

2022

Disability Law Reform Awakens the Beast: Court Corruption and Retaliation

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Recommended Citation

Straw, Andrew U. D., “Disability Law Reform Awakens the Beast: Court Corruption and Retaliation” (2022). *Disability Party Journal*. Vol. 1, No. 1.



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DISABILITY PARTY JOURNAL

VOLUME 1

FEBRUARY 2022

Number 1

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*Andrew U. D. Straw, J.D.**

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<http://profile.andrewstraw.com> Straw established Disability Party on 2/5/2013.

I. INTRODUCTION: MENTAL ILLNESS FROM THE
NEGLIGENCE OF THE UNITED STATES

This article has both personal and policy dimensions and I will start with the story of how I was given bipolar disorder as a birthday present by the U.S. Marine Corps in 1969. My father was entranced by the U.S. Marines and I daresay he still is. Like Ron Kovic (*Born on the Fourth of July*), my dad was a wrestler in high school and he joined the Marines after a year of studies at Goshen College, a small, liberal-arts school in Indiana run by Mennonites and other Anabaptists. He had been married to my mother for a year, working in a butcher shop, and apparently celebrated their first wedding anniversary by joining the Marines in October 1967, during the height of the Vietnam War.

My father liked the structure and the *esprit de corps* of this organization and wanted to make a difference repairing helicopters. My grandfather ran his own electronics business and taught my father the principles. My father served at Camp Pendleton, California; Naval Air Station, Jacksonville, Florida; MCAS El Toro, California; and Camp LeJeune, North Carolina (MCAS, New River, now considered part of Camp LeJeune). All four of these bases were contaminated through the negligence of Marines and Sailors and designated as EPA Superfund sites. The same U.S. Military that was dumping millions of gallons of Agent Orange on poor people in Vietnam was fouling the environment on the bases where the Marines themselves trained. Only, it did not just impact the Marines, but also their family members, spouses and children.

I was one of those children. My father's gametes were likely first impacted by Marine Corps poison in early 1968, when he trained at Camp Pendleton, California. Then, when I was conceived in June 1968, my father was stationed at another EPA Superfund site base, Naval Air Station, Jacksonville, Florida. My parents had a residence off base in Florida. My father was stationed at Camp LeJeune Marine Corps Base, North Carolina, in November 1968 and we used the base until July 1970.

My father was stationed at MCAS New River, which is now considered to be part of Camp LeJeune for poisoning purposes.¹ My mother and I had the usual access to the base, like anyone who lived off base but used the base facilities often. My parents had no idea that we were being poisoned with industrial solvents, 1.1 million gallons of spilt fuel, or a long list of other heavy metals and other toxins. November 1968 to July 1970 is approximately 19 months of exposure to those poisons.

These bases were chosen as EPA Superfund sites because the poisoning was extreme and the risk to humans very great. But that status did not come until 1989, 19 years after my family left there and we lived in Indiana when that was decided.

II. A U.S. MARINE CORPS DEATH IN THE FAMILY

But whether I knew or not, those toxins had already taken their toll on my mother and me. By 1994, just 5 years after the Superfund decision, my mother had her breast cancer diagnosis. We found out that she had breast cancer the same month, December 1994, I was accepted into law school at Indiana University-Maurer School of Law. This was 5 months after I was married in Italy and 6 months after my maternal grandmother died. By March 1995, my mother had a mastectomy. I waited with her in the surgical center and looked after her as she recovered at home. We thought, naively perhaps, that the cancer was gone, but we were wrong. I started Law School in August 1995, as I was finishing up a Master of Science degree in Language Education (ESL/EFL). While I had an A+ in my last graduate level class in Education in September 1995, I was struggling with Law School. The cancer was always in the back of my mind.

My mother remarried about 9 years after my parents divorced, just as I was starting my bachelor's degree at Indiana University. It seems that every time one of these traumas happens such as divorce, I end up unable to concentrate and my grades reflected it. I realize now it was the depression side of my bipolar disorder. My mother got married to another

¹ *Straw v. Wilkie*, 20-2090, 843 F. App'x 263 (Fed. Cir. 1/15/2021); 38 C.F.R. § 17.400(b). <http://www.cafc.uscourts.gov/node/26995>

veteran in April of 1996. They went white river rafting in West Virginia as their honeymoon.

By August 1996, the cancer was back with a vengeance. My mother's doctors said she had 6 months to live, and that was accurate. So, my second year of Law School was divided between my studies, work as the research assistant for the dean and student groups, and visiting my mother every weekend. She was clearly in decline, with the radiation and chemotherapy causing her hair to fall out and her body just withered.



She died my 4th semester of Law School, February 1997.



I was absolutely devastated.

Without knowing there was some reason for her illness, I was left with a black hole in my heart because she was so young, only 48 years old. I am now 52, and this caused me to reflect on my own mortality many times.

III. BEATING THE ODDS

Thoughts of death are not good because my mother may have had breast cancer,² now on the VA list, but I have bipolar disorder, also on the VA list as a “neurobehavioral effect.”³ Bipolar disorder is a wickedly painful and embarrassing illness of the emotions and pain, and is caused by brain damage to the hippocampus.⁴ Bipolar has a heavy stigma in society.⁵ It also comes with a 20-30x increased risk of suicide⁶ compared with non-bipolar people. This is the highest of *all* psychiatric conditions.⁷ Bipolar also results in 9-20 years lower life expectancy.⁸ It is not

² 38 C.F.R. § 17.400(b)(iii).

³ 38 C.F.R. § 17.400(b)(xiv). Bipolar was recommended to be included in a major National Research Council study of the effects of TCE and PCE, some of the Camp LeJeune industrial solvents. <https://www.nap.edu/read/18991/chapter/5>

⁴ Anand, KS, Dikhav, V. Hippocampus in health and disease: An overview. *Ann. Indian Acad. Neurol* 2012;15:239-46. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3548359/>

⁵ Hawke LD, Parikh SV, Michalak EE. Stigma and bipolar disorder: a review of the literature. *J Affect Disord.* 2013 Sep 5;150(2):181-91. doi: 10.1016/j.jad.2013.05.030. Epub 2013 Jun 10. PMID: 23759420. <https://pubmed.ncbi.nlm.nih.gov/23759420/>

⁶ Miller JN, Black DW. Bipolar Disorder and Suicide: a Review. *Curr Psychiatry Rep.* 2020 Jan 18;22(2):6. doi: 10.1007/s11920-020-1130-0. PMID: 31955273. <https://pubmed.ncbi.nlm.nih.gov/31955273/>

