippers at Heaven's Courthouse. Typically, she dances at the judge's holiday party each New Year. Believe me, she's the perfect person to deliver this Motion."

The Motion was delivered to the Courthouse the next morning. Brad asked Harlan what the process would be for ruling on the Motion. Harlan said that the three judge panel of Angels would all read the Motion, but the decision

on the issue would be rendered by GOD. Brad asked how long it typically takes for GOD to rule on Motions and Harlan responded that generally they have the decision somewhere between 5 - 10 seconds after the Motion is delivered. Sure enough, Harlan no sooner had the words out of his mouth, when a messenger from the Court arrived saying he had a Court Order to deliver.

This was definitely exciting to Brad. It was the first Court Order, the first ruling on an issue he presented to Heaven's Court. It was a Court Order from GOD. He carefully opened the envelope and read the Order. He was ecstatic when he read he had his first win on his first issue. GOD had granted the request to allow him unlimited access to review statistics maintained in Heaven that showed how many lives on Earth any specific individual or groups of people had lived before being admitted into Heaven.

However, there were some protective provisions in the Order that Brad had not anticipated. The first was that Brad was allowed to discuss the statistics only with Harlan, the Angels forming the three judge panel on the Court, and opposing counsel Hugo Black. He was expressly prohibited from discussing any aspect of the statistics with anyone else. The Order also provided that upon conclusion of the case, after GOD had rendered his decision, the Court would wipe all memory of the statistics out of the minds of Brad, Harlan and Hugo. The three of them would continue to maintain their memory that the statistics existed, that they had been granted access to review them and that the statistics were an issue in the case. But, none of them would remember anything about the nature of the statistics or what they revealed. That was a bit disheartening to Brad, but nonetheless he had his first win on an issue in Heaven's Court. It was clear to him that the Court had respect for his abilities and what he was trying to accomplish.

Brad and Harlan wasted no time in gaining access to the statistics and beginning their process of review. Due to the special powers they both had as people admitted into Heaven, the review process was not difficult. If they had tried on Earth to perform the review process on the immense amount of data that the statistics encompassed, the project would have taken centuries to complete. But in Heaven, they reviewed the number of lives on Earth that every single individual since the inception of mankind had lived before gaining admission into Heaven in less than one day.

Although Brad knew that after the case was over his memory would be wiped clean on this particular, isolated matter, he nevertheless couldn't resist satisfying his personal curiosity regarding how many lives certain people he knew had lived. As he did so, he began to understand and appreciate the need to keep the statistics confidential and the reasons why GOD had included the protective provisions in the Order.

Of course, first he looked up himself. The last life he had lived on Earth was his 25th life, which he couldn't help but realize coincided with his age when he died. He didn't know however whether that was a high or low number. So in order to have a basis for comparison, he next took a look at the overall average of everyone that had existed since mankind's inception. He found that the average person lived 33 lives on Earth before gaining admission into Heaven. Well, he figured that he wasn't doing too bad since at least he was below the average.

He continued looking at other people. Harlan lived only 7 lives before being admitted into Heaven. Brad suddenly felt jealous, as if Harlan was a better person than he was. He now understood more than ever why it was so important for the statistics to remain confidential. He looked up Hugo Black and Thurgood Marshall. They had each lived only four lives before being

admitted to Heaven. Then he looked at William O. Douglas and couldn't believe what he saw. Douglas had lived only one single life on Earth before being admitted to Heaven. No wonder Douglas was always so certain that he was right, Brad thought. It was because he was right.

Brad reflected back on the three members of the Oregon State Bar admissions committee who had interviewed him. They were Beverly Stanopo, Lawrence Henderson and Robert Millson. He knew that none of them had yet made it into Heaven, but was curious to see what life they were currently on. He wasn't at all surprised by what he saw and had to smirk a little when he read it. Beverly was on her 2,334th life. Lawrence was on his 1,987th and Robert was on his 2,456th life. No surprise, Brad figured. Hopefully, one day they'll get it right and realize how irrationally misguided they are.

Then Brad decided to look up some groups of people. The average State Bar admissions committee member took 2,654 lives before gaining admission to Heaven. The average State Supreme Court Justice took 89 lives to make it, and the average Federal judge took 33 lives to get in. Brad found it interesting that Federal judges were right on the exact mark of the overall average for all people since mankind's inception. Attorneys in general took 498 lives to get in.

Then Brad noticed that no former Presidents of the United States had yet gained admission into Heaven. It didn't matter whether they were a Democratic or Republican President. None had yet been admitted into Heaven. They were all still living additional lives on Earth trying to get in. For that matter, he also noticed that no leader of any country had ever gained admission into Heaven. The leaders of all countries were still living additional lives on Earth trying to get in.

The profession with the lowest average number of lives required to gain admission into Heaven was that of Topless Dancers and Strippers who needed a

mere 9 lives on the average to gain admission into Heaven. After Strippers, the professions with the next best average were Priests, Rabbis, Ministers and other members of the clergy of all the different religions of the world. Notably, all such clergy members averaged 11 lives before gaining admission and there was no distinction between which religion they were a member of. After the clergy members, the profession with the next best average for admission into Heaven was Bartenders who took 14 lives on average to gain admission.

Brad thought that lawyers would be the profession with the worst average for admission, but he was wrong. The distinction for being the profession with the worst average for admission to Heaven belonged to members of the News Media. Reporters and other members of the Media that worked for newspapers, television stations and magazines averaged 4,569 lives before gaining admission into Heaven. The next worst category was politicians who averaged 3,987 lives before admission. They were closely followed by Corporate CEOs for Fortune 500 companies who averaged 3,876 lives before gaining admission into Heaven.

While the information that he reviewed was overall very interesting, Brad knew that the only statistic he had reviewed thus far, that was really relevant to their case was that on the average it took a person 33 lives on Earth before gaining admission into Heaven. He discussed this fact with Harlan, who came up with a great idea. Harlan suggested that they review the statistics from a historical perspective and prepare a statistical regression analysis to see if the average number of lives required on Earth had been decreasing, increasing or had remained unchanged over the centuries.

So Brad went back for further review of the statistics. He found that 2,000 years ago it took the average person 29 lives before gaining admission into Heaven. Approximately 1,000 years ago it took the average person 31 lives to gain admission into Heaven. This meant that the average number of lives had

gone up by about 2 lives per each 1,000 years. Stated alternatively, it meant that it was taking people longer to gain admission into Heaven currently, since the average was now 33 lives. While ostensibly, this fact provided some limited support for their case because it demonstrated that the current admissions process was resulting in people having to wait longer before gaining admission into Heaven, the statistical differential was not exceptionally large.

After discussing the matter further at length with Harlan, the two of them ultimately decided to totally abandon the idea of presenting the statistics at trial. They felt it would cause their case to become a little bit too convoluted and confusing. If the mathematical differential had been bigger, the value of the statistics to their case would have been worth presenting to the Court, but as it stood they finally decided to totally ignore the statistics at trial. Thus, the whole endeavor of reviewing the statistics had basically been a wild goose chase. Nevertheless, Brad still had a sense of satisfaction merely attributable to having had his first Motion granted by GOD.

The trial was now only three days away. Brad was ready to present his case. He had studied a great deal of U.S. Supreme Court case law pertaining to the First Amendment and the Equal Protection Clause of the 14th Amendment to the U.S. Constitution. Although the Constitution itself, was by no means binding in Heaven, Brad felt he could argue that the ideals supported by the U.S. Constitution had some applicability in Heaven. This relied on the principle of the limited parallelism between certain facets of Heaven and Earth that seemingly all the Angels and humans in Heaven appeared to accept.

In addition, Brad had read the Bible cover to cover numerous times over the past several days to prepare for trial. He intended to introduce certain passages of the Bible as evidence supporting the possibility that GOD is imperfect. Of course, Brad didn't know whether the Bible was actually the word

of GOD or simply a book written by humans. He also knew that on Earth that issue was a subject of dispute between many theologians and scholars. He figured that there was no point in trying to prove or disprove whether GOD or humans had written the Bible. The important thing was that whether or not the Bible represented the actual word of GOD, it at least appeared that the Bible had substantial support from GOD since most religions used it as the basis for their belief in GOD. Thus, to the extent that certain stories in the Bible provided evidence of the possibility of GOD's imperfection, it would bolster Brad's case, because even if it wasn't the actual word of GOD, he still seemed to support a lot of what it said.

18

Harlan came in just as Brad was finishing his last read of the Bible and some U.S. Supreme Court cases. "You look tired, Brad," he said. "I know that's an impossibility because you're in Heaven and sleep isn't required, but I think you could use a little fun before the trial. In three days, you are going to try one of the most important litigations that we've ever had up here. It will determine the process by which millions of people on Earth for many centuries to come will have the lives they lived on Earth assessed for the purpose of determining whether they should be granted admission into Heaven. Do you what that means, Brad? I'll tell you what it means. It means that the day before trial you need to prepare yourself mentally to be one of the best attorneys that the universe has ever seen. In order to do that, it also means that you've got two days to first have some fun."

Brad smiled and agreed. He had done all his work. The day before trial would be spent totally preparing himself mentally. The idea of now having some fun for a day or two sounded really good to him. "Okay, what do we do?" said Brad. "I'm ready to party." Harlan replied, "Brad, I've got an idea that you are absolutely going to love. Come on with me." Brad followed Harlan outside.

When they walked out, Brad stared in disbelief at what he saw. In front of him was the car that he had owned as a teenager in 2003. The same car that he was driving the night of July 4, 2003, which had resulted in his criminal conviction for drunk driving. Standing by the car were Tammy, John, Tom,

another white man, a black man and another hot looking woman. Harlan started to introduce the two men that Brad hadn't met previously, but Brad stopped him.

Brad said, "You don't have to introduce them to me, Harlan. Based on everything that's transpired up here, and knowing that you all know what's important to me, they can only be two possible people. The white guy has to be former U.S. Supreme Court Justice William O. Douglas and the black guy has to be Justice Thurgood Marshall. Both Douglas and Marshall gave Brad big wide grins, shook his hand, and said they were ready to have some fun with him tonight.

Harlan then went over to the other woman and gave her a real big tongue kiss, while he simultaneously squeezed both cheeks of her beautifully rounded Butt. Brad then realized who the woman was. It was the Stripper who Harlan had asked to deliver the motion to GOD. Brad then remembered that she was a former Florida State Supreme Court Justice.

"Okay, so what do we do now?" asked Brad. Harlan replied, "Brad, we're going to all pile into your car, and go cruising down the same city strip that you were driving down, on the night you were arrested for drunk driving. Only this time, nobody's going to be drinking any alcohol while we're in the car driving. There'll definitely be time enough for drinking later on when we're through cruising, because we've got one long, wild, fun night ahead of us."

They all then piled into the car. Tammy's fellow Angels, Tom and John sat up front with Brad who was driving. Justices Harlan, Douglas and Marshall all got into the back seat. Douglas said to Tammy, "Honey, I've got a special place for you. Why don't you sit right here?" Tammy immediately took him up on the opportunity and sat on Justice Douglas' lap. Brad looked back in the mirror and saw this, and he wasn't too pleased. He was jealous that Tammy was sitting on Douglas' lap. The former Florida State Supreme Justice wasted no

time sitting on Harlan's lap. Marshall told Brad, "Hit the gas baby, cause we're ready to roll!" So Brad pulled out.

Marshall yelled up front to Brad, "Can't this thing go any faster?" Douglas and Harlan immediately joined in, "Yeah, c'mon Brad, it's not like you have to worry about being pulled over or anything like that up here in Heaven. Get this thing cruising!" So Brad started driving very fast. The next thing Brad knew was that they were speeding down the exact same local city strip on which he had been driving the evening of July 4, 2003. Everyone in the car was hooting and hollering. Tom turned up the CD player in the front seat and the music was blasting.

Then Tammy said, "Watch this Douglas." With that, Tammy stuck her rear end out the back seat window and pulled her pants down to moon everybody they drove by. That of course, caused everyone in the car to go even wilder. After Tammy was done, Justice Harlan then said, "Oh yeah, watch this everyone. With that, Harlan then proceeded to stick his rear end out the back seat window and mooned everybody just like Tammy had done.

This all went on for several hours. Brad was having a great time. The only thing he really didn't like was the fact that Tammy was still on Justice Douglas' lap. But he was having a great time. It was about 2:45 a.m. and Brad was feeling very relaxed. Then all of the sudden, Brad couldn't believe what he saw. Behind him were flashing red lights! "This can't be happening," he thought. "We're in Heaven! What's going on?" Everybody in the car got real quiet, real quickly. Marshall then said very seriously, "Brad, you better pull over. This may be bad." Brad missed the fact that after Marshall said that, he had winked at everybody else in the car with a knowing grin. They all knew what was going on except for Brad who was genuinely worried.

Brad pulled over and sure enough a police officer started walking up to his car. When the officer got to the window, Brad asked, "You're not pulling me over for real are you? I mean, this is Heaven, I know this has to be some kind of joke, right?"

The officer responded, "Get out of the car, sir." Brad complied and the officer said, "Follow me now." So Brad followed. They walked about 30 yards and the officer said, "I don't think that to say this is a joke would be at all accurate, Brad. By the same token, I have to admit this is not you're typical traffic ticket type of situation. And as a matter of fact, I'm not you're typical police officer. Brad then recognized the police officer. She was a woman. Not just any woman. The police officer was Beverly Stanopo, the Oregon State Bar admissions committee board member, who had interviewed him.

"What are you doing here?" he asked. "You're still supposed to be on Earth. As a matter of fact, I just looked you up a few days ago. You're currently on your 2,334th life on Earth."

She responded, "Not anymore, Brad. I've finally been admitted into Heaven. I was admitted because of you. Let me tell you what happened. The day after you died on Earth everyone other than you appeared before the Justices of the Oregon Supreme Court, because as you know that was the day on which oral argument was scheduled. No one could figure out why you didn't show up. The State Bar got a default judgment in its' favor because of your nonappearance. Days went by and rumors began circulating that no one had heard from you or seen you. Finally, after a bit more than a week, the landlord in your apartment complex went into your apartment and found your body."

"Brad, I couldn't believe it when I found out that you had died. It changed me totally. I immediately felt that somehow I was responsible for your death. An autopsy was performed on your body, but the results were inconclusive and

nobody could tell how you died. Wild rumors began circulating that the Oregon State Bar had knocked you off because they were worried about your case. The newspapers and media, which had been following your litigation behind the scenes started writing stories about you. That fed the rumor mill more. An investigation was started into your cause of death, but no evidence of any nature was found indicating that you had died of anything other than natural causes."

"But you know what, Brad? It didn't matter to me what the investigators found. Because deep down, I didn't know how, and I didn't know why, but I knew that the litigation had played a key role in your death. And that meant, that somehow I had played a key role in your dying. It meant to me that if I hadn't questioned you in the manner that I did, or if the State Bar admissions process had been different, or if you had just gotten admitted into the Bar that you would still be alive. I knew that there was no foul play involved in your death. However, I also knew that substantively I was still partially responsible for your death because of the immoral way that I had interviewed you, the immoral way that I had twisted your answers to my questions and the overall immoral way that the State Bar had treated you, as well as all of the other Bar applicants over the years."

