THE POINT WHERE CITING CASES, PROOFS AND EXAMPLES BECOMES MEANINGLESS

By Evan Gutman CPA, JD (2013)

This Supplement is different from the first part of this book published in 2002, and is largely a stand-alone book of its own. In the first part of the book published many years ago, I analyzed numerous State Supreme Court opinions and U.S. Supreme Court cases involving the State Bar admissions process. The focus of the analysis was upon the so-called good moral character requirement of admission. As I embarked on writing this supplement I considered updating the book for bar admission cases after that publication. Ultimately, I decided that would serve no purpose.

The infirmity of Judicial logic and cognitive disability suffered by State Supreme Court Justices was sufficiently proven by the first part of this book. To simply add on a bunch of additional cases demonstrating the same points would serve no purpose. The reason is that the concept of proving injustice and unfairness on a system-wide basis is initially buttressed by citing cases, proofs and examples. However, there is a point when something more is required.

It's kind of like trying to prove a lot of people drive their car five miles over the speed limit. Once you present a few hundred thousand people as examples, your assertion isn't helped all that much by presenting an additional few hundred thousand. It is common knowledge and a well-accepted facet of society that almost all people break speed limit laws occasionally. The matter has basically become "Res Ipsa Loquitur" (i.e. the thing speaks for itself).

Similarly, the arbitrary, capricious and immoral nature of the bar admissions good moral character requirement is now so well known that it really doesn't require additional proof. While presumably irrational individuals who support the immoral self-serving interests of the State Bars disagree with this assertion, I am well-satisfied the first part of this book presented enough cases exemplifying the irrational nature of the process to prove the point.

It's become like trying to convince the general public that a large proportion of lawyers are tricky, dishonest and immoral. Everyone knows it. So you don't have to prove it. Notwithstanding the disingenuous dicta contained within Judicial opinions asserting that the legal profession is a "time-honored profession," the public simply doesn't buy into what these Judicial scam-artists are selling. The average person knows the legal profession is hypocritical and immoral. They know it because they've personally experienced it or know people who had negative experiences with lawyers. You can read virtually any newspaper on any given day and find examples supporting the axiom that the

legal profession, Judges and lawyers should not be trusted. To assert otherwise, is the equivalent of saying politicians should be trusted, when everyone knows they're as immoral, if not more so than lawyers.

Upon deciding not to simply fill this supplement with analysis of a lot more immoral Judicial opinions pertaining to bar admission, I decided to do three things. First, I address more in-depth the legal strategy that should be employed to collapse the inherent hypocrisy and vagueness of the good moral character requirement.

Second, I did select a few isolated cases that highlight the nature of Judicial hypocrisy. These cases emphasize and demonstrate the existence of a psychological disorder embodied within the mindset of the Justices who wrote the opinions. It is my position the existence of this psychological disorder is demonstrated by the tendency of Judges to distort the meanings and definitions of words and terms beyond boundaries of reasonableness. Consequently, this supplement is in large part a work that examines the English language as used by the Judiciary. In addition, the limitation of language to communicate the meaning of laws is explored.

Since it is the function of the Judiciary to interpret laws, such necessarily requires that the words within the laws be assigned definitions by the Judges. It is the adoption by Judges of definitions for words and terms that are not in conformity with commonly accepted usage by the public that lays the foundation for the cerebral disturbance exemplified in many Judicial opinions. This then gives rise to an overall distortion in explication of moral principles by the Judiciary. Put simply, they express stupid ideas as a result of their deficient mentality.

The third aspect of this book intertwined throughout is a presentation of various principles of life, religion and human nature. This includes an examination of certain notable periods in history and prominent individuals.

This supplement deals with many topics ultimately for the purpose of convincing Judges that the good moral character standard is applied by State Bars and Courts in a manner that is not merely constitutionally impermissible. Rather, of greater importance it is being applied in a manner that is morally reprehensible. This assertion is supported not simply by the presentation of additional cases, which as stated, would not by itself add a lot to the prior publication. Instead, I attempt to focus upon how the infirm thought processes of Judges has caused the Courts to lose touch with their primary duty of serving the public. The result is a perpetual aimless wandering in the desert by Judges.

The conclusions reached in this supplement can be summarized as follows. Judicial opinion writing currently relies on a manipulative, deceptive utilization of semantics to arrive at hypocritical conclusions that the Judges

themselves are not willing to be bound by. Implied construction of terms is concededly necessarily to a limited extent when interpreting the U.S. Constitution. This is because the Constitution espouses "Principles," rather than dictates of conduct. In contrast, Strict construction of terms to the extent possible is the proper manner of analysis for legislative enactments. This is because legislative enactments are intended primarily to regulate conduct as precisely as possible, not simply express principles. With respect to interpreting the law the Judiciary has not been sufficiently aggressive when scrutinizing legislative enactments. This is because it has focused too much on ensuring its own ability to enjoy a hypocritical, double-standard. This foundation of hypocrisy is used by Judges to further the self-serving economic interests of lawyers and political ambitions of the Judiciary branch of government as a whole.

There is a point where the utility of citing cases, proofs and examples reaches a level of diminishing returns. When such occurs, it means the asserted point has already largely been proven and accepted as true, by all but those who profit from maintaining the status quo. The issue then shifts to a determination of the appropriate change required, which is presented herein. The process of change is typically met with embittered irrational stubbornness by those profiting from the status quo. They oppose change because it results in a loss of their ability to exploit irrational power and control over others, which they enjoy through maintenance of the status quo. But such State Bar officials and State Supreme Court Justices who oppose equality, fairness and an even-handed rule of law need to remember the following.

No one can help you until you're willing to help yourself.