⁷ *Ibid.*

⁸ Kessing LV, Vradi E, Andersen PK. Life expectancy in bipolar disorder. *Bipolar Disord.* 2015 Aug;17(5):543-8. doi: 10.1111/bdi.12296. Epub 2015 Apr 4. PMID: 25846854. <https://pubmed.ncbi.nlm.nih.gov/25846854/>

surprising that bipolar disorder was put on the Veterans Administration list since exposure to PCE is associated with a demonstrated 1.8x higher risk of this illness.⁹ PCE was one of the main contaminants at Camp LeJeune and was also found on the other bases. There is some cases a genetic component, a susceptibility, but onset is connected to environmental factors and there is an interplay that is not fully understood as yet.¹⁰

Like many people with bipolar disorder, I did not discover it until a major trauma later in life, but my mother's irascible and impatient nature may have had some role due to early trauma.¹¹ In my case, it was the death of my mother and I was experiencing mania symptoms within 6 months of her death with impulse buys and fast thoughts. While bipolar disorder runs in some families, environmental toxins such as industrial solvents¹² have been shown to increase its occurrence. It

⁹ Aschengrau A, Weinberg JM, Janulewicz PA, Romano ME, Gallagher LG, Winter MR, Martin BR, Vieira VM, Webster TF, White RF, Ozonoff DM. 2012. Occurrence of mental illness following prenatal and early childhood exposure to tetrachloroethylene (PCE)-contaminated drinking water: a retrospective cohort study. *Environ Health* 11(1):2.

<https://factor.niehs.nih.gov/2012/3/dert/index.htm#a3>

¹⁰ Oliveira, J., Kazma, R., Le Floch, E., Bennabi, M., Hamdani, N., Bengoufa, D., Dahoun, M., Manier, C., Bellivier, F., Krishnamoorthy, R., Deleuze, J. F., Yolken, R., Leboyer, M., & Tamouza, R. (2016). Toxoplasma gondii exposure may modulate the influence of TLR2 genetic variation on bipolar disorder: a gene-environment interaction study. *International journal of bipolar disorders*, 4(1), 11.

<https://doi.org/10.1186/s40345-016-0052-6>

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4875582/>

¹¹ Aas, M., Henry, C., Andreassen, O. A., Bellivier, F., Melle, I., & Etain, B. (2016). The role of childhood trauma in bipolar disorders. *International journal of bipolar disorders*, 4(1), 2.

<https://doi.org/10.1186/s40345-015-0042-0>

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4712184/>

¹² “Over 25 years, Aschengrau has continued to make remarkable observations about the relationship between PCE—a common but little-studied groundwater contaminant—and not only **cancer**, but also effects as diverse as illicit drug use,

happened with water contamination in Cape Cod, Massachusetts. I was unaware of anyone in my family being diagnosed with this. My mother saw several mental health professionals over the years but she never suggested or told me that she had bipolar disorder. I did not notice her experiencing mania like I did later. Neither did I see mania in my father at any age.

It is clear that I was poisoned where I was born and where I came with my mother for 19 months from 1968 to 1970. Despite this, I had high IQ test scores at school and graduated high school both an academic success and a 4-year track and field letterman. My SAT score was the 2nd highest in the history of my high school and I was a National Merit Scholar with a scholarship to attend Indiana University and study biochemistry.

When things went well for my family, things went well for me. When my parents split and divorced and my father remarried within a few months, I was in an existential crisis. A psychologist told me that my feelings were quite normal and the depression I felt was to be expected with such a big family disruption.

My parents believed in hard work. My paternal grandmother grew up Amish and she worked hard as a housekeeper. My paternal grandfather was a union man and worked at the Bendix factory in South Bend. They belonged to the West Goshen Church of the Brethren. That church appears on my ID bracelet from Camp LeJeune Naval Hospital, and it appears in my U.S. Navy medical documents many times. Amish, Mennonites, and Brethren are known as Anabaptists and they have a reputation of hard work. They also have a reputation of distrusting the government and the military and they are conscientious objectors as strict followers of Christ.

bipolar disorder, and diminished color vision. * * * PCE is a “probable” carcinogen, according to the US Environmental Protection Agency, and a known **neurotoxin**. ‘It’s not a good chemical,’ says Aschengrau.”

<https://www.bu.edu/articles/2016/cape-cod-water-poisoning/>

When my father returned from Vietnam and was honorably discharged, that hard work ethic motivated him to buy a butcher shop in Goshen and he and my mother worked 14-16 hours a day, 6 days a week. He would also go to the store on Sundays and fix any broken equipment. My first job was in this family business. As long as parents worked there, they seemed to be more or less happy. But my mother insisted that my father should use his G.I. Bill benefits to get a college degree and she would get hers after he finished his. This sounded like good, hard work, and my father agreed. He would study in the few hours of the evening when he was not at the butcher shop. I hardly saw them during that time and my grades were at their peak in my own studies.

My father rather predictably earned a degree in business from Indiana University in South Bend. When he graduated, they sold the butcher shop and he started working for a business furniture and office supply business. It was there that he met his business partner and where he met my stepmother, a salesperson. My mother studied computer programming at Ivy Tech in South Bend and met her boyfriend, another programming student. My parents' relationship simply imploded when they no longer shared the same family business.

I somehow managed to bounce back in my university studies after that first three semesters. I lived in the dorms at Indiana University in Bloomington and met other students who were very serious about doing well. And I did well during that time. The predictability of dorm life and eating times and everyone around me being committed to intense study was important for me. While some students were partying, I was over that from my freshman year and wanted to get my grades up so I could do graduate work. I worked as assistant manager of a group home for disabled adults for a year following my bachelor's degree, then I was accepted into the master's program at Indiana University School of Education. Language Education was my major, but I spent a lot of time with my brother and an old friend playing an online Dungeons & Dragons game called Multi-User Dungeon (MUD), invented in Denmark. I met people all over the world playing that game, since it used the Internet, which was fairly new to me in 1989. I learned more about computers.

I got married to an Italian graduate student I met at the Main Library in 1993. I have been to Italy many times to see her family. That was my real introduction to Europe. I finished my master's degree in 1995 in the same semester I was starting law school. After intense student group work and writing for the school newspaper, I was appointed the Law School representative to IU Student Association, the student government. I also worked on a political campaign for Congress. As a result of all this extracurricular work, I was awarded a Parker-Powell Fellowship by the student government, which passed my pro-student loans resolution by 38-3-1 (only 3 College Republicans opposed).