"It changed me, Brad. I began to pray regularly to GOD. You say that you just looked me up a few days ago and found that I was on my 2,334th life on Earth. The thing is Brad, time passes differently in Heaven than it does on Earth. A minute in Heaven is not a minute on Earth, nor is a day in Heaven a day on Earth. There's also no set formula or ratio you can use to calculate how much time passes on Earth compared to Heaven. Sometimes a day passes on Earth for each year that passes in Heaven, and sometimes a day passes in Heaven for each year that passes on Earth. It is different in each situation. In

my case Brad, although you say you looked me up just a few days ago, the fact is that three years have passed on Earth since you died."

"Since you died, I found GOD. I totally changed the way I conducted my life. Naturally, I resigned from the State Bar admissions committee. It was my path into Heaven and the right thing to do. I vowed that the sole purpose of the remaining years of my life on Earth would be dedicated to seeking GOD's forgiveness for the way that I had treated you. Of course, I didn't realize how few in number the remaining years of my life on Earth would be."

"Two years ago in Earth time, I was diagnosed with cancer. I was never even a smoker. Treatment was ineffective. I knew my time was coming. I continued to pray to GOD for forgiveness and begged GOD to allow me a chance to one day ask you for your forgiveness. When I died 4 months ago, GOD reviewed all the lives that I had lived on Earth. He reviewed all 2,334 of them. And he concluded that I made sufficient progress at the end of my last life to make the grade, Brad. I finally made it to Heaven because I changed. GOD showed me his grace and mercy, and forgave me for what I've done to all the Bar applicants, including most particularly you, over the years."

"Brad, since I've been up here in Heaven, I've heard all about you. You're the talk of the entire place. Everyone knows about the litigation you're leading. This is not to say that everyone agrees with your position, because most certainly they don't. But they all definitely admire your guts and nerve to take on such a case."

"As for me, Brad, I'm here tonight because GOD has answered all my prayers, and shown me his grace and mercy. I now have the chance that I prayed for to ask you for your forgiveness. So that's why I'm here now Brad. It's somehow appropriate that I should be standing before you, asking you for your forgiveness, while you are doing almost the exact same thing that I

virtually crucified you for before the State Bar. I say almost the exact same thing because I know that you're not drinking and driving tonight. You're just out driving around having a bunch of fun with your friends. But, it is nevertheless kind of like that fateful night when you were arrested."

"Brad, I'm asking you. I'm begging you. Will you please forgive me for the way I treated you during the processing and review of your application for admission to the Oregon State Bar?" Brad hardly knew what to say. Then he realized that he knew exactly and precisely what to say. He looked at Beverly straight in the eye and without hesitation said totally sincerely, "Beverly, I completely and totally forgive you without any reservation or exception. I'm glad you finally made it into Heaven." The two of them then hugged. Beverly put her police cap back on, and said to Brad, "You're free to go now Sir. There won't be any tickets tonight. Have a great time." And then she got back in her police car and drove away.

Brad got back into the car with everyone. They all patted him on the shoulder. Brad looked at them all and just said, "We are definitely ready to party now!!" He slammed on the gas, started speeding away very quickly and then slammed on the brake. "Hold it!" he said. "We need to make a change here. Douglas, get up front here! You're going to do the driving from here on out. And I am going to sit precisely where you are sitting. With Tammy on my lap! Douglas didn't object in the least. He simply said, "No problem. It's your night, kid." They then switched places and Brad spent the rest of the night with Tammy sitting on his lap. It couldn't have been a better night.

19

After two days and nights of wild partying with the Justices and the Angels, Brad had one day left to prepare for the trial, which was set for the next day. He already had all his cases, arguments and evidence organized, but he went through it all repeatedly during the day. By evening, he felt that he was ready for whatever Hugo might throw at him the next day.

On the day of trial, he decided that he wasn't going to eat or drink anything until the trial was over. So he simply used the powers that GOD gives all humans when they get to Heaven and wished away any hunger, thirst or desire that he might have. This allowed him to simply be invigorated with the energy of GOD and Heaven without the need for any type of nourishment or sleep. The hearing was set to begin at 9:30 a.m..

Brad got dressed in a very classy, three piece pinstriped suit. He then met briefly at 7:30 a.m. with Harlan, Tammy, John and Tom. They all wished him luck and told him that they had total confidence in him. Harlan said that he would be waiting for Brad in a separate room outside the Courtroom in case Brad wanted to come out and ask him any questions. Harlan told Brad that he knew it was initially going to be somewhat tough being in that Courtroom all alone, but that he shouldn't be intimidated. "Remember Brad, you're the lead counsel in this case, because GOD himself granted the request of Tammy, John and Tom to allow you to represent them. That means he's got a lot confidence in

you and that you can do the job. And if you need me, all you have to do is ask to be excused to talk with me."

Tammy, John and Tom said they would see him after the hearing was over. Tammy then walked over, gave Brad a peck on the cheek, started walking away and then turned around suddenly and stuck her tongue in his mouth. They kissed passionately for a few minutes and then Harlan said, "You know Brad, you do have a case to try." Brad simply responded, "Uuuhhhhhhh." Tammy smiled at him and said, "Like I said to you before, I hope you say things a lot brighter than that in Court."

Brad began making his way to the Courthouse at 8:30 a.m. and got there at 9:00 a.m. He entered a large building that had the phrase "IN GOD WE TRUST" carved in stone on its' front. When he walked in, he was in a huge empty long hall. There was literally nothing or anyone in the hall. It stretched for several hundred yards so Brad just figured he'd start walking until he got to the end. At the very end of the hall was an elevator with a small sign that read, "ELEVATOR TO GOD'S COURT." When he got in, he saw there was only one button to press, which simply read "GOD'S COURT." So Brad pressed it. It seemed like the elevator did not move at all in even the slightest bit, but within no more than one second the elevator door opened.

Brad stepped out of the elevator and into the most spectacular room he had ever seen. It was even more spectacular than anything he had seen, wished of, or thought of even since he had been in Heaven. The room had no ceiling. Above it was blue sky filled with stars. Brad couldn't figure out why he was able to see the stars so vividly because it wasn't a nighttime or evening sky. It was like a totally blue sky that you'd see in the daytime without any clouds, but he was still able to see all of the stars in the sky perfectly.

The floor of the room consisted entirely of water. It was a combination of the most beautiful oceans, rivers, lakes and streams that Brad had ever seen all rolled into one. It was not an ocean, a river, lake or stream, yet it was all four simultaneously. At first, Brad thought he was going to drop into the water and drown, but then he quickly realized that somehow the water supported him. He was in fact walking on water with ease. The walls of the room were pure white clouds laden with gold and other colors and minerals that Brad had never even seen before.

No more than 30 feet ahead of him, Brad saw two very simple tables, each one of which had one small wooden chair. One table was labeled "Brad" and the other table was labeled "Hugo." About 20 feet ahead of the two tables was a bench that Brad knew was for the three Angels who would preside over the proceedings.

Brad heard the elevator open behind him and turned around. Hugo walked into the Courtroom wearing a white tennis shirt and a white pair of tennis shorts. He immediately started to laugh when he looked at Brad's fancy suit. "You gotta be kidding me Brad. Didn't they tell you that the whole world including Heaven dresses casual now. Nobody wears suits anymore. Oh man, this is hilarious!! You look like a complete idiot, Brad!"

Brad gulped. He wasn't prepared to be totally embarrassed even before the proceedings began. Then he got an idea. He still had the powers that GOD gave all humans. So he just closed his eyes and wished that he was wearing tennis clothes just like Hugo. When he opened his eyes he looked down and sure enough he had on a white pair of shorts and a white tennis shirt, just like Hugo. He then turned to Hugo, smiled, and let out a sigh of relief that it had worked. Now at least he'd fit in.

There was no need for either a bailiff or a court stenographer in Heaven's Court. The Courtroom would only have Brad, Hugo, and the three Angels in it. GOD would be there also, but the manner in which he would be present would be unknown even to the Angels. The Angels would preside over the proceedings, but GOD would make the decision. The three Angels walked in. They were two females and one male. All looked middle-aged, but in Heaven Brad knew that meant nothing. He knew they were all tens of thousands of years old. To try and guess their age was an impossibility.

One female Angel had stately blond hair and introduced herself as Mildred. The other dark haired female Angel introduced herself as Pamela and the male Angel was Fred. The three of them all looked at Brad with total disdain and disgust. Brad was nervous.

He couldn't figure out why they were all looking at him so nastily, as if he had done something wrong already. Fred finally spoke and said to Brad sharply, "Mr. Thomas step forward, what is the meaning of this?" Brad stepped forward and replied nervously, "I'm not sure that I know what you mean. Have I done something wrong?" Fred answered, "How dare you come into this sacred Courtroom dressed in a tennis outfit?" "OH SHIT!!" Brad thought. He then just realized that Hugo had played him for a fool. He slowly turned around to look at Hugo and saw exactly what he knew he would see. Hugo was sitting there with a smirk on his face, dressed in a very classy three piece pinstriped suit. In fact, it was the same freaking suit that Brad had been wearing himself when he walked in. Hugo had set him up. Brad turned back to the Court and tried to explain.

He said, "Well Your Honor, I assure you that I didn't mean any disrespect to the Court. You see, I originally had a three piece suit on, in fact it was the suit that Hugo, I mean Mr. Black is wearing right now. You see I didn't know, I

thought, I mean, Hugo, he told me, no one else said, I mean, oh forget it!! Your Honor, I'm terribly sorry."

Fred then looked at Mildred and Pamela and the three of them burst out laughing. Pamela said, "Hugo, you are just too much!! That's why we love you here. Brad, don't take it the wrong way. This is just something we always do to the new guy in Heaven's Court. It kind of helps to break the ice. We're really not too formal here. Tell him Hugo. Brad turned around and there was Hugo sitting again with a smirk on his face, now dressed again in the tennis suit. Brad sheepishly smiled, "I think I get it now," he said.

Mildred then spoke in a kindly voice. "Brad, our goal is to assist GOD in making his decision. We're all here for the same reason, including Hugo, which is to find out what is best for everyone. You don't have to refer to us or address us as "Your Honor." You can simply address us by our first names, Mildred, Pamela and Fred. We'll help keep the proceedings flowing in an orderly manner, but we're not at all like judges on Earth."

"Unlike judges on Earth, we're not pompous, arrogant, control freaks that just get off on having things done our own way. And unlike trial court judges in State Courts, we don't render decisions based on who we like or dislike, or which litigant has the attorney who we like or dislike. You see Brad, that's one of the reasons that GOD allowed Tom, John and Tammy to use you as their attorney. When you were on Earth, you had the keen insight to understand how truly mentally screwed up most judges are down there."

"We do things quite differently up here, Brad. The proceedings are generally informal in nature and unlike the judges you became accustomed to on Earth the decisions up here are actually based on the facts and the evidence. That of course is why as judges in Heaven we don't automatically adopt and accept the reasoning of opinions in judicial decisions on Earth. Rather instead,

while we remain open to considering judicial opinions and decisions made on Earth, we do so critically and with the knowledge that most of the judicial decisions made down there are a product of the judge's own personal predilections and prejudices, along with their own irrational idiosyncrasies. Frankly speaking, I must admit that up here in Heaven we find it rather comical that judges on Earth think they are entitled to some type of respect, but I guess that's what makes the world go around."

"So Brad, that gives you a little bit of an idea of what were all about. You'll naturally learn a lot more as we get into the case. The important thing is for you to relax and be yourself. Don't try to put on any type of show. Just tell us about your case, why you think you're right, present your evidence, and if you feel strongly about a particular issue don't be afraid to show us a little passion. We're not looking for a show as I said before, but by the same token that's no reason for you to hold back in any manner, if there's something you feel strongly about."

"With all that in mind, we'll begin as soon as I point out a few minor additional things. Although the proceedings are basically informal in nature, as I said before, we do have to control the proceedings a bit. So here's what will happen, Brad. You'll have a chance to present your entire case. Then Hugo will present his entire case. Then you'll have a chance to rebut what Hugo says, and similarly he will have a chance to rebut what you say. That's it. Then GOD will render his decision on the issues shortly thereafter. I assume you know, Brad, that GOD only renders his decision on the issues presented and will not give any reasons or support for his rulings." Brad replied, "I am aware of that, Your Honor. I mean, Mildred."

Fred then interjected, "Okay, Brad, you're up. What have you got?" Brad was a quick learner and immediately adopted an immensely more casual

and relaxed demeanor than he had up until now. And he thought to himself, that he wasn't going to allow Hugo to play him for a fool again. Brad thought to himself, that Mildred had said the proceedings were informal and relaxed and that he should just be himself and present his case as he deemed fit. So Brad decided that he was going to take her up on her word and do exactly what she said. He internally decided that from this point forward in presenting his case, all formality was out the window. Mildred had indicated that unlike on Earth, the Court didn't want it anyway.

So Brad began saying, "Well Fred Baby, I'll tell you, it's like this. Mildred and Pam, could you Dolls listen up also. Here's the scoop. My clients are three Angels, Tammy, John and Tom. They're admittedly a little wild, perhaps a bit unconventional, but they are all three very well regarded and it is well known that they all have good hearts. It is my clients' position that the process by which people on Earth are admitted into Heaven should be changed."

"Specifically, we are looking to change two parts of the process. First and foremost, we believe that after a person lives a life on Earth, the determination as to whether they are to be admitted into Heaven should be predicated solely on the actual conduct they engaged in while on Earth. We do not believe that any consideration should be given by GOD in the future to the inner thoughts or heart of the person seeking admission. We believe this premise would apply equally to the thoughts the person had before, after and during the course of engaging in the conduct being reviewed. Stated simply, the conduct should speak for itself. The nature of what occurred is what should be reviewed and that is it. GOD should not be able to read into a person's mind, inner thoughts or heart as part of the admissions process."

"The second part of the process that we are looking to change is to reduce the burden of proof that must be sustained by an applicant in order to gain

admission to Heaven. Specifically, we maintain that the current burden of proof standard being used, which requires an applicant to demonstrate that admission is warranted by proof beyond a reasonable doubt, should be reduced to proof by a preponderance of the evidence. As an alternative to reducing the burden to preponderance of the evidence, we would ask GOD to at least reduce the standard to clear and convincing evidence."

Brad continued, "At this point, I want to turn to the reason why we believe the admissions process should be changed, which is as follows. It has historically been a basic, universally accepted premise up here that GOD is Perfect. The nature of GOD's Perfection relies in large part on the concept that all people who exist on Earth will ultimately be admitted into Heaven. Man is a creation of GOD, and incidentally I assume you understand that when I use the term Man I am referring to mankind, which obviously includes both women and men. After all, the last thing I want to do is to turn this case into a sex discrimination lawsuit. Now let me get back to what I was saying. Since Man is a creation of GOD, if there were even a single person on Earth that did not ultimately succeed in gaining admission into Heaven, then that would demonstrate that GOD is imperfect. So GOD's continued Perfection mandates that ultimately every person on Earth eventually gets into Heaven."

"This of course is one of the reasons why GOD does not give up on anyone. We all know that no matter how bad a person is during a particular life that they live on Earth, they always get another chance to go back to Earth and try it again. And GOD of course, in his infinite wisdom and grace provides the individual with a new set of circumstances for their next life on Earth that presumably functions to assist the person in maximizing their development."

"Our challenge to the power of GOD to read a person's inner thoughts for the purpose of making an admissions assessment is grounded on three

alternative theories. Firstly, we contend that under the current process which allows for GOD to probe into a person's mind and heart, there are people on Earth who no matter how many times they go back to live another life will never be admitted into Heaven. As a result, we assert that continuation of the current process places in jeopardy the commonly accepted view by both Angels and humans up here that GOD is Perfect."

