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INTRODUCTION

If there's one thing the Judiciary detests more than anything else it's a smart aleck. If there is one thing I am more than anything else, it's a smart aleck. Such being the case, it is easy to see there was going to be some friction between us right from the beginning. There is no doubt that trial judges irritate and annoy me. Similarly, I tend to irritate and annoy them. In such situations, someone has to change. Either I have to change or the entire Judiciary branch of government has to change. I have no intention of changing, so the Judiciary will have to. The simple fact of the matter is that I am entirely dissatisfied with this nation's legal profession, and not at all pleased that it has caused me to develop a deep, burning social conscience that compels me to effectuate improvement in the administration of justice. Frankly speaking, at this stage of my life I was really planning on spending most of my time on a beach in Aruba with a swimsuit model. Instead, this disease that I've developed called a social conscience, inspires me to straighten out the entire legal profession. I can honestly say that I wish I never discovered most trial court judges and attorneys don't know their ass from first base. In 1994, during my third year of law school at the University of Oregon I wrote my senior thesis on the "Unauthorized Practice of Law (UPL)." I got a "B+". The Professor recognized I spent a tremendous amount of time on the paper, but felt it wasn't quite up to an "A" paper. She was right. I didn't concentrate sufficiently on the economic aspects that drive the Judiciary. Frankly speaking, in hindsight, I'd probably give the paper a "C" at best, today. The economic aspects are quite simply put, the entire ball game.

Since 1995, I have spent an immense portion of my time studying UPL and the Bar admissions process. I have read hundreds of cases in all states, thanks to the Company known as Versuslaw which provides an Internet subscription for at a very low cost that provides access to published court opinions in every state. I have no affiliation with the company, other than being a subscriber to their service, but highly recommend it for those interested in reading court opinions. State cases, U.S. Supreme Court cases, several books, and articles in the Bar Examiner magazine are the primary sources I have used. The facts and irrational judicial reasoning applied in numerous Bar admission cases from most states are analyzed herein. The other main source of information I've used, is the magazine published by the NCBE known as the "Bar Examiner." I am extremely critical of articles in that magazine. I quote key, selected portions and analyze them extensively. It is my belief that the "Bar Examiner" articles from the 1930s set the foundation for the irrationality of the Bar admissions process today.

A word now about "**BOLDING.**" I quote numerous passages from court opinions and the Bar Examiner articles. I have taken the liberty of "**BOLDING**" portions for the purpose of emphasis. It is important for the reader to understand that although they are "**BOLDED,**" herein, they generally were not "**BOLDED**" in either the opinions or the articles. Other than that, I have tried my best to ensure the quotes are wholly accurate. In the event errors are brought to my attention, they will be corrected in future editions. I do not include the names of the litigants involved with respect to the cases cited. This is somewhat unusual, since case citation normally does include litigant's names. I nevertheless felt it was appropriate to delete them. I make an exception for those few state cases where the litigant's name is already well known to the public, such as the Massachusetts case of Alger Hiss. I also make an exception for all U.S. Supreme Court cases, where the names are included.

Now, a little about myself. I received my undergraduate degree in accounting from Georgetown University and my law degree from the University of Oregon Law School. I am a licensed

CPA in New Jersey, and the District of Columbia. I am also a licensed attorney in the State of Pennsylvania and the District of Columbia. I first became a CPA in 1985, and then became licensed to practice law in Pennsylvania in 1995, then the District of Columbia in 1997. I've been an attorney for less than six years (as of 2002), and I'm making waves. Big waves !! As I see it, the manner in which the legal profession has been conducting itself is totally unacceptable, and needs to change immediately. I have never been disciplined by any professional board, and in fact, have never even had one single ethical complaint of any nature ever filed against me for any reason. I've never been convicted of any crime in my entire life. I am 41 years old as of 2002. I do admittedly have a tendency to "annoy" (excuse me, make that really "piss off") trial court judges within the context of civil litigation. For this reason, it seemed to be a prudent idea that I not practice law. In fact, I have never represented even one single client in any matter of any nature. It would only lead to problems. The state trial court judges lack a sufficient knowledge of the law, and continually conduct themselves in an irrational manner extending beyond their authority. They are over-emotional, hypersensitive, and quick to punish litigants (particularly, Pro Ses) simply for exercising constitutional rights. Such being the case, I realized that if I practiced law, I'd set a national record for the quickest summary contempt.

I use profanity on occasion, but not too often and typically only in jest. I love the underdog in almost any context. I believe in the opinions expressed herein fervently. They were not quickly formed, but developed in a gradual manner over the last eight years, beginning with my first year in law school. I have enormous faith and confidence in the U.S. Supreme Court, and have read biographies of Justices Marshall, Black, Douglas, Holmes, Warren, Powell, Harlan, Field and a few others. I am relatively well versed in American history, having read biographies of every President through the early 1900s. I am knowledgeable to a limited and lesser extent in western philosophy including Locke, Hume, Rousseau, More, Mill, Kant, Hobbes, and Machiavelli. Machiavelli's "Prince" incidentally is probably the best 90 pages that I've ever read about government. I also have enormous faith and confidence in the opinions of the general public, but for the most part believe that most attorneys, State Bars and trial court judges are incompetent nitwits. Few have read any American history or western philosophy. They have little appreciation for court rules and are under the mistaken impression that court rules apply only to Nonattorneys. I wouldn't mind their pompous arrogance so much if they were at least knowledgeable and competent in the law. In fact however, most are stumbling, stumbling buffoons.

A good analogy involves the game of golf, which I have at times played competitively in my life, including four years in high school and one year in college. Trial court judges and local attorneys in small towns remind me of a guy who gets up on the first tee of the golf course dressed in the best clothes and playing with the best golf clubs you can possibly buy. They then proceed to play the first hole like a typical duffer and score an 11. When asked by the other players what their score was, they reply, "Par." You can't help but look at them and think, "Who does he think he's fooling?" That's what the local attorneys and small town judges are like. They want the litigants and the public to believe they really know what they're doing and be under the impression they have experience and knowledge in the law. In truth however, the record typically demonstrates they're not much more than judicial duffers. I detest attorneys for the most part, but do believe there are a few good ones. Too few. Many of these beliefs will become more apparent, as you read the book. Keep in mind, that I am not writing to impress the intellectuals, or the university professors. If they don't like my writing style, too damn bad. I'm writing to convey a strong message about the legal profession. If I get my point across, that's all that counts. I am a "bottom line" person. And the bottom line of this book is that the logic flows. The point is made and the message gets across. Whether you like the book or not, one thing is certain. When you're done reading it, you'll know where I stand. It contains some emotion, humor, criticism and extensive analysis. The conclusion I want you to reach after reading it can be summarized as follows :

"He's right. The State Bar Boards of Examiners are wrong."