My experience with Republicans is that they are not happy just to succeed; they also need to prevent others from succeeding so their own success seems more exceptional. This explains why Republicans are against such things as federal student loans, SSDI, or Medicare.

Despite having only mediocre grades my first year, the second year two law professors asked me to do research for them. These include Professor Schornhorst and Oxford University law professor Paul Craig. After I had done some work for them, the dean of the Law School asked me to be his research assistant. I did this for a few months while my mother was dying. Dean Alfred C. Aman, Jr., was always supportive and appreciative of my research for him on globalization, administrative law, and economic efficiencies through law.

Graduation left me wandering. I did not have a job lined up and the part time work I was doing was insufficient with my wife pregnant with our first child. After 7 months of home strife due to my lack of a job, I landed a position working for Alan M. Voorhees,¹³ a wealthy transportation planner legend known around the globe. He hired me because I had an interest in environmental protection and so did he.

¹³ Fox, Margalit. Alan M. Voorhees Is Dead at 83; Designed Transportation Systems. *New York Times*. 1/1/2006.

<https://www.nytimes.com/2006/01/01/us/alan-m-voorhees-is-dead-at-83-designed-transportation-systems.html>

I loved my work for Mr. Voorhees, and he gave me the freedom to pursue what I thought would help his projects, including court record reform statewide in Virginia, starting with land records. In this role, I clerked for a famous judge, Hon. Joseph Spruill, Jr., 1976 president of the Virginia State Bar (VSB). I flew out to Seattle to learn about a high-tech startup on which Mr. Voorhees was an angel investor. The VSB invited me to be on its Task Force on Technology.

I had so many different types of commercial and government experiences while I was his corporate lawyer, anything seemed possible. I earned a certificate in court management leadership from MAACM.¹⁴

However, I still was carrying around unresolved emotional baggage regarding my mother's death from cancer. Mr. Voorhees' wife was dying of cancer and it ate me up emotionally. I felt so bad for them both. This fact was the main reason for my newly diagnosed bipolar to shuffle me away to Indiana again with perhaps the hidden hope of a happier life and resolving my emotional disturbance by being close to my mother's grave in Central Indiana.

IU Provost and former AALS president Lauren Robel, then dean of the Law School, recommended me for a position at the Indiana Supreme Court and I was successful in being hired, #1 out of about 500 applicants. That job included the most responsibility of any job I have ever had. I had duties to serve every judge in the State of Indiana, over 400 state courts, plus the Court of Appeals and all members of the Indiana Supreme Court. I call getting my first law license in Virginia while working for a billionaire and my second while working for a state supreme court "beating the odds" when I have such a severe mental illness with such extreme stigma attached. [FN5, *supra*] But those odds were about to take a very sour turn.

¹⁴ Mid-Atlantic Association for Court Management. <https://www.maacm.org/>

IV. BEING ODDLY BEATEN:
A RECKLESS DRIVER CRUSHES BONES, SKULL TO ANKLE

About six months into my employment, I was driving each day to work with another employee of the Indiana Supreme Court. It was nice to have a conversation with another person who worked there. It helped me to become comfortable with the Judicial Center, where she worked. I published the annual report of the judicial branch, so it was important for me to know practically everyone who worked for the Court, all of the different agencies.

On February 22, 2001, the unthinkable happened. A reckless driver was speeding and in the wrong lane and hit me and my passenger head on. My skull was broken, along with my nose, hand, ribs, pelvis, both legs, and my ankle. It was a near-death experience. The bizarre thing was not the reckless driver doing this, but my boss, the State Court Administrator, being cited for driving 22 mph over the speed limit¹⁵ while I was home convalescing. She was cited again in 2018 for speeding.¹⁶

The Monroe County prosecutor chose not to prosecute Kristin D. Jones, the reckless driver. Thus, I was a crime victim but not given the dignity of having the criminal punished or restitution ordered. I had to rely on the limits of her car insurance, which did not even pay my full medical costs. I had to negotiate with the hospital that put me back together again after being so broken. The United States Marine Corps made me and my mother crime victims also, the poisoning that killed her and disabled me being violations of the Uniform Code of Military Justice.¹⁷

¹⁵ *State of Indiana v. Lilia G. Judson*, 50D02-0105-IF-002919 (Marshall Superior Court #2 2001) (dismissed due to deferral, **77 mph in a 55-mph zone**).

¹⁶ *State of Indiana v. Lilia G. Judson*, 49G13-1806-IF-031172 (Marion Superior Court #22 2018) (dismissed due to deferral).

¹⁷ UCMJ, Article 119 (manslaughter) & Article 119a (death and injury of an unborn child) & Article 128 (assault).

It not easy when your life begins as a crime victim and then another crime victim causes extreme injury as you work for a state supreme court. What I have learned is that criminals are coddled in certain places based on their Republican Party affiliation. Even the Attorney General in Indiana was coddled¹⁸ with light punishment after his crimes groping 4 women at a party in 2018 and him using his office to intimidate them. Other judges in Indiana have gone around Indianapolis, bar hopping and inciting fights in which the judges choked¹⁹ members of the public.²⁰ Yet other Indiana judges have driven drunk on the wrong side of a highway into oncoming traffic. That judge made his former client so angry that

¹⁸ *In re Curtis T. Hill*, 19S-DI-156 (Ind. 2020) (30 days of suspension, automatic reinstatement).

<https://law.justia.com/cases/indiana/supreme-court/2020/19s-di-156.html>

At least the Republican Party in Indiana had the good sense not to allow Hill to be its attorney general candidate in 2020.

<https://www.sandiegouniontribune.com/news/nation-world/story/2020-07-10/indiana-republicans-reject-attorney-general-curtis-hill-for-reelection-after-allegations-of-groping-4-women>

Please note that the hearing officer (60 days) and the IADC (2 years) wanted more suspension for Hill.

<https://www.ibj.com/articles/disciplinary-commission-urges-2-year-suspension-for-ag-curtis-hill>

<https://www.theindianalawyer.com/articles/selby-ag-hill-should-get-60-day-suspension-no-automatic-reinstatement>

¹⁹ https://www.indystar.com/story/news/crime/2020/02/25/indiana-judges-shot-at-white-castle-brandon-kaiser-claims-self-defense-white-castle-fight/4869401002/?utm_source=indystar-Daily%20Briefing&utm_medium=email&utm_campaign=daily_briefing&utm_term=list_article_thumb

²⁰ The choking was only worth a 60-day suspension.