"Secondly, we forthrightly and expressly contend that there is substantial evidence currently in existence, which supports the possibility that GOD is imperfect, not Perfect as everyone up here believes. Such evidence includes the premise that the current process which allows for GOD to probe into a person's mind and heart is flat out immoral."

"Thirdly, we contend that is unfair for humans seeking admission into Heaven to have their thoughts probed for purposes of the admission assessment. We believe this, because people who have already been admitted into Heaven and the Angels do not have their thoughts probed on a regular and periodic basis."

Pam then said, "Brad let me see if I understand you correctly. You are simultaneously arguing that the current process should be changed because it jeopardizes the premise that GOD is Perfect, and then you are also arguing that the current process should be changed because GOD is imperfect. It seems to me that you're clearly contradicting yourself."

Brad replied, "Pam, I don't think we have adopted conflicting positions at all because you didn't state our second position entirely accurately. You did state our first position correctly, though. We are arguing first, that the current process should be changed because it jeopardizes the well-accepted premise that GOD is Perfect. However, in reference to our second position, we are not arguing that GOD is imperfect. Rather instead, we are arguing that there is

substantial evidence that supports the possibility that he is imperfect. My clients have made it very clear to me that they steadfastly maintain that GOD is Perfect. However, just because one steadfastly maintains that GOD is Perfect, does not wipe out the irrefutable fact that there is evidence in existence supporting the assertion that he is imperfect."

"In this regard, we believe changing the process, by taking away GOD's power to probe a person's inner thoughts, mind and heart will take away some of the evidence that tends to raise doubt regarding GOD's Perfection. Do you understand what I'm saying and the difference between how you phrased our position and how I am presenting our position?"

Pam said that she understood the distinction, but had some concern right off the bat that it seemed Brad's case in large part was relying on semantic distinctions and word play related to the terms Perfect and imperfect. Nevertheless, she spoke briefly with the other two Angels and they all agreed that Brad could proceed.

Brad said he wanted to get right to the heart of the issue, which was evidence in existence that supported the possibility that GOD was imperfect. He turned to Hugo, gave him a big wide grin and then turned back to the judges and said, "Opposing counsel will no doubt contend that it is irrefutable that GOD is Perfect. Now, it so happens that I have here a copy of the Bible."

"As we all know, while there are many different versions of the Bible, most religions accept at least some parts of the Bible. Of course, we don't know for certain whether the Bible represents the actual word of GOD, or whether it is just a book written by humans that were inspired by him. The fact however, that most religions accept at least some parts of the Bible as being the basis of their belief in GOD, and further in view of the fact that many different versions of the Bible are read and discussed even here in Heaven, seems to indicate that at a

minimum many stories of the Bible have the support of GOD. For purposes of our case, I'm going to concentrate primarily on the Old Testament."

Brad continued, "We all know the story of Noah. The short, abbreviated version of the story is that GOD decided Man was essentially evil and therefore concluded that the best thing to do was wipe out the entire Earth by causing it to rain forty days and forty nights. However, GOD decided that Noah and his family would be spared, so he instructed Noah to build an ark, which saved them from the flood. Okay, Fred, Mildred and Pam here's the thing about the story. In the Bible, Genesis, Chapter 6, Verses 5 and 6 states as follows":

"5 And GOD saw that the wickedness of man was great in the earth, and that every imagination of the thoughts of his heart was only evil continually.

6 And it repented the LORD that he had made man on the earth, and it grieved him at his heart."⁵⁵

Brad now got a bit excited and exclaimed, "So what we have here is an undeniable admission of fault by GOD. The Bible states in no uncertain terms "And it repented the LORD that he had made man on the earth." GOD is openly asserting by virtue of his own repentance that he made a mistake in creating man. This leads to one of two inescapable conclusions. Either it suggests that GOD is imperfect because he created man in the first place which was an error; or alternatively if creating man was not an error then the passage suggests GOD is imperfect because he repented for making man. Clearly, one would not repent that which was not an error. So, no matter how you look at the passage, it suggests that GOD is imperfect.

Brad then said, "If we now jump ahead to Chapter 8, Verse 21 and Chapter 9, Verse 11, we come to the part of the story about Noah where GOD

makes a covenant with Noah after the flood that he never again will destroy the Earth. In reference to such, the Bible states as follows in those verses":

"21 And the LORD . . . said in his heart, I will not again curse the ground any more for man's sake; for the imagination of man's heart is evil from his youth; neither will I again smite any more every thing living, as I have done."

"11 And I will establish my covenant with you; neither shall all flesh be cut off any more by the waters of a flood; neither shall there any more be a flood to destroy the earth."⁵⁶

"So, you see Pam, Mildred and Fred, now we have some additional corroborating evidence that GOD is not Perfect, but rather is imperfect. In these passages, GOD is promising Noah that he never again will destroy the Earth. But of course, that being the case, it raises the issue as to whether he was correct to destroy the Earth in the first place. If one accepts the notion that GOD was correct to destroy the Earth initially, then why would he promise Noah that he would never destroy it again?"

"Having now set the groundwork for asserting that the Bible contains substantial evidence suggesting that GOD may be imperfect, let us turn to the original story of creation. In Genesis, Chapter 1, Verses 19, 20, 21, 23, 25, 26, and 27 the Bible clearly indicates that GOD made the animals of the Earth and then created man. These verses state:

"19 And the evening and the morning were the fourth day.

20 And GOD said, Let the waters bring forth abundantly the moving creature that hath life, and the fowl that may fly above the earth. . . .

21 And GOD created great whales, and every living creature that moveth, which the waters brought forth abundantly,

23 And the evening and the morning were the fifth day.

25 And GOD made the beast of the earth after his kind, and cattle after their kind, and every thing that creepeth upon the earth after his kind. . . .

26 And GOD said, Let us make man in our image, after our likeness. . . .

27 So GOD created man in his own image, in the image of GOD created he him; male and female created he them.⁵⁷

"Yet, these verses are totally contradicted in Gen., Chap. 2, Verses 18 and 19. Those verses irrefutably suggest that the animals were not created before man, but rather instead man was created before the animals. They state":

"18 And the LORD GOD said, It is not good that the man should be alone; . . .

19 And out of the ground the LORD GOD formed every beast of the field, and every fowl of the air; and brought them unto Adam to see what he would call them. . . ." ⁵⁸

"Now," Brad said, "I may not be the most absolute swiftest guy going, but it seems pretty clear to me that either man was created before animals or animals were created before man. They can not both have been created before the other. That would be a logistic impossibility. Pam, earlier you suggested we were adopting contradictory positions by asserting that GOD was Perfect and also by asserting that there was substantial evidence supporting the possibility that he is imperfect. I now say to you, that it is clear from the story of creation in Genesis that the Bible sharply and directly contradicts itself. I'm going to give you one more example from the Bible and then I'll move on."

"In the part of the Bible titled NUMBERS, which occurs after Moses has freed the Israelis from bondage in Egypt, the nation of Israel is guided by Moses to establish itself as a nation. Purportedly, Moses at this time is being guided by GOD. Chapter 31 of NUMBERS tells a most incredible story. Verses 2, 3 7, 9, 10, 12, 15, 17, 18 state in part":

"AND the LORD spake unto Moses, saying,

2 Avenge the children of Israel of the Midianites:

3 And Moses spake unto the people saying, Arm some yourselves unto the war, and let them go against the Midianites, and avenge the LORD of Midian.

7 And they warred against the Midianites, as the LORD commanded Moses; and they slew all the males.

9 And the children of Israel took all the women of Midian captives, and their little ones,

10 And they burnt all their cities wherein they dwelt, . . .with fire.

12 And they brought the captives, . . . unto Moses, and Eleazar the priest. . . .

15 And Moses said unto them. Have ye saved all the women alive?

17 Now therefore kill every male among the little ones, and kill every woman that hath known man by lying with him.

18 But all the women, children, that have not known a man by lying with him, keep alive for yourselves."⁵⁹

Brad then paused for a moment, and finally began his analysis of this story saying, "My oh my. Where to begin is the question. This story has so many troublesome aspects that I hardly know where to start. Let's see if we all

understand it correctly. First, as indicated in Verse 2, GOD apparently needs Moses to seek revenge because he says, "Avenge the children of Israel." But of course, if GOD is all Perfect and powerful the last thing he would need is any human to obtain vengeance on his behalf. We know that GOD can do that himself. He doesn't need Moses to do it for him."

"Then we have the problem that in Verse 17, Moses purportedly working on behalf of GOD orders that every male child be killed, and that every woman who has ever slept with a man be killed. As for the remaining women and the remaining children, Verse 18 indicates that "all the women, children, that have not known a man by lying with him, keep alive for yourselves. So essentially, the concept here is to kill a good portion of the women and children and then keep the remaining ones to be your slaves."

Brad then smirked. "Now I gotta tell ya, this does not seem to be the workings of an all Perfect GOD. Quite to the contrary, this story alone provides immense evidence of the potential imperfection of GOD, or alternatively supports the premise that the Bible does not even faintly depict GOD accurately. Frankly speaking, it's my guess that the latter is true. After learning what I've learned in Heaven about how GOD really functions, I think this story indicates the Bible does not accurately depict the nature of GOD. Neither myself, nor my clients believe that GOD would be so ruthless. We believe that GOD is all merciful and kind. There is nothing that exemplifies this more than the fact that GOD never gives up on anyone and that ultimately his goal is to have everyone admitted into Heaven."

Brad concluded, "I could go on and on for hours, perhaps even days, weeks or months, about the inconsistencies, evidence of imperfection, and logical dilemmas posed by the Bible. Although I've concentrated on just a few of the contradictions and moral problems posed by the Old Testament, we all

know that in the New Testament Jesus confront the Devil. But we also know, that as a matter of irrefutable fact there is no Devil and no Hell because GOD is all powerful and does not have to compete against anyone."

"If there was a Devil or Hell that would support the premise that while GOD has most of the power, he does not have all the power. And we know that's not true. GOD has all of the power, and therefore there is no Devil and no Hell. Notably, the fallacious assertion that Hell exists is an error of fact common to Judaism, Christianity and many other world religions.

I conclude on my presentation regarding aspects of the Bible by simply reiterating the following. I've selected only a few examples of pertinent stories from the Bible. They demonstrate that basic predicates of logic mandate that one realize the Bible either provides substantial evidence suggesting GOD may be imperfect both from a moral and emotional perspective, or alternatively the Bible is nothing more than a largely fictitious novel written by humans."

"Consider the following rhetorical questions. If GOD is Perfect, then how do we justify the existence of evil on Earth since we know that GOD is all powerful and could eliminate evil if he wanted to? If he is Perfect, how do we justify the fact that good people who have developed sufficiently on Earth to warrant admission into Heaven, have to experience intense physical pain before they die on Earth as a result of disease or illness? If he is Perfect, how do we justify the fact that people on Earth are falsely accused of crimes that they did not commit by governmental institutions and agencies? If he is Perfect, why do certain evil people on Earth become wealthy and live comfortable lives, while other good people are forced to experience poverty during their lives on Earth? As you know, I could go on and on with these types of questions, but I think you see the point. The bottom line is that there is substantial evidence suggesting GOD may be imperfect."

The Angels and Hugo all listened intently to Brad. They were virtually hypnotized by his near flawless, at ease presentation of the issues. "Now," Brad said, "Having established that there is evidence suggesting GOD may be imperfect, let us turn to the precise issue of whether reading into a person's inner thoughts, mind and heart is Perfect conduct for GOD to engage in for the purpose of ascertaining whether a person should be admitted into Heaven."

"I believe the answer to this question hinges on whether or not it is morally proper for GOD to read into a person's private thoughts. Or alternatively, does an individual have a sufficient stake and interest in his personal right of privacy with respect to his own thoughts and beliefs, so that they should be protected even from the piercing view of GOD."

"As we know, there is a degree of parallelism between certain aspects of Heaven and Earth, although there are also many differences between the two realms. The U.S. Constitution as interpreted by the Justices of the U.S. Supreme Court, of which I note Mr. Black over there was formerly a part of, is intended to interpret the nature of the rights provided to a citizen by the Constitution. As part of this process, it is unavoidable that certain determinations of that which is moral and that which is immoral play a role in the process. I don't suggest that either the Angels of this Court, or more importantly GOD himself must accept the moral assessments of the U.S. Supreme Court because of course we know that is definitely not the case."

"By the same token though, GOD is certainly free to consider the process of reasoning the U.S. Supreme Court adopted in justifying some of its' decisions. And if GOD decides within his infinite wisdom and power that the reasoning of the U.S. Supreme Court is sound then he is obviously free to accept such. By the same token, to the extent GOD decides within his infinite wisdom and power that the reasoning of the Justices of the U.S. Supreme Court with respect to an

issue is irrational and indicative of a mental imbalance that those Justices sometimes possess and exemplify in their writings, then GOD of course is free to reject that Court's reasoning."

"I submit to this Court that the current process of GOD piercing into a person's mind and thoughts for the purpose of making admissions assessments should be changed because it is morally wrong for GOD to do so. In making this assertion, I ask GOD to consider the reasoning of various Justices of the U.S. Supreme Court who asserted it was morally reprehensible for a government to try to look into a person's mind and beliefs. Justice Jackson wrote the following in American Communications Assn. v Douds, 339 U.S. 382 (1950)":

"Our constitution explicitly precludes punishment of the malignant mental state alone as treason. It requires a duly witnessed overt act of aid and comfort to the enemy. It is true that in England of olden times, men were tried for treason for mental indiscretions such as imagining the death of the king. But our Constitution was intended to end such prosecutions. Only in the darkest periods of human history has a western government concerned itself with mere belief, however eccentric or mischievous, when it has not matured into overt action, and if that practice survives anywhere it is in the communist countries. If power to forbid acts forbids power to forbid contemplating them, then the power of government over beliefs is as unlimited as its power over conduct and the way is open to disclosure of attitudes on all manner of social, economic, moral and political issues."⁶⁰

"Similarly, in the same case Justice Frankfurter wrote":

". . . probing into men's thoughts trenches on those aspects of individual freedom which are the most cherished aspects of western civilization."⁶¹

"While I acknowledge that GOD is certainly not bound by the writings of either Justice Jackson or Justice Frankfurter, the reasoning and logical sense of these statements should be considered by GOD in rendering his decision. They make sense. As Frankfurter notes, probing into men's thoughts does trench on those aspects of individual freedom, which are cherished aspects. Similarly, as Justice Jackson notes, only in the darkest periods of human history has government concerned itself with mere belief, or stated alternatively, mere thought, when it has not matured into overt action. So why should GOD want to do that which governments have done only in the darkest periods of human history. The answer is obvious. GOD being almighty and merciful should not want to do it and therefore we ask that he discontinue doing it."

Brad was on a roll and went on, "At this stage, I believe that I have successfully established by a process of logical reasoning and rationality that it is morally wrong for GOD to probe into a person's thoughts, mind and heart for purposes of rendering an admissions decision. Additionally, I believe I have demonstrated that there is substantial evidence in existence supporting the possibility that GOD is imperfect."

"My final argument hinges on the basic notion of fairness and equality. It is simply unfair for people to have their thoughts probed for purposes of being admitted into Heaven when people and Angels who are already in Heaven do not have their thoughts probed on a regular and periodic basis. Basic fairness

mandates that either each person on Earth and also every member of Heaven should have GOD privy to their thoughts or alternatively, neither should. The concept that once you're admitted into Heaven you are no longer subject to the review process that allowed for your admission in the first place is morally unacceptable and hypocritical."

"Now Hugo might argue that if GOD does not probe into a person's thoughts and renders his decisions based only on their conduct while on Earth that some people may end up being admitted into Heaven who don't deserve admission. That issue can easily be remedied though. Simply provide for the temporary expulsion from Heaven of anyone who misbehaves while up here and put them back on Earth for another life. I realize that this has never been done before, but isn't it better and more merciful for GOD to give some questionable cases a chance by admitting them into Heaven even though some of them will ultimately fail after they've been admitted? Sending people back to Earth for an extra life or two is not that big of a deal. Hypothetically, if the process is changed and 5% of the additional people admitted into Heaven have to be temporarily expelled to live another life on Earth, isn't the change worth it for the benefit of the 95% who wind up staying in Heaven permanently? Of course it is."

"Plus, I would also assert that just because 5% of the additional people admitted into Heaven would have to be temporarily expelled to Earth does not mean that GOD's decision to admit them in the first place was incorrect. His decision must be considered in light of the facts and circumstances in existence at that particular point in time, which would consist primarily of a historical review of that person's conduct while they were on Earth. However, it is well known that both people and Angels continue to develop even once they are in Heaven."

"As part of that development, there will sometimes be negative aspects along with the positive. To put it another way, even once people are admitted into Heaven they will continue to change and sometimes the changes will not be positive. Whether the change is attributable to the temptation of using the powers they are given by GOD in Heaven in an immoral manner will be unknown. But since the conduct they engage in that ultimately gets them temporarily expelled from Heaven and sent back to Earth is a function of the change they undergo while in Heaven, I would assert that the decision to grant them admittance initially, thereby giving them a chance to prove themselves in Heaven was still the Perfect decision by GOD."

"I will now turn to the last issue we have to present before I turn the case over to Hugo. We believe, as part of the admissions assessment process the burden of proof that needs to be sustained by an applicant should be that of a preponderance of the evidence standard rather than the existing standard of proof beyond a reasonable doubt. The reason is as follows. The current standard arguably provides additional evidence supporting the proposition that GOD is imperfect and therefore it is not acceptable. Under the current standard, there must be at a minimum a roughly 95% probability that a positive admissions decision is correct. The natural inference is that if there is a 51% - 94% probability that a positive admissions decision would be correct the person would be denied admission and sent back to Earth. That means that many people who under the laws of probability would succeed in Heaven are being wrongfully sent back to Earth."

"I also want to note that with respect to the current standard of proof beyond a reasonable doubt, many have asserted that with respect to GOD this standard is actually applied substantively as requiring a 100% certainty rather than only 95% probability. If so, this only increases the disparity and the

problem. Lastly, on this issue I note that even if GOD decides to reject a reduction in the burden of proof standard from proof beyond a reasonable doubt to proof by a preponderance of the evidence; we would ask that he at least consider reducing the burden required to be sustained to proof by clear and convincing evidence. The clear and convincing evidence standard as you know is in between the two other standards and would require that a potential admittee to Heaven demonstrate that there is roughly a 70% - 80% probability that a positive admissions decision would be correct."

"For the most part, that it is the entirety of our case, although I naturally maintain the right of rebuttal with respect to anything that Hugo might present. I do want to conclude with the following important point. My clients do believe that GOD is Perfect. While I have attempted to present the fact that there is substantial evidence suggesting GOD may be imperfect, we believe that such evidence should be construed in light of the fact that the times, facts and circumstances of both humans and Angels are constantly changing."

"In this regard, it is the functionality of time that provides the best basis overall for the acceptance of the premise of GOD's Perfection. The existing standards that we are challenging today demonstrated GOD's Perfection in the past by virtue of the fact that no one to date has ever engaged in misconduct while in Heaven. Similarly, our proposed new and more lenient standard for admission would demonstrate GOD's Perfection because it is well-adapted to the growing concern by some Angels in Heaven that we need to do something to ensure that all humans on Earth are ultimately successful in gaining admittance into Heaven. The new proposed standards of admission would convince the Angels who have this concern that eventually all people will get in. It would accomplish this by immediately increasing the percentage of people admitted."

"People who previously would have been sent back to Earth for another life will now be given a chance in Heaven to prove themselves. This will in turn be additional evidence of the fact that GOD is all merciful and understanding. And as I indicated, a corresponding change would be made to provide for kicking out of Heaven the few people who end up misbehaving. This would also be evidence of GOD's Perfection because it would indicate that although the decision to admit them initially and give them a chance was Perfect, once they failed to conduct themselves morally in Heaven the Perfect decision was made to expel them temporarily."

Brad then finished stating simply, "Fred, Pam and Mildred, for the reasons I have thus stated, I request that GOD grant my clients the relief that they have requested. I now turn the case over to Hugo."

20

Fred then spoke saying, "We'll take a brief recess of 15 minutes to allow everyone to relax a little bit. Of course, since we're in Heaven no one needs to take a Piss or anything, but nevertheless we could probably all use the recess." Pam and Mildred nodded. Brad felt great about his presentation. He had covered every point he wanted to make. He also liked the way they did things in the Court up here. He was able to present his entire case without any interruption.

There had been no objections from Hugo, even though Hugo had the right to object if he wanted to. Brad had actually been a bit concerned that Hugo might object to Brad's introduction of passages of the Bible, but he didn't. Now, Brad figured the toughest part for him was over. He thought that he'd just be able to sit back and watch Hugo present his case, just like Hugo had done while Brad was presenting his case. Brad was going to quickly be proven wrong though. Hugo would have many surprises for Brad.

The recess ended, the Court reconvened and Mildred said that Hugo could begin presenting his case. Hugo rose and calmly stated, "I call former U.S. Supreme Court Justice William O. Douglas to the witness stand."

Brad was stunned. He hadn't anticipated this. He always figured that this was the type of case that would be decided based on logical reasoning and basic legal argument. The thought of actually calling witnesses to testify had never even crossed his mind. He was a little upset at Harlan. Harlan had more

experience than Brad. Brad thought that Harlan should have considered this might occur and warned Brad.

The elevator door opened and Justice Douglas entered the room. He was dressed in an outdoorsman outfit, complete with hiking boots, shorts and a backpack. He took the backpack off his shoulders, went directly up to the witness stand without asking anyone what he was supposed to do and just sat down. He then turned to the Angels and asked, "What's happening Freddy? You getting the hang of what you're supposed to do yet?"

Fred remained silent and just smiled quietly at Douglas. Douglas then turned to the other two Angels and asked, "You know Pam and Mildred, if ever either one of you, or for that matter both of you change your mind, there's always an empty bed or two at my place." Pam shot back, "I know that Douglas, I've seen it before in case you don't remember." Now Douglas smiled quietly.

Hugo walked up to the witness stand and said, "Alright, apparently everybody knows each other here, perhaps even a little bit too well. So if no one objects, why don't we start. Justice Douglas in order that we have a complete record in this case, could you begin by first telling the Court about your background. Please feel free to include anything that you believe to be pertinent as to the type of person you are.

Douglas began speaking. "I grew up in poverty in Yakima, Washington and have been a loner my entire life. As a child I was very weak physically and was often taunted for being a weakling. My rebellion against the shame of being called a weakling had lasting effects. It inured me to all criticism and as a result criticism never made me turn tail and run. Rather, it impelled me to move forward into the thick of the fight. As a teenager, I became a stool pigeon for the local police. They approached me and asked if for one dollar per hour I

would see if I could get a woman to solicit me and try to buy a drink from someone. That left a lasting impression on me. Never in my life did I have such a shabby feeling or feel sorrier for the people that I was supposed to entrap." ⁶²

He continued, "In the fall of 1916, I attended Whitman College. Students have always had their protests and my generation at Whitman was no exception. Most of us disliked President Penrose and his pompous manner. I remember once that an outdoor opera was held on the campus pond and he was coming across the pond in a skiff with his fine baritone voice singing. He prepared to leave the boat, but we had sawed the step and our president's baritone was quickly muffled by the murky waters of the pond. That was hilarious."⁶³

"After graduating from Whitman College I received a scholarship to Columbia law school in New York. There was one problem though. I had no money to get there. So I just hopped on a freight train. In law school I took up drinking and smoking. I drank mostly gin and as for smoking it was so popular that I really had to try very hard to learn to smoke. Ultimately, I succeeded and worked my way up to three packs a day."⁶⁴

"I worked with John Harlan at the Root-Clark firm early in my law career after graduating from Columbia. As you know, he also became a U.S. Supreme Court Justice. I remember one story in particular about Harlan. The big firms in those days held an annual party, a stag affair in a suite in some midtown hotel. Harlan used to tell of a party his firm had in the Commodore Hotel. They ordered up a piano to make the occasion more festive, and by four in the morning every sliver of the piano - every key, every string, every screw or nail, every bit of wood - had been thrown out the window."⁶⁵

"In New York City, I learned about the devilish work of the police. . . . When I practiced on Wall Street, the police were obtaining confessions by tying

suspects in dental chairs and drilling their live teeth. It was a technique Hitler later used in Germany."⁶⁶

Douglas loved telling about his life. He was on a roll and continued, "I was married four times. At age seventy, I married my fourth wife Cathy, who was a law student at American University. I met her one evening when she waited on my table in a restaurant. As for children, I must admit that for the most part I was probably a failure as a father, notwithstanding the fact that I did receive a Father of the Year award once. My children came to resent me for many different reasons."⁶⁷

Hugo then asked, "Is it true Justice Douglas that for the most part, along with myself when I was on the Court, you opposed governmental investigative processes including particularly the State Bar admissions process." Douglas answered, "Absolutely. My opposition to investigative processes of government was one of my most passionate beliefs, and although my opposition included the State Bar admissions process it was by no means limited to such. My passionate opposition to government investigations included Congressional investigations. You see when it came to Congressional investigations parallelism was the high crime. If one believed in free medical care they were branded a communist because Russia had that system. If one proposed disarmament they were branded a communist because Russia proposed that also. It became dangerous to be a free-wheeling and innovative person. Only those wearing homburgs and neat clothes and thinking in Legionnaire terms were beyond reach. The investigative committees were more interested in publicity than the truth. They thrived on accusation and made it the basis for casting a citizen into the outer darkness."⁶⁸

Douglas went on, "Very often those that engage in the most abusive investigative tactics are the most unscrupulous and deceptive individuals. A

good example is Richard Nixon. Under the Nixon regime, the accused did not need to even know who his accuser was. And under Nixon, a person could be condemned not for his actions, but merely for his thoughts and beliefs."⁶⁹

Hugo then said, "Let's talk about this concept a bit more. Based on your testimony thus far, I understand you to say that governmental investigations are to be condemned in general at least to the extent they are designed to uncover facets of a person's character, as opposed to actual conduct they engaged in. In addition, it seems quite clearly to be your position that to the extent the government, such as Richard Nixon as you so aptly pointed out, condemns a person not for his actions, but rather instead for his thoughts and beliefs it should be particularly condemned. Is that a fair assessment? Have I stated one of your most passionate beliefs accurately?"

Douglas replied, "Everything you have said is entirely accurate." Hugo then dropped the surprise. The key question. Hugo asked, "So Justice Douglas, in light of the fact that you believe governmental investigations are so morally abhorrent particularly when the government probes into a person's thoughts, rather than just their conduct, I assume you support Brad's position in this case? After all, Brad's clients are challenging the power of GOD to probe into a person's thoughts and you have just stated without hesitation that you believe government should not be allowed to probe into a person's thoughts. So would it be correct to say that you similarly do not believe that GOD should be able to probe into a person's thoughts and beliefs for the purpose of determining whether a person should be admitted into Heaven?"

Douglas answered, "That would be totally FALSE. I believe irrefutably that GOD positively should be allowed to possess and use the power to probe into a human's inner thoughts, mind and heart for the purpose of determining whether that person should be admitted into Heaven." Hugo then said, "Justice

Douglas, I think you may have some people here confused. Although not me, I note. I understand you perfectly. Please explain how on the one hand you can so strenuously and passionately condemn the attempts by government on Earth, such as State Bars and Congressional committees, to probe into a person's thoughts and beliefs, while at the same time assert with equal passion that GOD should be allowed to possess this power. Aren't you contradicting yourself?"

Douglas replied, "I'm not contradicting myself at all Hugo, as you know, because you feel the same way, but I'll explain. My reasons for what appears at first glance to be a discrepancy between the type of power that I would take away entirely from government, while approving of possession of the same power by GOD is simple. GOD is not a government. A government is not GOD. GOD is good. Governments in general are evil. That is the foundation for the United States. The United States was founded on the precise premise that too much governments is evil. It doesn't matter what government you're talking about. They're all evil. That is just their nature."

He continued, "GOD makes his decisions and exercises his power and authority for the sole purpose of making things good for everyone. Governments on the other hand exercise power and authority for the sole purpose of enhancing their own power and authority. This increases their ability to control the citizenry. Thus, since GOD is good, and since government is evil, and since GOD functions to help everyone, and since government functions to simply control everyone, I passionately believe that GOD should be allowed to probe into a person's thoughts, beliefs, mind and heart. But, I would not allow a government to have such a power. GOD has never and will not abuse the power. In contrast, government historically has always abused virtually any type of power that it is given."

Hugo then said, "That concludes my questioning of you Justice Douglas. I now turn the witness over to Brad, for cross examination." Brad wisely responded, "I would like to reserve the right to recall this witness in the future if necessary, but have no questions for him at this time." Pam then said, "Justice Douglas, you are hereby excused." Justice Douglas then got up from the witness stand, went to the elevator and left the Courtroom.

Hugo turned to Brad, gave him a big, wide smile as if he'd just won a major victory and then spoke saying, "I would like the Court to take particular note of Justice Douglas' background, his esteemed career on the U.S. Supreme Court and the opinions that he has just given us here today. What we have here is one of the most prominent Justices ever, who undeniably condemned with vehemence the use of investigative committees on Earth to probe into a person's inner thoughts and beliefs. Yet, this same man has asserted in undeniable terms that unlike governmental committees on Earth, GOD should be allowed to continue to possess and use this exact same power. His reasoning is the most simplistic in nature. GOD is not a government and unlike government and unlike the State Bars on Earth I might add, GOD is good and not evil."

"There's also another interesting fact about Justice Douglas that none of us here would know had it not been for Brad. It is a fact that I believe bolsters the standing and credibility of Douglas before this Court. As we know, prior to trial Brad filed a Motion with this Court to gain access to statistics and records that detailed how many lives people in Heaven lived on Earth before gaining admittance to Heaven. Obviously, based on Brad's presentation of his case in chief, he ultimately decided not to present or use his findings with respect to these statistics."

"I have not made such a similar decision. Quite to the contrary, while I never would have requested access to the statistics myself, having been granted

such thanks to the efforts of Brad, I think it is important to note the following. Justice Douglas gained admission into Heaven after living only one life on Earth. That is absolutely incredible. There are very few people who have done that. Of course, since the statistics are confidential due to the general interest of maintaining equality amongst all the people in Heaven, no one outside this Courtroom should know how many lives it took anyone else in Heaven to gain admission. But, we all know in this Courtroom that it took Douglas only one life. It is as if he was destined for Heaven from the start. Thus, his understanding of the differential between Heaven and Earth, and the pointed differences between governments and GOD should be given most serious consideration by this Court."