<https://edition.cnn.com/2019/11/15/us/indiana-judges-white-castle-brawl-trnd/index.html>

he murdered the judge.²¹ Perhaps a bit of justice would have prevented that murder, with the judge needing a bit of jail time to think about his anti-social behavior. But no suspension was imposed²² by the Indiana Supreme Court, sealing his fate.

V. LAW LICENSES

I passed my first bar exam while working for a world-famous transportation planner as his corporate counsel. In 1999, I became a member of the Virginia State Bar and was granted a law license at the Fourth Circuit U.S. Court of Appeals.

I was a dedicated, fantastic employee for the Indiana Supreme Court. I went out of my way to help a blind, disabled judge, and court users. I had experience doing that because I was assistant manager of a group home for disabled people in 1992-1993 and I understood accommodations. I brought honor to the judicial branch by inventing the Court's protective order database in a Harvard University and White House contest in 2001, the same year as my car accident.

I was in intense, 10/10 pain every day for the rest of the time I worked there after my car accident. However, I decided to take the bar exam in Indiana so I could be of even more service. I took the Indiana Bar Exam while in intense pain and while continuing to provide services to over 400 courts while in the employ of the Chief Justice of Indiana. No one else can say something like this because I am unique.

When I submitted my application in 2001, question 23 asked me if I had bipolar disorder. I said that I did, though at that time I did not know the U.S. Marine Corps caused it. Not long after applying, my immediate supervisor, Ronnie Lee Miller, was criticizing people who have bipolar and he made it crystal clear that he knew I have it and that he did not approve of me. He made me feel unwelcome by blocking me from working on certain important projects and posting my duties on a

²¹ <https://chicago.cbslocal.com/2018/08/15/indiana-attorney-t-edward-page-fatally-shot-by-former-client/>

²² <https://www.in.gov/judiciary/opinions/pdf/02201701per.pdf>

white board in the hall so that all of the other employees saw. He was so hostile, he was not a human. He was more like a cross between a porcupine and a cobra. When I asked him questions, most of the time he did not answer but just ignored me. This was because he was setting me up to be fired.

I passed the bar exam and the character and fitness interview. I should have been admitted like everyone else who accomplished those things. But I was treated differently. I had to explain my bipolar in detail before a room full of other court officers who were my colleagues. I was so viscerally embarrassed by this, when I was sworn in, I knew the justices sitting behind me were thinking about my bipolar. I became manic and needed to take 30 days off of work. I only was allowed a license if I agreed to a consent agreement in which my psychiatrist would send quarterly reports and I would promise to take my medicines. I never had a problem with taking my medicines with the exception of when my surgeon yanked me off all of my psychiatric medications while I was in the hospital for my car accident.

My psychiatrist said that I needed to be away from these people who were treating me like that. 30 days of FMLA leave was mandatory. But when I returned, days later I was fired with a short letter full of pretexts and insults, but not explanations. They should have been more honest and just told me that my bipolar made me ineligible for this job. Instead, they said I used the Internet too much when using the Internet to research what other courts were doing was a huge part of my job. I was designing the Court's website. But the point here is not the pretexts, since all pretexts have roughly the same format. False attacks to make it seem like the person fired deserved when they knew damned well that I did not deserve it and this was disrespecting my sacrifices to that Court and 400+ others. The real point was disability discrimination.

VI. CLAWING BACK CONCESSIONS

The State Court Administrator who drove at 77 mph in a 55-mph zone in 2001 was firing me in 2002. She asked me to sign her letter with the pretexts but she obviously did not feel comfortable. She said to me,

“well, at least you passed the bar.” Those were the last words she said to me, about 20 years ago.

I provided the reports and took my medicine like I agreed to do, but this law license had little value when my reputation was in tatters in the legal profession. For so many important people at the top to know about my having a mental illness with a high suicide rate and short lifespan and maximum stigma²³ was for everyone to know. I did not have a clientele and getting this license meant losing one of the highest positions I have ever held as a job. The Court put me into this position by demanding that I say truthfully whether I have bipolar or not. That was an invasion of privacy on its face and violated the Americans with Disabilities Act. The Indiana Supreme Court bans all disabled people from being lawyers.²⁴ Those violations only continued over the years and the absolute lack of concern for my privacy is why I was attacked later.

VII. 12 YEARS OF DISCRIMINATION: A PETITION

Years passed and I finally was fed up with discrimination topped with invasions of my privacy. I stopped giving the quarterly reports and said that a U.S. Supreme Court decision applied the ADA Title II to state courts.²⁵ There was no resistance. The conditions were removed immediately. That showed the Indiana Supreme Court admitting to violating my rights for years.

However, by 2014 it was clear that this Court was my enemy and that I was not welcome to speak about my high-level employment there. I had revealed some very unsettling information about how the collapse

²³ Hawke LD, Parikh SV, Michalak EE. Stigma and bipolar disorder: a review of the literature. *J Affect Disord.* 2013 Sep 5;150(2):181-91. doi: 10.1016/j.jad.2013.05.030. Epub 2013 Jun 10. PMID: 23759420. <https://pubmed.ncbi.nlm.nih.gov/23759420/>

²⁴ <http://ban.andrewstraw.com>; Ind. R. Adm. & Disc., R. 23, Sections 2(c) & 3(b).

²⁵ *Tennessee v. Lane*, 541 U.S. 509 (2004).

of the case management system²⁶ was due to using a company where the CEO was cheating in the accounting and later was a convicted criminal.²⁷

I decided to send a petition for redress of grievances (per the Declaration of Independence and Magna Carta) to the 150 Indiana House and Senate members and the Indiana Supreme Court clerk for resolution. I sent this in August 2014. The Clerk would not file my petition, stating that it did not have the ability. My petition was rejected a second time and referred to the ADA coordinator, Brenda Franklin Rodeheffer.

Ms. Rodeheffer did not attempt to resolve my many complaints. Instead, she created a disciplinary complaint against me and sent it to the Indiana Attorney Disciplinary Commission. Rodeheffer specifically cited to my mental illness as the reason why my disability rights cases were “incompetent” and nonsensical. She listed my petition in her complaint and ridiculed it. She also attacked my 4 disability rights cases in federal court that were still pending. She secretly intervened behind the scenes to help another lawyer against me and her emails to that lawyer ended up in the court record.

VIII. CRIMES

An investigation of my “incompetence” lasted 29 months.²⁸ I was stuck with a dishonest hearing officer.²⁹ 4 different documents were filed by 4 different Indiana Supreme Court officers and not one of them

²⁶ Hupp, Stacey, "Plan to link 400 courts hits a wall: Costly software glitch halts effort to computerize records statewide," *Indianapolis Star*, March 8, 2005.