Hugo concluded with the following, "I conclude by noting that Brad has done an exceptionally fine job of presenting a few key excerpts from opinions written by Justices of the U.S. Supreme Court that do absolutely stand for the premise that it is morally wrong for government to probe into a person's inner thoughts and beliefs. Those excerpts however, are totally irrelevant to the case at hand. They merely indicate that government should not possess such a power. They do not by any means, prove, indicate or bolster the assertion that GOD should not possess this power."

Hugo then quickly addressed and disposed of the excerpts from the Bible that Brad had presented to support the premise that there is evidence supporting the suggestion that GOD is imperfect. He said, "Now in reference to the Bible excerpts that Brad has presented, I don't even see the need to refute or justify the passages. Quite to the contrary, since there has never been any conclusive evidence that the Bible represents the actual word of GOD, I simply rely on the fact that it is not fully representative of the nature of GOD. It tells only about man's perception of GOD."

"And we all know, that humans for the most part, when it comes to knowing about GOD, really don't have a clue while they're on Earth. This of course is intentionally how GOD wants it. By being left largely ignorant of the true nature of GOD while they are on Earth, humans are able to exercise their own free will and free choice more easily. This aids in their development and hopefully increases the chance that they will make sufficient progress during a given life on Earth to gain admittance into Heaven afterwards. So I ask this Court to similarly ignore as irrelevant the passages of the Bible that Brad presented, simply on the ground that there has never been any proof given or presented that the Bible represents the actual word of GOD. It is simply a book written by people."

Brad was beginning to get disheartened. It seemed like Hugo was taking his entire case apart piece by piece and with an incredible degree of ease. Brad didn't know what to expect next. But when it happened, it definitely threw him for a loop and was one of the biggest surprises of the litigation.

21

Hugo stated calmly, "I now call Brad Thomas to the witness stand." Brad jumped up, "What? Is he allowed to do that? I didn't know he could call me as a witness." Hugo simply replied, "Apparently Brad, you need to read the court rules a bit more closely." Brad protested. He hadn't intended to object to presentation of Hugo's case initially, but felt that this was a big issue. "I object to being called as a witness!" Brad exclaimed. Fred inquired, "On what grounds is your objection predicated?" Brad replied, "I object on the ground that my testimony is not relevant to the issues pending before the Court and my case is adequately known by the legal arguments that I have presented in my capacity as an attorney before this Court."

Hugo replied, "Brad is misconceiving the nature of the testimony that I seek from him. I am not calling him to the witness stand in order for him to defend his legal arguments. I fully concur with him that his legal arguments are adequately delineated in his capacity as an attorney. Rather instead, I am calling him to the witness stand to testify about the factual circumstances surrounding his own admission into Heaven. My goal in doing so is as follows."

"I seek to demonstrate that the heart and soul of Brad's case is based on a flawed assumption. The faulty assumption is that the proposed admission standard of basing admission decisions solely on a person's conduct, rather than their inner thoughts, will result in more people being admitted into Heaven. I assert to this Court that the exact opposite is true. The proposed standard will

actually result in decreasing the number of people admitted into Heaven, which in turn will substantially jeopardize the prospect of all people on Earth ultimately being admitted into Heaven."

Hugo continued, "You see, GOD currently looks at both a person's conduct and their inner thoughts, mind, and heart to determine if they should be admitted into Heaven. There are a very large number of people who engaged in reprehensible conduct while on Earth, but who are nevertheless granted admission into Heaven because when GOD looks into their heart he sees that they are in essence a good person. Brad's case is predicated on the faulty assumption that GOD is using his power solely to disqualify people from gaining admittance into Heaven."

"Brad's concept is that people who live a life on Earth during which they do not engage in immoral conduct or not too much immoral conduct are unfairly being denied admission because GOD probes their inner thoughts. That however, is simply not what is occurring. GOD's power to probe the inner thoughts, mind and heart of people seeking admission is resulting in just as many people obtaining a positive decision because of their thoughts, as it is resulting in people getting a negative decision because of their thoughts. This being the case, the proposed admission standard is not really at all a more lenient standard as Brad incorrectly asserts."

Brad gulped. There was definitely some potential merit to what Hugo was explaining. How could he have missed this crucial possibility? Hugo went on. "By calling Brad to the witness stand, I intend to prove that he is a prime example of a person who gained admission into Heaven specifically due to the fact that GOD probed his inner thoughts. I intend to prove that Brad is a textbook case on point of how a person can gain admission into Heaven

precisely because GOD exercised his power to probe a person's thoughts. So Brad, will you please take the witness stand?"

Brad did as he was told and nervously got on the witness stand. Hugo asked, "Brad, please explain to the Court the reason why you didn't get into the Oregon State Bar on Earth when you applied as an attorney. "Well," Brad replied, "When I was a teenager I was arrested twice for drunk driving. One of those times resulted in a criminal conviction and the other did not."

Hugo then asked, "In reference to the time that did not result in a conviction, were you intoxicated while driving?" Brad all of the sudden felt like he was back in the interview room of the Oregon State Bar. But he decided not to get confrontational. After all, this was a Court in Heaven. So Brad just replied, "You know I'm really not entirely sure myself. I was drinking with some friends late at night, then I went to sleep for a few hours, and then I was speeding in my car because I was rushing to class. I got pulled over and charged with a DUI. Whether I was still intoxicated or not above the state's legal limit, I really don't know since I was told the breathalyzer test was inconclusive. I do know the charges were dismissed."

Hugo asked, "When the Oregon State Bar asked you about this episode and then subsequently denied you admission in a letter that outlined their reasons, you were very angry at them weren't you?" Brad nodded affirmatively. Hugo continued, "You then took the Oregon State Bar to the Oregon Supreme Court where you intended to change the entire Bar admissions process in the United States, isn't that right? Brad nodded affirmatively again. Hugo then asked, "Why did you attack the Bar admissions process on Earth?"

Brad answered, "Because I learned from my own personal experience with the Oregon State Bar that the State Bar committee members were generally dishonest, deceptive, misleading, immoral and unfair." Hugo asked, "How do

you feel about the people you've met up here in Heaven? Do you feel the same way about the people and Angels you've met up here? Do you feel that the people and Angels you've met up here are also dishonest, deceptive, misleading and immoral?" Brad answered, "Absolutely not. I've been incredibly impressed with the forthright honesty and openness of everyone up here. I love it here. I like all the people I've met. And I like all the Angels that I've met. One Angel I like most particularly, I might add."

Hugo then asked, "Brad, let us assume that you are a good judge of moral character. If such is the case is it fair to say that you have personally concluded Heaven's admission process is nothing like the State Bar admissions process on Earth? This would seem to follow because according to your reasoning the State Bar committee members on Earth lack good moral character, but those who administer the admissions process in Heaven possess good moral character. Is that true?"

Brad answered, "I am in agreement with you that State Bar committee members on Earth lack good moral character. I am also in agreement with you that the Angels and people in Heaven possess good moral character. However, it does not necessarily follow from these two predicates that Heaven's admissions process is nothing like the State Bar admissions process. It just follows that there are at least some differentiating factors between the two."

"Okay," Hugo said, "that's fair enough. I'll accept the premise that although State Bar admissions committee members lack good moral character, that factor does not in and of itself mean there are no similarities between the State Bar admissions process and Heaven's admissions process. But explain this to me Brad. How do you account for the fact that the Oregon State Bar denied you admission and yet GOD granted you admission into Heaven?"

"Wow!" Brad thought to himself. That was definitely a whopper of a question. Brad stuttered for a moment. "Well, I guess the bottom line as to why I was granted admission into Heaven would have to be because GOD concluded that overall I have been a pretty good person throughout my life, notwithstanding the fact that I've definitely made many mistakes." Hugo asked, "You acknowledge of course Brad, that in order for GOD to come to that conclusion under Heaven's current admissions process he had to look into your mind, inner thoughts and heart, along with giving consideration to your conduct."

Brad answered, "I do understand that. I also however want to note that GOD probably gave consideration to my passionate interest in helping other people on Earth by trying to improve the Bar admissions process throughout the entire nation. That was in my view a positive act of conduct on Earth that presumably GOD gave due consideration to. Thus, I would assert that while GOD did consider my inner thoughts, he probably ultimately based his decision on my actual conduct."

Hugo countered with, "If you're so sure GOD viewed your Bar admission case on Earth as an act of positive conduct, then why didn't GOD allow you to proceed with oral argument at the Oregon Supreme Court? Instead, he allowed the Angels to take your life and hire you as their attorney up here?"

Brad fired back confidently, "True. But it would seem that the reason he did so was because he believed there was substantial merit to my case on Earth and as a result I was needed for a more important case up here. You do agree Hugo that ascertaining the correct process to be used for assessing whether people on Earth should be admitted into Heaven, is more important than the State Bar admissions process on Earth? Otherwise, GOD probably wouldn't have let the Angels take my life to use me as their attorney. In addition, since

we both know that GOD is all powerful, wise and mighty, you'd have to agree that if GOD wants the State Bar admissions process to change on Earth he can accomplish that easily on his own, along with anything else on Earth for that matter. He doesn't need me to do it."

Brad was now in his confrontational mode and feeling confident about what he was saying. He snapped to Hugo, "Let's face it Hugo. When it comes right down to it, while we both agree that GOD admitted me into Heaven by considering both my conduct and inner thoughts, we also both know that I may very well have been admitted into Heaven if he had considered only my conduct alone. You simply can't prove, show or demonstrate that I engaged in any type of conduct on Earth that would have warranted denying me admission to Heaven, even if GOD had not probed my inner thoughts."

Brad continued, "In fact if anything, it was precisely my conduct on Earth that inspired GOD to grant me early admission to Heaven, since if I hadn't launched the Bar admissions litigation, I'd probably still be on Earth. This supports the premise that with respect to my own admission up here, GOD's decision was predicated primarily on my actual conduct, rather than my inner thoughts. And that means Hugo that you have not helped your case one bit by calling me as a witness. Hah!!!"

Hugo shrugged. His trial tactic had failed. Brad was right. When it came right down to it, the only true immoral conduct that Brad had engaged in while on Earth was driving a car while intoxicated and since he was a teenager at the time it carried minimal weight. Brad probably would have gained admission into Heaven even if GOD had not probed his inner thoughts. Hugo had anticipated that Brad would crumble a bit more on the witness stand, but that hadn't occurred. There was no point in taking the issue further. "The witness is dismissed," Hugo sheepishly said.

Brad breathed a sign of relief. He believed that he had totally quashed Hugo's examination of him and felt good about it. Maybe, Hugo wasn't as tough as he seemed after all.

"Oh wait," Hugo said. "I do have just a few more quick questions for the witness. Get back on the witness stand, Brad." Brad nervously complied. Hugo asked, "Brad, you requested access to statistics maintained in Heaven that show how many lives various people have lived on Earth before being granted admission into Heaven, isn't that correct?" Brad replied, "Yes." Hugo asked, "When you were granted this access in an Order of this Court, there were protective provisions in that Order that prohibited you from discussing these statistics with anyone other than Harlan, myself or the Angels of this Court, isn't that correct?" Brad replied without hesitation, "Yes, that's correct Hugo. Where are you going with this? I didn't violate the protective provisions."

Hugo grinned, "Are you sure about that Brad? Am I correct that one evening before trial you were out partying with your clients, Justice Douglas, Justice Marshall and Justice Harlan? And on that night Brad, weren't you pulled over by an individual impersonating a police officer here in Heaven? And wasn't that person Beverly Stanopo, the Oregon State Bar admissions committee member on Earth? She wanted to apology to you, didn't she Brad? You didn't even think about what you were saying because you were so surprised to see her. But, didn't you state to her":

"You're still supposed to be on Earth. As a matter of fact, I just looked you up a few days ago. You're currently on your 2,334th life on Earth."

"You did say that, didn't you Brad? You violated the protective provision in an Order of this Court, didn't you?" The confidence Brad had previously had now all but vanished. He knew that violating a Sacred Court Order of Heaven

was definitely not a good thing to do. Hugo was clearly not going to allow Brad to leave the witness stand, until he had gotten the best of him. Brad had no choice but to concede what he had done and try to explain himself a bit. He said, "Fred, Pam and Mildred, he's right. I did violate the Order of this Court by revealing a portion of the statistical information to Beverly Stanopo. I didn't even think about it when I did it. It was totally an unintentional mistake. I apologize."

Hugo then dismissed Brad from the witness stand. They had each done quite a number on each other. Neither one of them looked particularly good to the Court at this time. Brad didn't look good because he had to openly admit in Court that he had violated a Sacred Order of the Court. But Hugo also didn't look too good, because everyone in the Courtroom knew that Brad had no immoral intentions when he violated the Order and that it had just been an honest error. Hugo kind of looked a bit petty to the Angels since the issue of Brad violating the Order really didn't have any substantive bearing on the key issues of the case. Brad got off the witness stand and Hugo said he was going to begin his conclusion.

Hugo began saying, "There are four points that need to be made perfectly clear to this Court. First, one of the greatest Justices of the U.S. Supreme Court, a man that Brad himself readily admits he admires greatly, has openly opposed the proposed new admission standards on the ground that GOD is not a government. GOD is GOD. GOD is good. GOD conducts himself for the benefit of the good of everyone. People, Angels and all other creatures alike. Justice Douglas made it into Heaven after living only one mere life on Earth. He was one of the most passionate critics of the State Bar admissions process on the U.S. Supreme Court, along with myself I might add, and yet he has adopted the position that GOD should be allowed to do precisely that which he asserts

governments should not be allowed to do. GOD should be allowed to probe into a person's inner thoughts, mind and heart according to Justice Douglas."

"The second point I want to emphasize is that Brad's presentation of excerpts from both U.S. Supreme Court opinions and the Bible should be given minimal consideration by this Court since they are predominantly irrelevant. In reference to opinions of the U.S. Supreme Court, their opinions only indicate that government should not possess the power to probe into a person's inner thoughts. Those opinions say nothing about GOD. Neither Justice Douglas nor myself dispute the fact that government in general and State Bars in particular should not be allowed to probe into the inner thoughts of a person. We only contend that GOD should be allowed to do so. As for the references to passages of the Bible, as I stated previously, there is no conclusive evidence that the Bible represents the actual word of GOD. I therefore assert that Brad's presentation of admittedly conflicting and contradictory information in the Bible should be ignored."

"The third point is that Brad has not proven the basic predicate of his case that his new proposed admission standards would result in more people being admitted into Heaven. I do concede that I did not prove that Brad himself would not have been admitted to Heaven if only his conduct had been considered, rather than both his conduct and his inner thoughts. By the same token though, he clearly has not proved that by excluding consideration of one's inner thoughts, more people would gain admission. I submit to this Court that the current standard by allowing inquiry into a person's inner thoughts, allows for just as many positive decisions as negative decisions as would occur in the absence of such an inquiry."

"The fourth point is that Brad openly conceded on the witness stand that while State Bar admissions committee members on Earth lack good moral

character, it is Brad's opinion that people and Angels in Heaven possess good moral character. I agree with him. Such being the case, there is no reason why the moral imperative of prohibiting State Bars on Earth from inquiring into a person's inner thoughts should apply to the admissions process of Heaven. Similarly, the fact that people and Angels in Heaven possess good moral character means there is no reason to subject them to any type of regular and periodic probing of their inner thoughts. It would be a meaningless endeavor. Such probing is only necessary with respect to those seeking admission into Heaven, since a determination that they possess good moral character has not yet been made."