²⁷ <https://www.nbcnews.com/id/wbna15530421>

²⁸ I rebutted every bit of what I was accused of doing wrong. <http://inrestraw.andrewstraw.com>

²⁹ *Straw v. Avvo*, 20-35971 (9th Cir.) (Dkt. 30-1) (mitigating facts explained); *Straw v. United States*, 21-1597 (Fed. Cir 2021) (Dkt. 27-1) (mitigating facts explained).

<http://mitigation.andrewstraw.com>

included my mitigating facts. I was not provided with compensation.³⁰ This lack of mitigating facts was crime to injure me and destroy my career and reputation by deceiving and misleading the Indiana Supreme Court justices.³¹ Facts like my having no disciplinary history, no crime or dishonest act even being alleged, and of course my sacrifices for the Indiana Supreme Court were not mentioned once.

I complained and I lost my law license.³² No *bona fide* hearing was provided. Four U.S. District Courts also suspended me without any hearing to discuss what Indiana did. The 7th Circuit allowed this,³³ saying Indiana's *in-absentia* hearing was adequate to lose 5 law licenses. The 7th Circuit said such a stupid thing because it had just hired that Indiana hearing officer to be a federal judge.

The 7th Circuit has been so aligned against me, absolutely and totally, that it hired my appellee, the Indiana hearing officer, and made him into a federal bankruptcy judge while my appeal against him was still open. When I objected to this repeatedly, *I* was punished with a \$1,000 fine that I could not pay and a ban on using any federal court in the 7th Circuit area.³⁴

Before this punishment, I was punished for objecting to the perjury by the office of the groper, Curtis Hill.³⁵ One of Hill's deputies lied to the

³⁰ *Straw v. Indiana*, 53C01-2110-PL-002081 (Monroe Co. Cir. Ct. #1); *Straw v. United States*, 21-cv-03079 (D.DC); *Straw v. United States*, 21-1597, 21-1598 (Fed. Cir. 2021). See also: *Scheele v. Justices*, 508 F.3d 887, 889-891 (2007)

³¹ <http://mitigation.andrewstraw.com>

³² *In re Straw*, 68 N.E.3d 1070 (Ind. 2/14/2017).

³³ *Straw v. U.S. District Court*, 17-2523 (7th Cir. 2017).

³⁴ *Straw v. Indiana Supreme Court, et. al.*, 17-1338 (7th Cir. 2017) (Dkts. 79 & 80).

³⁵ <https://www.indystar.com/story/news/politics/2019/03/26/indiana-attorney-general-curtis-hill-complainant-has-ax-to-grind/3266485002/> I made the complaint about Curtis Hill's groping those women because he has injured me and violated my civil rights as well. Only about 2% of complaints make it to this level and mine was

U.S. District Court for the Southern District of Indiana, stating that the FRCP time for answering or defending against a complaint was 29 days. Anyone who uses the federal courts knows that this is patently false. This lie was asserted to get extra time when the deadline had already passed. When I objected to the crime of that false statement, *I* was punished by the 7th Circuit with a \$500 fine and a ban on using the federal courts.³⁶ By the time the banning is over, I will have been banned for 5 years, 2018-2023. But I had reasons, solid reasons for my complaints with valid facts and valid law.³⁷ and was punished illegally and against the Constitution. To take away 5 law licenses from me and cause me to be rejected for another (11th Circuit) was heinous and inexcusable for any reason. I have been suspended for about 5 years under a code provision that does not justify any suspension at all. This is why the Virginia State Bar totally rejected the Indiana Supreme Court request that I be reciprocally suspended. Unlike the dishonest Midwest federal courts that would not give me any hearing, the VSB held a hearing and found that I had not violated any ethical rule and would remain active in good standing in Virginia without so much as a private reprimand.³⁸

NO SUSPENSION versus 5 YEARS OF SUSPENSION. The outrageous thing is that I sacrificed so dearly for that Indiana law license and I keep hearing that State Court Administrator saying, “well, at least you got your law license.” After 7 years of attacks and dishonest discipline, that license has been a chain around my neck, choking me and dragging me into a Hell.

one, proving my competence level is extremely high. I was able to identify his ethical problems and take out the highest lawyer in the State of Indiana, the attorney for the Indiana Supreme Court.

³⁶ *Straw v. Indiana*, 18-2878 (7th Cir. 2018); see also, <http://ca7.andrewstraw.com>

³⁷ *Neitze v. Williams*, 490 U.S. 319, 325 (1989).

³⁸ <https://www.vsb.org/docs/Straw-062217.pdf>

Others have seen how I was treated and chose to line up to cause me further injury.³⁹ It was not enough that the Disciplinary Commission caused me such reputational harm. The Executive Director discussed my case and *again* failed to mention mitigating factors in the Indiana Law Review.⁴⁰

Not to be outdone by the Midwest Republican court gang,⁴¹ Avvo lawyer directory in Seattle caused more injury to me. Avvo has a website profile about me. It placed false information about my Virginia law license on my profile for 3 years and would not remove the abusive Indiana suspension from my profile, republishing that abuse. Avvo said my Virginia law license was not active in good standing when in fact it was for 3 years, 2016-2019. I sued for tort and ADA violations.⁴²

Avvo is owned by a huge conglomerate that is run by Republicans, KKR. Avvo is attempting to demonstrate that it can hurt attorneys, officers of the courts, by lying about their law licenses. Avvo and its counsel, DWT, are so brazen about their ability to influence the trial judge, DWT hired the trial judge's law clerk, Eric Franz. DWT tried to hide that Avvo is owned by this Republican multi-billion-dollar conglomerate by dishonestly omitting that information on page two of its 9th Circuit appellee brief. I requested that the trial judge recuse under 28 U.S.C. § 144 when I found out about DWT hiring his law clerk into its

³⁹ *Straw v. Dentons, et. al.*, 20-2075 (2nd Cir. 2020); *Straw v. Wolters Kluwer, et. al.*, 20-1507 (2nd Cir 2020). Clerk of 2nd Circuit dismissed both cases administratively for not filing a document **that was already filed** and appeared in the docket. The Clerk also prevented me from proceeding *pro se*, saying that I needed to become a lawyer admitted before that Court before I could proceed with my own case.

⁴⁰ <http://doi.org/10.18060/4806.1217>

⁴¹ The Indiana Supreme Court is 100% Republican-appointed. The 7th Circuit is currently packed with Republican appointments, 8-3 Republican, 73% Republican. In such an environment, even the Democratic appointments act like Republicans on some other circuit.