"Thus, the proper distinction between probing the inner thoughts of people seeking admission into Heaven, while not probing the inner thoughts of those already in Heaven, is grounded in two inescapable predicates. First, those already in Heaven possess good moral character, while those not yet admitted into Heaven may not possess good moral character. Second, while there is some parallelism between Heaven and Earth, they are nevertheless two dissimilar realms of the universe. Thus, even if principles of the Equal Protection Clause of the U.S. Constitution were to be applied, such application would not justify changing the existing admission standards of Heaven."

Hugo then indicated that he was done presenting his case. Pam told Brad that he could present a rebuttal to any of Hugo's points if he wanted. Brad asked for a recess and said that he wanted to talk with Harlan. He also asked for a copy of the transcript of the proceedings so that he could share what had occurred in Court with Harlan. The Court called for a 1 hour recess and gave Brad the transcript. He promptly left and went to see Harlan.

22

When Brad walked in, Justice John Harlan, ultra-conservative of the U.S. Supreme Court, was sitting patiently in a room just reading a pornographic magazine, with a big smile on his face. Brad said they needed to talk. Harlan asked how it went. Brad replied that Harlan was right about Hugo. He really was a great trial attorney and definitely a bit wild in the courtroom. Nevertheless, overall Brad said that he felt he had maintained his own against Hugo. There were some problems and surprises though that he needed Harlan's advice on. Harlan told him to proceed.

Brad told Harlan that Hugo had called Justice Douglas to the witness stand and that Douglas had testified he believed that GOD should maintain the power to probe a person's mind and inner thoughts. This placed Brad in an awkward position because it was well known that Douglas on Earth had been one of the chief critics of the inclination of government to probe into a person's thoughts. Douglas also was so well regarded in Heaven and also by Brad particularly, that his testimony against Brad's case was damaging.

Brad also told Harlan that he had been called to the witness stand himself but felt that he had maintained his own against Hugo. He told Harlan that Hugo brought up the fact that he had violated the Court's protective Order regarding the confidentiality of the statistics obtained. Harlan told Brad not to worry about that. He said if Hugo brought that up, it meant that he was desperate. Harlan

said that everyone knew it was a mere inadvertent error when Brad told Beverly the number of lives she had lived on Earth. While certainly Heaven's Court insists that its' Orders be fully complied with, if an Order is violated unintentionally and causes no harm, the Angels and GOD are totally forgiving of such.

Lastly, Brad told Harlan that Hugo had raised an argument that seemed to be potentially valid and which he hadn't considered. He also said quite straightforwardly that he thought Harlan should have thought of the argument and prepared him for it. Brad said that Hugo was arguing the new proposed admission standard of not allowing GOD to probe into a person's inner thoughts and mind, would not increase the number of people admitted into Heaven from Earth. It was Hugo's position that by allowing GOD to probe into a person's mind, just as many positive decisions that would otherwise have been negative decisions in the absence of looking into a person's mind were being made.

Brad then asked Harlan what he thought they should do. Harlan wasted no time and said, "First we've got to neutralize the impact of Justice Douglas' testimony. To have a person of his stature adopt a position contrary to ours, particularly in light of the fact that he argued so strongly against the State Bars on Earth and their attempts to probe into a person's thoughts is indeed very damaging to our case. GOD is absolutely going to give a great deal of weight to the testimony of Douglas. We need to balance that out. And I've got just the way to do it."

Brad was intrigued. "What do you suggest?" he asked. Harlan responded that as part of Brad's rebuttal he should call a witness to the stand. He said that Brad should call former U.S. Supreme Court Justice Thurgood Marshall to the stand to testify. Marshall was regarded in Heaven just as highly as Douglas, perhaps even higher since Marshall was a direct assistant to GOD. On Earth, as

a U.S. Supreme Court Justice, Thurgood Marshall had been a champion of civil rights and was cognizant in his judicial opinions of the need to properly limit governmental power.

Everyone, both humans and Angels, knew that Marshall was one of the greatest Justices ever on the U.S. Supreme Court. Harlan also said that he happened to personally know that Marshall believed GOD should not possess the power to probe into a person's thoughts and beliefs. Thus, the concept was simple. Marshall's testimony would balance out the damaging impact of Douglas' testimony.

Brad then asked how they should counter Hugo's argument that the proposed admission standards would not result in increasing the number of people admitted into Heaven. Harlan said that was a tougher issue. Overall, there really was no way to prove irrefutably whether the new standard would result in more or less people being admitted into Heaven. Since they couldn't prove their position irrefutably, they needed to support the proposed standard with some additional logic. "We're going to use some lawyer's logic on this one," said Harlan.

"Brad, the crux of your opposition to Hugo's argument is going to hinge on the assertion that man is inherently good, not inherently evil as many have mistakenly asserted. You will assert that man is inherently good because GOD is Perfect, GOD created man, and GOD would not have made the error of creating anything that is inherently evil. It's a pretty simple, solid argument. GOD would only have created man, if man was inherently good."

Harlan went on, "Evil comes about only as a function of the exercise of the free choice and free will that GOD has given man. To put the matter another way, man is born inherently good, and as a result of his experiences and exercise of free choice throughout his life, some people become evil. But, on the day of

a person's birth, they are inherently good and innocent. GOD gives each person on the day of their birth, the tools and ability to maintain their goodness. It's my guess that Hugo will not want to place himself in the position of arguing that man is inherently evil, since that would raise further issue as to GOD's Perfection. Plus, no one really wants to argue that a baby is evil or anything less than totally innocent. That would be a bad public relations decision. We all naturally think of babies as being good and innocent. Thus, Hugo probably will not contest your assertion that man is inherently good."

"Now if we work from the premise that a person is born inherently good, it's fair to say that on the day of their birth on Earth, they are pretty much ahead of the game. That is because on the day a person is born they are good and innocent. As a result, if nothing at all were to transpire during their life and they were to maintain the inherent goodness that they are born with, they would be admitted into Heaven without question when they die. Thus, it is fair to say that a person on Earth can only lose some of the goodness and innocence that they are born with as a result of their life experiences and their exercise of free choice."

"So the crux of GOD's inquiry when a person dies on Earth is to examine how much a person lost of the goodness they were born with. And of course, the more information GOD looks at and the more information he has available to review, then the higher is the probability that he will find evidence supporting the premise that an individual lost additional amounts of their goodness. Conversely, basic laws of probability mandate that the less information available for review and the less evidence that GOD has an opportunity to look at, the higher is the chance that he will conclude an individual maintained a greater degree of the goodness they were born with."

"That is basic mathematics. The less you look at something, the lower is the chance that you'll find something incriminating. So if GOD does not review a person's inner thoughts, mind and heart, it follows that he has less available information to review. That decreases the probability of concluding a person lost some of the goodness and innocence they were born with and in turn proves that by not probing a person's inner thoughts, that person's chances of being admitted into Heaven are correspondingly increased."

Brad got excited, "You know that's a great argument. The whole thing hinges on the assertion that man is born inherently good. While that assertion has admittedly been debated by many for thousands of years, pretty much everyone agrees that GOD is Perfect and GOD is Good. Thus, he probably would not have created something that is inherently evil. Such being the case, it is a mathematical certainty that the less information he has available to review, the lower is the probability that the information will lead to discovering incriminating evidence or an adverse finding. So if GOD can't look at a person's inner thoughts, he naturally can't find anything evil in those inner thoughts. Harlan, I like your argument and I like your style. We'll use it."

Harlan was a bit more subdued. "Don't get too excited Brad. When it comes right down to it, all I've done is use some fancy lawyer's logic. It's a good argument admittedly, but the fact is, there is a great deal of merit to Hugo's assertion that no one really can state for certain whether excluding the power of GOD to probe into a person's inner thoughts will increase or decrease the number of people admitted into Heaven. What I've done is to use some creative semantics, word play, and a strategic use of logical reasoning to give you a good argument to counter Hugo's assertion. But don't kid yourself that everyone is just going to buy into it, hook, line and sinker. Like I said, it's the type of

argument that only a lawyer or perhaps more pointedly, a former judge on Earth could come up with."

Harlan and Brad concluded talking and Brad left to go back to Court. He was a few minutes late and everyone was there waiting for him. Hugo and the three Angels, Pam Mildred and Fred. The proceedings reconvened and Pam reiterated her earlier inquiry to Brad about whether he wanted to present a rebuttal to any of Hugo's points.

Brad said that he did want to do so, and that he had a witness to call to testify. He then called former U.S. Supreme Court Justice Thurgood Marshall to the witness stand. The elevator door opened and there was Justice Marshall. He waved to everyone and then walked up to the witness stand. There was no oath for him to take. Justice Douglas also did not need to take any oath. It was simply presumed in Heaven's Court that everyone would tell the truth.

Brad approached the witness stand and said, "Justice Marshall, will you please tell the Court a little about your background when you were on Earth." Marshall responded, "I'd love to. If there's one thing that I really enjoy, it's talking about myself."

Marshall then began to tell about his life on Earth. "I was the great-grandson of a slave and the grandson of a Union soldier. I remember that as a grammar school student the principal of our school would send recalcitrant students to the basement with a copy of the U.S. Constitution and order us to memorize a passage before returning to the classroom. I spent many hours in that basement and as a result, I knew the entire Constitution by heart before I left that school."⁷⁰

He continued, "I got married in 1929 to Vivian Burey, a University of Pennsylvania graduate. She was a cute chick and we remained married for 25 years until her death from cancer in 1955. She had four miscarriages and we

had no children. Socially though, we did enjoy the night life. We frequented Harlem nightclubs and after-hours jazz clubs. I also loved to gamble at the racetrack and ultimately became a pretty good handicapper. After Vivian's death, I remarried and did have children with my second wife."⁷¹

"I graduated first in my class from Howard law school in 1933 and in 1935 I scored my first major civil rights victory, which was a case of sweet revenge. I won a lawsuit to integrate the University of Maryland law school which years earlier had rejected my own application because I was black. The case involved my representation of Donald Gaines Murray. He was a black graduate of Amherst. After applying to the University of Maryland law school he received a letter in response that stated":⁷²

"President Pearson has instructed me today to return to you the application form and the money order, as the University does not accept Negro students. . . ."⁷³

"Well, I won the case. I remember when I retired from the U.S. Supreme Court in 1991, I was asked by a reporter about that case, and I responded that it was sweet revenge and I enjoyed it to no end."⁷⁴

Marshall went on, "A somewhat funny story I remember, was in the 1940s I called various travel agencies to uncover whether their booking practices were discriminatory. On one occasion, a travel agent agreed to reserve a room for me in a Florida hotel. I then asked whether the hotel was restricted and the agent replied that he didn't know I was Jewish. I then feigned a heavy black dialect and responded, "Ahh, sister, have I got news for you!"⁷⁵

"I became counsel for the NAACP and in 1954 won the historic case of Brown v Board of Education that struck down segregation in public education. In 1965, President Johnson appointed me to be Solicitor General for the United

States. I remember catching some bad press for having a reputation as a heavy drinker who polished off three cocktails at lunch."⁷⁶

"The pinnacle of my influence on the Court was during the Warren Court years. Interestingly, although Justice Douglas and I were both recognized as champions of the poor, we really didn't get along too well with each other and clashed quite a bit. I think it's because we both had such strong personalities."

Brad then said, "Thank you Justice Marshall. Now at this time, will you please tell the Court what your opinion was on Earth of the State Bar admissions process." Marshall began, "Well, generally speaking, I felt the State Bars had significantly overstepped their constitutional boundaries and limitations. They were doing things related to the admissions process that I felt then, and still believe even more so now, were unconstitutional, illegal, unfair and immoral. In this regard, I was firmly part of the block of the U.S. Supreme Court that was highly critical and condemned the nature of the State Bars in general. I sided with Justices Black, Douglas, and Warren. Typically, we were all always against Justice Harlan and his faction. Unfortunately however, I was not on the U.S. Supreme Court for many of the earlier cases that took part during the late 1950s and early 1960s."

"I was on the Court though on that historic day of February 23, 1971 when the Court handed down three Bar admission cases simultaneously. I wrote a particularly stinging dissent in one of the cases, which was Law Students Civil Rights Research Council v Wadmond. That was the biggest of the three cases since it involved a broad frontal legal attack against the process of screening applicants for admission into the New York Bar. The basic thrust of the applicant's legal argument was that the State Bar admissions process had a chilling effect upon freedom of speech. The Court ruled in favor of the State Bar and against the applicants in that case. I strongly dissented against the

Court's opinion and believed the applicants should have prevailed. I wrote as follows":

"The underlying complaint, strenuously and consistently urged, is that New York's screening system focuses impermissibly on the political activities and viewpoints of Bar applicant's, that the scheme thereby operates to inhibit the exercise of protected expressive and associational freedoms by law students and others, and that this chilling effect is not justified as the necessary impact of a system designed to winnow out those applicants demonstrably unfit to practice law.

...

As we said not long ago in *Stanley v Georgia*, 394 U.S. 557, 565 (1969), "Our whole constitutional heritage rebels at the thought of giving government a power to control men's minds." The premise that personal beliefs are inviolate is fundamental to the constitutional scheme as a whole. . . . In the present case, we have a rule of New York law which, as written, sanctions systematic inquiry into the beliefs of Bar applicants, and excludes from the practice of law persons having beliefs that are not officially approved. . . .

...

... Appellants' fundamental complaint throughout this litigation has concerned the inhibitory impact of New York's screening system of the exercise of First Amendment rights.

...

... The . . . overintrusive probing for details about an applicant's associational affiliations, creates an obvious *in terrorem* effect on the exercise of First Amendment freedoms by law students and others. The interwoven complexity and uncertain scope of the scheme heighten the danger that caution and conscientiousness will lead to the forfeiting of rights by prospective Bar applicants."⁷⁸

Brad then jumped in, "So, Justice Marshall is it fair to say that your opinion of the State Bar admissions process on Earth was somewhat similar to that of Justice Douglas?" "Yes," replied Marshall. "I think that's a very fair statement. As I indicated previously, Douglas and I really didn't get along too

well personally while we were on the Court together. But, when it came to the State Bars and our opinion of them we were pretty much in agreement."

Brad asked, "Justice Marshall, what is your opinion regarding the current admissions process of Heaven? Do you think GOD should maintain the power to probe into a person's inner thoughts, mind and heart in order to determine whether that person should be granted admission into Heaven?" Marshall replied, "I do not believe that GOD should have that power. My reasons for believing that he should not possess that power are for the most part similar to the reasons why I believe on Earth the State Bars should not have the power to probe into a person's beliefs."

Marshall continued, "As I stated in my dissent in the Wadmond case which I just read for you in part, the premise that personal beliefs are inviolate is fundamental. In the same manner that probing into a person's personal beliefs chills their First Amendment rights, if humans on Earth were aware of the fact that GOD probed their inner thoughts, they would start to try and control their inner thoughts in a manner to maximize the probability that they would be granted admission into Heaven. While this may sound appealing, it would have an overall effect of inhibiting their thought processes. People would not be developing their own ability to think, but instead simply trying to control their ability to think. Overall, it would have a very stifling effect."

Brad then questioned, "Let me ask you this, Justice Marshall, it has been proposed to this Court by Justice Douglas, that while State Bars should not have the power to probe into a person's beliefs, GOD should. Justice Douglas' reasoning along with that of former Justice Black, is that GOD is not a government. GOD is not a State Bar. He reasons that GOD is GOD and functions for the good of all and therefore should continue to possess the power to probe into a person's thoughts. What do you think of that argument?"

Marshall replied, "I believe that reasoning of Justice Douglas to be fallacious. The justification for possessing a particular power that clearly infringes on a human's right of privacy does not hinge upon who possesses that power. I agree there is a much lower probability and perhaps even a nonexistent possibility that when the power to probe into a person's thoughts is possessed by GOD, it is not subject to abuse of power like it is when possessed by a State Bar or other governmental agency. Nevertheless, the possession and use of that power still infringes on a person's privacy. The power may be used only for good and benevolent purposes by GOD. I believe that is probably the case. But, it is still an infringement on a human's right of privacy."

Marshall concluded by noting the following, "We all know that GOD created man and did so in his own image. When he created man, GOD gave us all the right to engage in free choice and have free will. To allow GOD to probe into our minds, chills the very rights of free choice and free will that he gave us. So it is my opinion that while I fully agree and acknowledge the irrefutable fact that GOD is all good and Perfect, I do not believe one can fairly assert that the power to encroach upon one's privacy by reading their personal inner thoughts, hinges upon who possesses that power. Either the possession of the power is justified, or it is not justified. That determination does not hinge solely upon who possesses the power and how they will use the power. This premise in my view applies equally to GOD as to everyone else. If no one else such as government should possess the power, then I do not believe GOD should utilize the power either."

Brad indicated he had no further questions and asked Hugo if he wanted to cross-examine Marshall. In the same manner that Brad had found Douglas too formidable a figure to dare cross-examining, Hugo for similar reasons

declined to cross-examine Marshall. So Marshall was allowed to step down from the witness stand, at which time he left the Courtroom.

Brad then addressed Hugo's argument that if GOD did not probe into a person's thoughts, it would not result in increasing the number of people admitted into Heaven. He presented the argument just as Harlan had presented it to him. He told the Court that man is inherently good because GOD is Perfect. GOD created man and GOD would not make the error of creating anything that is inherently evil. On the day a person is born they are inherently good and innocent. Thus, if nothing at all transpired during their life they would be admitted into Heaven based upon their goodness at birth. The crux of GOD's review of their life therefore hinged upon whether they had lost some of the goodness they were born with as a result of the experiences of their life. And the less information GOD had to review, the lower would be the chance that he would find evidence indicating a person had lost too much of their goodness. Thus, excluding GOD's power to review a person's inner thoughts would inescapably lead to the conclusion that there was a higher probability of being admitted into Heaven and more people would therefore be admitted.

Hugo totally balked at Brad's crafty logic, which he knew immediately had its' source from Harlan. Hugo said, "This ridiculous argument that Brad has just presented has Justice Harlan written all over it. It's just like his arguments that supported the State Bar admissions process at the U.S. Supreme Court. It's nothing more than a deceptive, unfounded, lame attempt at logic that ignores the reality of the situation. The simple fact is that all Brad has done is substitute one faulty premise for another faulty premise."

Hugo continued, "As a preliminary matter, I do not contest Brad's assertion that man is inherently good. I believe that myself. I also believe that man is born both good and innocent as Brad has correctly pointed out. That

however, does not mean that if a decision were made at a person's birth that they would be admitted to Heaven. Admission to Heaven is not predicated solely on a person's goodness. It is based also upon the manner in which they have developed throughout their various lives on Earth. If Brad were correct that a person would be admitted into Heaven based on their goodness at birth if the decision were made at that time, then there would be no need for that person to even live their life on Earth. We know that when GOD sends a person back to Earth it is for the precise reason that he has decided that individual needs to develop further."

Hugo went on, "Thus, when GOD assesses the person's life at its' conclusion the crux of the inquiry is not simply whether that person has lost some of the goodness and innocence they were born with. Rather instead, the focus of the inquiry is additionally upon how that person developed throughout their life. To simply say if they maintained the goodness they were born with they would be admitted into Heaven, is an entirely incorrect interpretation of what is occurring. With the foregoing in mind, that concludes my rebuttal."

The Angels then asked both Brad and Hugo if they had anything else they would like to add to their case. They both indicated that they were satisfied with their presentations and had nothing further to add. The Angels then indicated that the proceedings were at a close and GOD's decision would be issued shortly. Everyone then left the Courtroom. The Angels exited through a back door.

Brad and Hugo both got on the elevator. Initially, they were both silent. Hugo then said, "Brad, you did good. I know you feel that I attacked your position a little too much, but as you also know, that's the name of the game."

Brad replied, "I don't object to your attacking my position. That is the name of the game. But, when you accused me of violating the Court's Order

when you knew that what I did was totally unintentional, you engaged in total pettiness." Hugo responded, "It was petty Brad. And there's no doubt that's how the Angels viewed it, and probably also how GOD viewed it. But it was also a great compliment to you. It showed that you performed so well on the witness stand that I had to try and desperately come up with something to make you look as bad as you made me look. Frankly speaking, if I had it to do over again, I definitely wouldn't have called you as a witness. That was the biggest mistake I made in the case."

The elevator doors opened and they both got out. As they walked, Hugo went on trying to make amends with Brad, "Look, Brad, it was a tough case on a very important issue. We both did our best and overall I think we both did good. Don't take the whole thing so personally. Besides, during the recess I heard some news I think will be of great interest to you about things back on Earth."

That aroused Brad's curiosity and he asked, "What news?" Hugo replied, "Well, the State Bar admissions process in the United States is changing. Apparently, a man was elected as a U.S. Senator. After taking office, he commented how ironic it was that apparently he possessed sufficiently good moral character to be a U.S. Senator, but not an attorney. As it turns out, two decades earlier he had been denied admission to the Ohio State Bar."

"At that time, twenty years ago, he accused an Ohio judge of being corrupt. When he applied to the Ohio Bar, the admissions committee denied him admission stating that by accusing the Ohio judge of being corrupt he had abused the legal system. Well as it turns out, the Ohio judge really was corrupt. Ten years after the man was denied admission to the Ohio Bar, the Ohio judge he had accused of being corrupt was indicted by a Federal Grand Jury and convicted of using his judicial office to further his own economic interests. The judge was sentenced to prison."

Hugo continued with the story, "Meanwhile the man who had applied and been rejected admission to the Ohio Bar, moved from Ohio and pursued a political career. He was elected to be a U.S. Senator and told the story about his application to the Ohio Bar and how corrupt their admissions committee was. He said he wanted to change the admission process nationwide. He also heard about your case in Oregon."

Hugo went on, "When your life was taken by the Angels the night before oral argument at the Oregon Supreme Court, the U.S. Senator decided to take up where you left off. He filed an application for admission to the Oregon State Bar and also a Motion with the Oregon Supreme Court challenging the moral character review process. He used your Motion as the foundation for his case. The Court ruled in his favor. Oregon has already become the first state in the nation to constitutionalize and liberalize the Bar admissions process. It is being held up as a model for all other states."

"So now Brad, the Senator is doing the same thing in other states. He's going from one state to the next applying to their State Bar and he's doing it as a U.S. Senator, which as you know carries a lot of weight. And he's using the Motion you drafted in each state, modified slightly to conform with each state's procedures. He's also crediting you for having had the courage to launch the challenge initially. Brad, you are posthumously becoming an American hero."

Hugo smiled, "But of course, I assume that things on Earth aren't too much of a concern to you now, Brad. After all, you've got something more important going on up here. Well, we should be getting GOD's decision soon. I'll see you later Brad. And win or lose, I hope we get to work together or against each other again. I like you Brad. You're a good lawyer. See you!"

23

Brad was left standing by himself in the middle of nowhere. He couldn't help but reflect upon what was going on back on Earth. The notion that his dream of reforming the entire State Bar admissions process of the United States was being fulfilled, but that he wasn't there to see any of it occur made him feel both happy and sullen. Happy that the process was changing, but sullen that he wasn't there to see it. Then he had an idea. It might not work. But then again, it might.

Brad knew that he should be heading back to get GOD's decision on the case he had just tried. But after what Hugo just told him about what was going on back on Earth, he decided that he had a few moments to try something. He could try using his powers. The powers that all humans get once in Heaven. He closed his eyes, and wished that he was back on Earth just to see what was going on with the State Bar admissions process.

When he opened his eyes, he couldn't believe it. Brad was back there. He was back on Earth. There were people all around him. He was in Oregon. He asked a man walking by where he could buy a newspaper. The man acted as if he didn't hear Brad at all and just walked by him. He then asked someone else

and the same thing happened. It was then that Brad realized no one could see or hear him. He was in fact nothing more than a ghost to them.

But he could see and hear them. That was something. He also found that just like we typically think of ghosts, he could walk through buildings and fly. After thinking for awhile of what to do he decided to go over to the Oregon Supreme Court Courthouse. He walked right through the walls and roamed around with nobody giving him any particular notice. Finally, he found an empty office with a computer there. He couldn't touch or feel the computer since he was essentially a ghost. However, he found that just by thinking about an internet website, he could direct the computer to that website. And he knew the exact website that he wanted to go to.

Brad thought for a moment and then solely by the power of his will the computer went on to the website of the Oregon State Bar. What he saw on the State Bar's website was incredible. It was filled with information about the changes in the admissions process. There was a section explaining the new rules. Another section contained various articles about the new rules that were written by Oregon judges and attorneys, and an opinion section where various attorneys and state legislators throughout the state commented on the new admissions process.

The Oregon Supreme Court's Order that instituted the new State Bar admissions requirements provided that the State Bar was to formulate a new application questionnaire. The Order further mandated that the moral character inquiry section of the new questionnaire could only contain questions for applicants, for which inquiry was also made on a regular and periodic basis of licensed Oregon attorneys and judges. Stated simply, the State Bar admissions committee was no longer allowed to ask a moral character question of an applicant, unless it also made a similar inquiry of licensed attorneys and judges.

Brad knew that would change the nature of the applications process totally. Lawyers and judges weren't going to want to answer all of those Stupid-Ass questions that the moronic Oregon State Bar had previously been asking applicants. As a result, once the lawyers and judges were required to answer the same questions, the questions being asked of applicants would become significantly more fair. There would be fewer moral character questions. Overall, the process would become much more lenient and fewer people would be denied admission. For the most part, Brad figured that the only people who would be denied admission would be those with criminal convictions. And that's the way it should be.

There was also a separate section on the Oregon State Bar website that was solely about Brad. The section that was specifically about Brad obviously intrigued him so he clicked on it. It told about his case, his untimely death, the aftermath, and how he had inspired people throughout the state to change their way of thinking. It also told about Beverly Stanopo, the former Oregon State Bar admissions committee member. It described how when she changed her way of thinking in response to Brad's death it had a major impact on people throughout the state. Then of course it also told about Beverly's untimely death from cancer.

All in all, Brad had to admit that he was very impressed with the Oregon State Bar's website and how the Bar had finally acknowledged that it had previously been doing things in an unfair, unjust and generally discriminatory manner. He sat back very pleased with himself and the life he had led on Earth.

Then all of a sudden, reality came back to him. This was not his world anymore. He was in Heaven, or at least that was where he was supposed to be. There was a much bigger case that he had to be concerned with now. He enjoyed his brief, ghostly sojourn back to Earth, but it was now time to get back

to reality. For all he knew, GOD had already issued his decision and it certainly wouldn't look good for Brad if he wasn't even around when the decision was delivered. So Brad closed his eyes and wished himself back to Heaven. When he did so, he mistakenly thought that he was leaving Earth for the last time. He figured there was really nothing there anymore for him. For the most part, compared to Heaven, Earth was not much more than a very backward place filled with unimaginative people and irrational judges for the most part.

Brad then opened his eyes and he was back in Heaven. He quickly realized that for the first time since he had been in Heaven, he really didn't know where to go. Up until now, the whole time he had been here with the exception of when he first arrived and didn't know what was going on, he had pretty much been led from one place to another by the people and Angels that he had met. He wondered where he should go.

Harlan was probably waiting in the room where he had remained available during the hearing. But where would Tammy, John and Tom be? They were his clients after all. Brad decided that he should be with his clients and Harlan when the decision was handed down. He hoped that it had not been delivered while he was screwing around on Earth as a ghost.

He went quickly to the room where Harlan had been waiting before for him. To Brad's great surprise the room was empty. Now he definitely had a problem. Where was Harlan? Where was Tammy? Then all of a sudden it came to him with certainty. Of course, why hadn't he thought of it before? They had to be at the Strip Bar. Harlan loved the Strip Bar and was getting it on with the former Florida State Supreme Court Justice turned Stripper, and Tammy was a Stripper herself. That was where they all had to be.

Brad raced over to the Strip Joint, ran in and sure enough everyone was there waiting for him. Harlan was there. Tammy, Tom and John were all there.

Tammy asked Brad where he had been. Brad told her that he had gone back to Earth after Hugo told him about the Bar admissions process changing there. As soon as he said that, he saw a look of disapproval and disappointment on Tammy's face. He also knew she was right. He had no business satisfying his own personal curiosity, while his clients in Heaven were waiting for GOD's judicial decision. He apologized profusely to Tammy. He then did so similarly to John, Tom and also Harlan.

Almost immediately after Brad finished his apologies, a Clerk from the Court of Heaven walked into the Strip Bar and told everyone that he had a Judgment from GOD. The Clerk asked for Brad Thomas. Brad stepped forward and the Clerk handed him a white envelope that had golden glowing strands running all through it. Brad thanked the Clerk, looked at everyone nervously and opened the envelope.

He slowly pulled out from the envelope a piece of paper. The document was labeled "GOD'S COURT ORDER." It read in full as follows:

"GOD'S COURT ORDER

This matter comes before GOD upon reviewing the legal issues and challenges brought forth to this Court by the Plaintiffs who are three Angels named Tammy, John and Tom, and who are represented by Counsel, Brad Thomas, and upon having considered the opposition to such presented by Opposing Counsel, Hugo Black. Now in consideration of all relevant matters presented and upon Hearing the matter, for good cause GOD now does hereby render the following decisions:

1. GOD shall retain, maintain and continue to use in any manner that GOD deems fit the power to read into and probe into a person's inner thoughts, mind and heart for the purpose of determining whether that person shall be granted admission into Heaven upon conclusion of their life on Earth.
2. A person seeking admission into Heaven shall be required to prove to GOD by a Burden of Proof standard consisting of showing by Clear and Convincing Evidence that their admission into Heaven is warranted and justified.
3. Use and application of the prior Burden of Proof standard used by this Court to determine whether a person should be granted admission into Heaven consisting of showing by Proof Beyond a Reasonable Doubt that admission is warranted and justified is hereby immediately discontinued.
4. In light of the reduced Burden of Proof Standard to be utilized for rendering admissions decisions to Heaven, GOD does hereby direct that a panel of Angels is to be convened for the purpose of developing procedures and practices that will provide for the temporary expulsion from Heaven of any person determined to have engaged in misconduct while in Heaven, including but not limited to any abuse of the powers that GOD gives all admittees into Heaven. Such temporary expulsion shall consist of being sent back to Earth to lead one additional life at which time reinstatement into Heaven shall be considered in light of how the person led that additional life on Earth.

THE FOREGOING IS HEREBY ORDERED.