⁴² *Straw v. Avvo, Inc.*, 20-35971 (9th Cir.).

litigation group⁴³ but the judge is bound and determined to say no and demand that he have total power over my case. The more he wants it, the more I know he should not have it.⁴⁴

IX. COURTS AS ENEMIES, NOT CHAMPIONS

There appears to be a general agreement that when a judge says a case or filing is frivolous, nobody will challenge it. But when a judge does that, he or she is stating officially that the person who wrote the filing violated legal ethics. FRCP Rule 11. Frivolous has become a means of political activism by federal and state judges. It is no longer means to simply keep out cases that have no merit or that are so poorly written by *pro se* litigants that it is not possible to understand what is requested. Frivolous is used against lawyers who make arguments that are not frivolous or unethical, but *unwelcome*.

Judges can and do use the term frivolous in a weaponized fashion, to punish those who are disfavored regardless of whether they have facts and law to explain their filings. Judges are above question⁴⁵ but attorneys have to walk on eggshells, never knowing when the hammer will fall because there is no rhyme or reason beyond the personal predilections of the judges and whether a certain party is *disfavored*.⁴⁶

⁴³ *First Interstate Bank of Ariz. v. Murphy, Weir & Butler*, 210 F.3d 983, 988 (9th Cir. 2000) (holding that when a firm representing a party **hires the law clerk of the presiding judge**, the judge must make sure the law clerk ceases further involvement in the case).

⁴⁴ *Straw v. Avvo, Inc.*, 21-35848 (9th Cir.).

⁴⁵ *Stump v. Sparkman*, 435 U.S. 349 (1978).

⁴⁶ At least Judge Posner was honest about how judges like him ignore the law and come to decisions prior to even thinking about the Constitution, laws, or even higher court opinions, which he says are easy to circumvent. It's a matter of how a case should be *decided*, *who* should win on the argument before him. These are the sentiments of every tyrant who decides based on **the who** rather than **the law**. <https://www.nytimes.com/2017/09/11/us/politics/judge-richard-posner-retirement.html>

Law Professor Ruth Colker has been quite clear about how judges misuse the term frivolous and other insults⁴⁷ to suppress civil rights cases and hurt attorneys who advance civil rights. Colker says insults are the means of the powerful⁴⁸ to reduce the power of the weak. The ADA in such an environment is on the ropes even when Congress gave such a strong mandate for change.⁴⁹ Judges did not pass these laws and they act as though civil rights laws are disfavored in derogation of laws passed by judges (the least accountable of all).⁵⁰ Professor Anita Bernstein has suggested that the disciplinary bodies that attack disabled lawyers have exempted themselves from the ADA, Title II.⁵¹

X. LAW REFORM IN HOSTILE TERRITORY

Judges being hostile to civil rights lawsuits is not new in the 21st Century. NAACP lawyers were making constitutional arguments for fair housing based on race in the 1920s. They were met with the term “frivolous” at the U.S. Supreme Court in 1926.⁵² In 1926, of course, no one knew that 42 years, a Great Depression, and World War II later, a civil rights movement would prompt Congress to pass the Fair Housing Act of 1968. There is a reason why *Plessy v. Ferguson* was not challenged until all of the *Plessy* justices were gone. *Brown* required new justices.

⁴⁷ Colker, Ruth, The Power of Insults (February 11, 2020). Boston University Law Review, Vol. 100, No. 1, 2020, Ohio State Public Law Working Paper No. 527, Available at SSRN: <https://ssrn.com/abstract=3535975> or <http://dx.doi.org/10.2139/ssrn.3535975>

⁴⁸ <https://www.ucpress.edu/book/9780520343818/the-public-insult-playbook>

⁴⁹ Dorfman, Doron, Afterword: The ADA’s Imagined Future (May 3, 2021). Syracuse Law Review, Vol. 71, 2021, Available at SSRN: <https://ssrn.com/abstract=3838463>

⁵⁰ Pound, Roscoe, Common Law and Legislation, Harvard Law Review, Apr., 1908, Vol. 21, No. 6 (Apr., 1908), pp. 383-407.

⁵¹ Bernstein, Anita, Lawyers With Disabilities: L'Handicape C'est Nous, 69 U. Pitt. L. Rev. 389 (2007-2008). <https://brooklynworks.brooklaw.edu/faculty/460/>

⁵² *Corrigan v. Buckley*, 271 U.S. 323, 329 (1926)

We know that law reform is an exception to ABA Model Rule of Attorney Discipline Rule 3.1.⁵³ However, judges still slap attorneys and litigants with the word frivolous even when another court decides that the same position is not only not frivolous, but *correct*. This happened to me, with the U.S. District Court for the Northern District of Indiana saying an ADA suit to protect the parenting time of a disabled man was not possible because the Anti-Injunction Act prohibited imposing ADA Title II on a state court.⁵⁴ The *exact same question* was decided the opposite way in New York three years *earlier*.⁵⁵ This should indicate that my work was not frivolous in any clear and convincing sense, but the Indiana Supreme Court punished me anyway. I even cited to a National Council on Disability report⁵⁶ 354 pages long⁵⁷ that stated my position was the law unambiguously under Title II of the ADA, but I was punished anyway. I was destined to be punished regardless of my good faith.

There were four cases used against me. *Rutherford* and *Sconiers* were settled with a contract, an agreement, and the final orders in those two cases did not include the term frivolous. Similarly, the *ABA* case I filed in the Northern District of Illinois was not labeled as frivolous. So, three out of the four were not labeled as frivolous but I was punished because the Indiana Supreme Court said they were frivolous. What **arrogance**, to be a mere onlooker and judge me from the outside.

The only case left was the *Kloecker* case, and that case involved a lawyer trying to pressure me with false allegations that I would receive Medicare fines of \$1,000 per day unless I gave access to my Medicare

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https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/rule_3_1_meritorious_claims_contentions/

⁵⁴ *Rutherford v. Zalas, et. al.*, 2:14-cv-369 (N.D. Ind. 2015).

⁵⁵ *Sinigallo v. Town of Islip Hous. Auth.*, 865 F. Supp. 2d 307 (E.D.N.Y. 2012).

⁵⁶ <https://www.ncd.gov/publications/2012/Sep272012>

⁵⁷ https://www.ncd.gov/sites/default/files/Documents/NCD_Parenting_508_0.pdf

database claims account directly to a newspaper I had sued for libel. I don't give a damn what that dead judge thought. There is no way on earth my case was frivolous on the facts, but even if I got the law wrong, this was a terrible invasion of my privacy that needed to be punished. It remains unpunished, but the judge and the lawyer on the other side are dead now. The judge was found to issue a "cascade of errors" by the 7th Circuit in another case⁵⁸ and was found to have a tone of derision⁵⁹ that merited removal in another civil rights case. Why his tone of derision was allowed in my case is hard for me to understand. That law firm, incidentally, has a habit of unethical behaviors that the 7th Circuit described as "a hornet's nest."⁶⁰ Locke Lord and Kloecker hired Judge Shadur's old law firm on appeal⁶¹ and for some reason, this was allowed.

I am stuck with these dishonest individuals and I am punished *when they should be*. I guess I will settle with them being dead through God's hand. I seem to stumble across the very worst ethics and crimes and then I am added to their crimes and blamed for noticing. Oh, if I were only a secret inspector general with the power to knock these official criminals off of their high perches with their presumptuous and violent uses of the term frivolous. Perhaps that is yet in the cards. I want *Bivens* reform⁶² and I want frivolous to be stripped from the judicial vocabulary⁶³ so the violence inflicted on me is not possible in the future.

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https://www.abajournal.com/news/article/7th_cir._skewers_judge_shadur_over_ex-lawyers_sentence_remands_to_another_j

⁵⁹

https://www.abajournal.com/news/article/posner_opinion_tosses_judge_from_case_partly_for_his_tone_of_derision

⁶⁰ *Jan Domanus, et. al. v. Locke Lord LLP, et. al.*, 15-3647 (7th Cir. 1/31/2017)

⁶¹ <http://www.millershakman.com/history/>

⁶² <http://bivens.andrewstraw.com>

⁶³

https://www.uscourts.gov/sites/default/files/andrew_u._d._straw_public_comment_proposed_changes_code_rules_0.pdf

I have worked at the very top of the system. I worked for a billionaire court record reform enthusiast. I worked for a state chief justice and 400 lower courts. I have pursued lawsuits from the lowest level to the highest level. I was denied certiorari 12x. If there is one thing Mr. Voorhees wanted me to do, it was walk the shop floor so I can see where the problems are that need to be fixed. I took this to heart, and if it caused me to be in poverty, that's a good indication that I now know what needs to change for this system to live up to what James Madison wanted. James Madison, a Virginia lawyer like I was. James Madison, a man with affective disorder *like I have*.

I am the James Madison of the 21st Century and I have a boatload of evidence that our system does not work right. The judicial branch needs to be punished for its blatant and unrepentant errors of attitude and law. Judges are not there to punish civil rights leaders and lawyers and we need many more ways to punish the judges and keep them in line. Taking away their tools of abuse is one way. It should be a crime for a judge to use the term frivolous⁶⁴ the way it has been used against me, to suppress my civil and constitutional rights.⁶⁵

Being able to cite to laws and facts and citations to other cases agreeing with me should have been enough to prevent the Indiana Supreme Court from finding "clear and convincing" evidence that I should be punished. Just because a judge says frivolous does not mean that the case *actually* is frivolous in any objective sense and failing to issue any sanction shows that frivolous is being used as a criticism rather than an accusation of ethical violation. Those are the two ways that frivolous can be used. One is to describe an ethical violation and the other

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https://www.uscourts.gov/sites/default/files/andrew_u._d._straw_public_comment_proposed_changes_code_rules_0.pdf

⁶⁵ Banning me from using the federal courts using a nebulous term like frivolous has special animus in our system and should not be allowed. *McDonald v. Smith*, 472 U.S. 479, 486 (1985); *California Motor Transport Co. v. Trucking Unlimited*, 404 U.S. 508, 513 (1972). Labeling me as a "restricted filer" is libelous and damages my professional reputation. Judges should be jailed for injuring people like me.

is a casual criticism without more. Having a legal argument with facts to back it up is apparently not enough in Indiana. I have to somehow magically conjure a judge who deigns to agree from a pool of judges not inclined to agree. I find many judges who don't care what the law is, so long as I am injured by the result and they use frivolous liberally to accomplish that goal. The Virginia State Bar said that *I met* the clear and convincing evidence standard to justify no discipline being imposed on me. I did not need to reach that high level. The bar counsel must reach that level, not me. For *me* to prove that I did not violate any ethical rule by clear and convincing evidence is like a criminal defendant proving their own innocence. Not just escaping punishment, but *actually proving* no punishment is justified with innocence. That is what I did.

Today's 7th Circuit will not even let me have a hearing before losing 5 law licenses to suspension. They are so determined to say I file frivolous cases that I am not allowed to use the federal courts to oppose huge piles of ice in the public sidewalks for miles in the community where I lived.⁶⁶ The 7th Circuit wanted me to walk on the ice and *hurt myself* before I could establish standing. The 7th Circuit of 1972 was quite different and more humane. That Court in 1972 said law licenses are "New Property" just like welfare and taking it away with a suspension has devastating financial impacts on the lawyer.⁶⁷ The *In re Ming* Court in 1972 said a suspension takes a serious crime but nobody accused me of *any* crime.

What happened to me in Indiana was a Court acting like a grifter, playing a game of find the pea under the shell. The judges move so quickly and impose such severe punishment that others go along because obviously if a punishment was imposed, I had to deserve it. But I did not deserve it. I am a crime victim and I want my restitution. I am a civil rights leader for people with disabilities and I have been thrust into poverty for 20 years because a state supreme court cannot stop hurting me for the sacrifices I made, state and national. In fact, I am superior to

⁶⁶ *Straw v. Village of Streamwood, et. al.*, 17-1867, 734 F. App'x 344 (7th Cir.) (1 appellee settled); <http://accessviolations.andrewstraw.com>

⁶⁷ *In re Ming*, 469 F.2d 1352, 1355-1356 (7th Cir. 1972).

them. Nobody does this to a purple heart winner, but that's the sort of sacrifices I have made. I have better qualifications to be an appellate judge at the federal level or a chief justice of a state supreme court than anyone who holds one of those offices in the United States today. Look at my resume.⁶⁸

If they want to keep pummeling me with crime and poverty, that's on their conscience, not mine. But every judge who adds to this and causes the children I support to cry out⁶⁹ deserves everything they get because there *is* a supreme power of justice in this universe and those judges have violated it. No black robe will save them.⁷⁰ In fact, I think judges who are accused of ethical violations under 28 U.S.C. § 144 and refuse to step aside⁷¹ should be forced to wear a red robe instead of a black one, simply because they have been asked to step aside one time and they refused to do so. They should have to wear that red robe in each and every other case over which they preside for a set length of time, such as a year. Very few judges will be willing to take that public heat and this will motivate them to **get out of the way** when a 28 U.S.C. § 144 affidavit

⁶⁸ www.andrewstraw.com

See also: <http://all.andrewstraw.com>

⁶⁹ Ex. 22:22

⁷⁰ <https://www.miamiherald.com/news/local/community/miami-dade/article217263685.html>

<https://www.local10.com/news/2018/08/25/federal-judge-kills-himself-during-standoff-with-police-in-miami-dade/>

<https://www.baltimoresun.com/news/crime/bs-md-cr-judge-newell-caroline-county-20210910-i45tq5k6hjawfmcjrjne3hiv4ry-story.html>

⁷¹ *Straw v. Avvo, Inc.*, 21-35848 (9th Cir.)

is filed. Judges are just as capable of being criminals as anyone else.⁷² Wearing black does not prevent priests⁷³ from committing crimes either.