**THIS ORDER HAVING BEEN DICTATED BUT NOT SIGNED BY
GOD IN ACCORDANCE WITH STANDARD PROCEDURE OF
HEAVEN'S COURT."**

Brad's first reaction was a wave of disappointment. He had lost the biggest issue of the case. GOD was going to continue to probe into a person's inner thoughts, mind and heart for the purpose of determining whether they should be granted admission into Heaven. For the first time since the case began, Brad had a great sense of frustration associated with the fact that GOD didn't even give a reason for his decision.

Was Brad's presentation faulty? Was Hugo that much better? Did Brad even have a chance on the issue from the start, or did GOD have his decision made right from the beginning? Did presentation of the case and issues even matter? Brad inwardly felt that he was entitled at least to know why GOD had decided as he had on the issue. But that feeling was moot and irrelevant. Because the bottom line was that Brad had been told right from the start that GOD would render a decision, but not provide any reason or justification for his decision.

Then all of the sudden, Tammy came up to Brad put her arms around him and stuck her tongue in his mouth. When she took her tongue out, she excitedly exclaimed, "You did it Brad! You did it!" Brad was surprised and replied, "What do you mean I did it? GOD ruled against us on the biggest issue. He's still going to probe into people's inner thoughts."

Tammy replied, "Brad, don't you understand? Our overall goal was to make the process of being admitted into Heaven more easy and lenient, to give more people from Earth a chance to prove themselves here. We wanted to increase the number of people admitted so as to ensure that eventually all people from Earth will be admitted into Heaven. The manner in which we accomplished that wasn't the key."

She continued, "Although GOD ruled that he is going to continue to probe a person's inner thoughts and mind, he also ruled that the Burden of Proof

standard that needs to be sustained by an individual seeking admission is now Clear and Convincing Evidence. That's a much easier standard to meet. GOD is no longer going to use the Proof Beyond a Reasonable Doubt standard. This will absolutely increase the number of people admitted into Heaven by a massive amount each year."

Tammy went on, "Don't you see what you did Brad? Beginning tomorrow and continuing for centuries and perhaps thousands of years, literally thousands and millions of people are going to be admitted into Heaven, who otherwise would have been sent back to Earth to lead another life." Tom and John and Harlan also came up to Brad immediately and congratulated him. They said that what Brad had done was remarkable.

Brad started to reflect upon the fact that apparently he had changed the admissions process with respect to two different realms of the Universe. He had been the catalyst to liberalizing the admissions process for the Oregon State Bar on Earth, which would undoubtedly spread to all the other states of the U.S. After all, the other states simply couldn't place themselves in a position where Oregon was the nation's only bastion of fairness and equality. That would leave all of the remaining State Supreme Courts and State Bars of the nation wallowing in the mud of despicable deception, unfairness, inequality and corruption. Once Oregon made the change, the other States would have no choice but to get in line and follow. The general public of each State would demand it.

Brad had also more importantly changed the admissions process for Heaven. This he knew was a lot more important than changing the admissions process for the State Bars on Earth. He was now seeing GOD's Order as a victory, not a defeat. He was realizing that what Tammy, Tom, John and Harlan

were saying to him was true. Brad had convinced GOD to change the manner in which he conducted the admissions process in Heaven.

Interestingly, once Brad came to the realization that he had successfully litigated the case in Heaven, thanks to Tammy's tongue kiss, he was no longer quite so bothered by the fact that GOD did not provide any reasons for his decisions. The reasons and justification for the decisions only seemed important to Brad when he thought he had lost. Once he realized that in the overall spectrum of things and considering the goals his clients sought to achieve, that he had actually won the case, all that mattered to Brad was that GOD had ruled in his favor. The reasons were not important. He couldn't help but to ponder briefly and somewhat amusingly that was probably rather indicative of human nature overall and the essence of litigation. The reasons only matter if you lose. If you win, all that matters is that you won.

Tom and John both came up to Brad. Tom said, "Brad, I think that it's time we now had another party. This one's a victory party. John concurred immediately as did Harlan. But Brad turned to them both, then looked at Tammy and said, "You know guys, I'm really flattered, but if it's okay with all of you, I think that I'd like my victory party to consist of being with just Tammy." Harlan smiled and said, "Don't worry Brad, I think we all understand perfectly."

Brad then asked Tammy, "Well, it's now time for you to render your ruling on the question I asked you about before the trial. Do you want to go on a date? Remember, you said that you wouldn't rule it out. So, what's your answer?" She looked at him and said, "Absolutely, but I get to pick the place. And I know exactly where we're going to go." They then both said goodbye to everyone else.

24

Tammy told Brad to close his eyes and use his powers to let her take him anywhere she wanted. He did so. When she told him to open his eyes they were both back on Earth. They were in the Courtroom of the United States Supreme Court. As had occurred previously to Brad when he visited Earth just awhile back, they were both essentially Ghosts. No one in the Courtroom realized they were there. They could not be seen or heard, other than by each other.

The Chief Justice of the U.S. Supreme Court was speaking. Brad could tell fairly quickly that it was a pretty boring case they were hearing. He wasn't particularly familiar with the subject, nor did he care to be. It involved some type of obscure statutory issue pertaining to trade regulations, which Brad knew really wouldn't affect anybody in the country all that much regardless of how the Justices decided. It was just a boring case and it looked like everyone in the Courtroom was pretty bored and uninterested in what was transpiring.

Tammy then turned to Brad and said, "Brad, don't you think it's time we liven this place up a bit?" Brad asked what she meant. Tammy then said, "Well, Brad if you're going to date me, if you want to be with me, then you better get used to the fact that I like a little excitement. Actually, I like a lot of excitement. And I like a lot of sex. We gotta see if you're really up to being with me, in order to tell if this can work out. So take off your pants!"

Brad was pleasantly surprised and replied, "Excuse me. You mean you want me to take off my clothes right here in the U.S. Supreme Court, while a

case is being heard right in front of us?" Tammy said, "C'mon, don't make such a big deal of it. Nobody here can even see or hear you. We'll just have sex in front of them all and they won't even know it. It'll be great!."

So Brad did as he was told. He took off all his clothes while the U.S. Attorney General was presenting his oral argument to the Justices. Tammy then did likewise and took off all of her clothes. Brad looked at her in total awe. She was absolutely gorgeous. By far the prettiest woman, Angel, he had ever seen. Before coming over to Brad, she did a little dance in front of the Justices, the lawyers and the people in the gallery. They couldn't see her of course, but Brad could sense that something was happening.

Apparently, even though no one in the Courtroom could see or hear Brad or Tammy, the fact that the two of them were totally naked in front of everyone, and just about to have some extremely steamy sex in front of everyone caused an unseen sexual energy to take hold of the room. All of the sudden, the lawyers began to deliver their oral arguments more passionately. The Justices became much more interested in what the lawyers were saying. The people in the gallery no longer were totally bored by the case. The sexual energy being created by Brad and Tammy was affecting the manner in which everyone in the Courtroom was reacting to what previously had been nothing more than a boring and uninteresting case involving an obscure statutory issue.

Brad then said to Tammy, "This is incredible. They can't see or hear us. But we are definitely affecting them. Our sexual energy is rubbing off on everyone in the Courtroom." Tammy said to Brad, "Watch this. I've done this lots of times before. You're going to get a real kick out of this. She then strode up to the bench where all of the Justices were sitting. She was totally naked, not wearing a single shred of clothing. She then walked up behind one of the male Associate Justices. She leaned over backward onto the bench so her perfectly

shaped Tits were staring the Justice right in his face. Somehow, he couldn't help but to look down at them. He pretended that he was reading the piece of paper that Tammy was laying on top of, but in his mind he was in the process of having a sexual fantasy. Tammy then got up and leaned her body into him. She nibbled on the ear of the Associate Justice. He then put his hand up to his ear as if he had a slight itch.

Tammy went back to Brad. "Is that great or what?" she said. We all love doing that a little bit to people on Earth. It makes life a bit more enjoyable for them, and we have fun doing it. But, now let me get back to you."

Tammy didn't waste any time. She put her arms around Brad. The two of them both dropped to the floor in front of the U.S. Attorney General and opposing Counsel. The Attorney General looked briefly at the floor. All of the Justices and spectators then looked briefly at the floor simultaneously. But no one in the room was aware or knew that anyone else in the room had looked briefly at the floor. They had just all done it together. All drawn to the sexual excitement taking place right in front of them, but which they could not actually see occurring.

Meanwhile Tammy and Brad had great sex on the floor of the U.S. Supreme Court, while the case was proceeding. Brad couldn't believe the experience. It was one of the most unbelievable things he had ever experienced. As he pumped in and out of Tammy, he looked at her. Her appearance changed from one beautiful woman to another beautiful woman. She became every single beautiful woman, movie star, actress, rock singer, and model that Brad had ever seen in his life. She was essentially all of them rolled into one.

Tammy for her part was also enjoying Brad immensely. They came together. Brad then rested for a moment, told Tammy how great she was and that he loved her. Tammy responded, "I'm glad you liked it, but we are far from

done. C'mon get up. We've got some more stops to make." Brad did as he was told. They didn't even bother getting dressed. They just left the U.S. Supreme Court totally naked. As soon as they exited, everyone in the Courtroom immediately got bored again with the case that was being heard.

Tammy took Brad over to the U.S. Capitol. They walked right in and just like at the U.S. Supreme Court nobody noticed them, since they were essentially Ghosts who could not be seen or heard. But everywhere they walked, people glanced in their direction without even knowing why they were looking that way.

They walked into the U.S. Senate where the Senate was in the midst of proceedings with all the Senators present. They had some more wild sex, this time in front of all the Senators. Then they went over to the House of Representatives and had sex in front of all the Congressman. Then they went over to the White House and had sex in the Oval Office while the President was meeting with some world leaders. Brad couldn't help but to be somewhat amused that the President kept scratching his crotch, while he looked directly at them, yet not even knowing they were there.

They then proceeded to have sex in front of the Justices in the Courtroom of every State Supreme Court in the country, along with every State Legislature in the nation. Overall, they had sex approximately 150 times.

When they were finally done with the sex and associated panting, Brad turned to Tammy and said simply, "Marry me." Tammy was stunned. She had always been an in-charge type of Angel, but now she hardly knew what to say. Finally she responded, "Brad, I do think I love you, but marriage is a big step for an Angel like me. I mean, I'm almost 34,000 years old. That's roughly almost 30,000 years older than you. How do I know that one day you won't simply toss me aside for some young Angel who's only 20,000 or 25,000 years old? Plus,

I've never been married before. It won't be an easy thing to settle down into the married routine after having lived the single life for almost 34,000 years."

Brad tried to convince her, "I will never stop loving you. You're the one I want to spend eternity with and you're the only one that I want to have sex with." Tammy said, "What about my job? How can I continue to be a Stripper if we get married? Right now, I feel good about my work. It's important to me and gives me a great sense of high self-esteem. And you're not even an Angel. You're a human. We're different beings altogether." Brad then replied, "Tammy, either you love me or you don't. If you love me, then we should get married. If you don't then we shouldn't. I know that we're different beings. But, mixed marriages can work out. You said yourself, that there are some Angels and humans that are together up here."

Tammy thought somewhat pensively for a moment and then finally said, "I'm gonna do it Brad. I'll marry you. My answer is yes. Something tells me that you really are the one for me. And like I said, it is a little kinky for an Angel to be with a human. But if we're going to do it, we're doing it quickly. Let's get married right now." Brad agreed immediately.

They both then went to tell Harlan, Tom, John, Hugo, Douglas and Marshall. The wedding was held by the swimming pool at the bar of the same resort where they had met originally. The place where Tammy, John and Tom first told Brad about their case. Justice Douglas conducted the ceremony. Within a short time, they were married. Tammy had married one of the most important young human attorneys that Heaven had ever seen. A man who had convinced GOD to change his mind. As for Brad, he had married the hottest looking Angel in Heaven. A woman with a brilliant mind who had served as a judge in GOD's Court and had perfect Tits to match.

At the wedding reception, Harlan came up to Brad. He asked Brad what he was going to do next. Brad asked what his options were. Harlan replied, "Well, Brad there's no doubt that if you want, you're free to now simply enjoy Heaven. You've got a beautiful Angel wife and with the powers that GOD has given you both, you could travel from one place to another, live a life of total leisure and comfort up here for eternity. Many people and Angels do that up here you know. Just enjoy the place. After all, you have earned it."

Brad responded, "You know that sounds pretty good Harlan, but something tells me that you have a different idea in mind for me. What is it?" Harlan smiled and said, "I spoke to some very important Angels and judges after the hearing. They'd like you to become part of the permanent legal staff up here. Brad asked what he would do. Harlan replied, "As you know, thanks to you, the process for assessing a person's life to determine whether they will be admitted to Heaven has now changed. We don't anticipate any major cases proposing additional changes in the process for awhile. Cases like you just litigated only come along once every few thousand years. But there still is the matter of performing the actual life assessment for each person."

Harlan continued, "Essentially, you would be a defense attorney. It would be your job to present a person's life to the Court in the most favorable light and to make the case that they should be admitted into Heaven. You would introduce as evidence good things they did during their life, any heroic acts they might have performed, the good relationships they had with family and friends. Anything that reflects positively upon the person and the life they led on Earth you would use to hopefully obtain a judgment of admission into Heaven in their favor."

Brad was doubtful. "You know Harlan, it sounds tempting, but now that I'm married and looking forward to a lot of really great sex, I was thinking of

taking you up on your first idea. Just enjoying Heaven for awhile." Harlan said, "Don't misunderstand me Brad, I know it's tempting to just live out eternity in leisure with Tammy. But, ultimately you will get tired of that. You're the type of person that needs constant intellectual stimulation and a sense of challenge."

Harlan went on, "I have to admit that if you do decide to accept the position as an attorney, the hours are long and the work is hard. Typically, we use our powers so as to not require any time off for eating meals and just utilize the limitless energy that GOD has blessed us with. Of course, you'll have enough time to spend with Tammy and have plenty of magnificent sex with her. But, beyond that, you'll be working constantly. You'll gain an unparalleled sense of intellectual satisfaction and commitment for contributing to the workings of the Universe."

Harlan then laid out the real bait, "Oh, let me tell you about who your primary clients will be, Brad. Primarily, you will be defending former State Supreme Court Justices. You'll find that after they leave Earth they're really not nearly as pompous or arrogant once they find out how things work up here. It's really amazing how learning you may not get into Heaven affects a person. They also don't seem to like discovering that up here there are no longer any lawyers, prosecutors, or lower court judges kissing their butt. Actually, they become pretty contrite, very quickly. We all kind of get a kick out of it. Frankly speaking, overall they're kind of a tough group to get into Heaven because so many of them really don't know what they're doing. Nevertheless, we really think that you can help get some of them admitted. After all, they're definitely a group that needs the best legal counsel available. We believe that's you, Brad."

"Also Brad, if you do decide to accept this offer, you'll be working hand and hand, arm and arm, and shoulder to shoulder with former Justices Black,

Douglas and Marshall on a regular basis. Douglas and Black are both defense attorneys, and Marshall as GOD's direct assistant is involved in just about everything that goes on up here in one way or another. The Universe needs you Brad. And you need the Universe."

"Okay," Brad replied. "I'll do it. Let me just clear it with my wife first."

THE END

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22. In Re Summers, 325 U.S. 561 (1945)
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31. Id.
32. In Re Stolar, 401 U.S. 23 (1971)
33. Baird v State Bar of Arizona, 401 U.S. 1 (1971)
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