XI. POLITICS OF DISABILITY & POVERTY

Disabled people experience poverty more than everyone else.⁷⁴ If a disabled person is on SSDI⁷⁵ or SSI, that person should have automatic access to the courts without charge and no accusation of frivolous should be possible in the absence of a real sanction. There should be no casual accusations of frivolous when all the judge really means is that the person is wrong. U.S. Supreme Court precedent does not allow this. Every person who makes a wrong argument is not doing something frivolous by bringing a case to court. It takes a *real abuse* to be frivolous, with NO FACT presented and NO LAW argued.⁷⁶ If a court's decision can have harmless error, why can't a litigant be considered the same way?⁷⁷ Thus, *in forma pauperis (IFP)* should always be granted if a poor disabled person asks and is using a benefit for disabled people. One should be able to request such status permanently and online without having to go hat in hand to each judge, with some judges being liberal and others *stingy*.

Similarly, disabled people often cannot pay for printing and postage. Thus Federal Rules of Civil Procedure (FRCP), Rule 4(c)(3), should guarantee that service will be done by the Court Clerk. Any person with *IFP* status should be granted the right to file documents

⁷² <https://www.latimes.com/nation/la-na-pol-alex-kozinski-20180724-story.html>

⁷³ <https://www.nbcnews.com/news/religion/nearly-1-700-priests-clergy-accused-sex-abuse-are-unsupervised-n1062396>

⁷⁴ <https://hpod.law.harvard.edu/pdf/Disability-poverty-and-development.pdf>

⁷⁵ <https://www.ed.gov/news/press-releases/over-323000-federal-student-loan-borrowers-receive-58-billion-automatic-total-and-permanent-disability-discharges>

⁷⁶ *Neitzke v. Williams*, 490 U.S. 319, 320 (1989)

⁷⁷ 28 U.S. Code § 2111.

using CM/ECF at the federal level or via any efile or email system at the state level. Every federal court must allow people on *IFP* status to file documents directly with the Court Clerk via email and nothing should ever be required on paper, no paper and ink signature either. No Clerk of any court should ever be directed by any judge not to accept filings and such an order should be a crime.⁷⁸

PACER.gov is the online docket of all the federal courts except the U.S. Supreme Court. Any disabled person on SSDI or SSI should be able to use that system for free, no charges, ever. Further, in order to improve public understanding of the law, *all* court documents need to be available to everyone for free and each document should have a permanent URL established to make it easy to refer to it. The U.S. Supreme Court already does this. It is time the lower courts followed.

A disabled person on SSDI or SSI should be allowed to file a petition for certiorari with the U.S. Supreme Court using that Court's efile system and no paper version should be required. In the 21st Century, the U.S. Supreme Court established an efile system and there is no reason to restrict that system to attorneys.⁷⁹ All this does is increase expense. In fact, when a person files a petition for certiorari and it is not accepted for administrative reasons (like docket management), the United States should have to pay something for the 5th Amendment taking because a lawsuit (including an appeal) has value and should not be taken for convenience reasons (a public purpose reason) by any court, including the highest one.⁸⁰

XII. CONCLUSION: AVOID COURTS FOR REAL REFORM

It is clear that most courts are hostile to disability rights, disabled people, disabled politicians, and disabled lawyers. There need to be many

⁷⁸ 18 U.S. Code § 2071

⁷⁹ <https://www.supremecourt.gov/filingandrules/electronicfiling.aspx>

⁸⁰ *Straw v. U.S.*, 1:21-cv-745-DAT (Fed. Cl.) – (*IFP* DENIED); *Straw v. U.S.*, 21-1602 (Fed. Cir. 2021) (*IFP* DENIED).

reforms, and likely new criminal provisions at the state and federal level to reign in the judges and the dishonest attorneys who cooperate with dishonest judges who discriminate. It is dangerous for a disabled person or attorney to use the courts as they are now. When counsel in a case hires the law clerk of the judge,⁸¹ that party should lose, automatically. When an appellee is hired by a court of appeals to be a federal judge, that appellee should lose, automatically.⁸² When an appellee hires the old law firm of the trial judge for the appeal, that appellee should lose automatically.⁸³ When a client and an attorney agree in writing that the attorney will not file any lawsuit, it is not malpractice to not file any lawsuit.⁸⁴ With Harvard Law School gathering data about law student disabilities to help their students and large numbers of the class having mental problems,⁸⁵ it is extremely reasonable to ask the ABA to force law schools to collect the same data Harvard collects.⁸⁶ Similarly, the ABA should not expel disabled lawyers from ABA membership when a state court attacks that person's ADA cases and his disability.⁸⁷ When a judge says the ADA Title II cannot be enforced against a state court to protect parenting time rights,⁸⁸ this is fundamental error and contumaciousness of *the judge* in the face of a unanimous Congress that passed the law, not

⁸¹ *Straw v. Avvo, Inc.*, 20-35971, 21-35848 (9th Cir).

⁸² *Straw v. Indiana Supreme Court, et. al.*, 17-1338 (7th Cir. 2017) (Dkts. 79 & 80).

⁸³ *Straw v. Kloecker, et. al.*, 14-1714 (7th Cir. 2014).

⁸⁴ *Straw v. Sconiers, et. al.*, 3:14-CV-1772-JD (N.D. Ind. 2014).

⁸⁵ <https://www.thecrimson.com/article/2019/12/24/hls-mental-health-report/>

⁸⁶ *Straw v. American Bar Association Section of Legal Education and Admission to the Bar et. al.*, 1:14-cv-05194-TMD (N.D. Ill. 2015).

⁸⁷ *Straw v. ABA*, 18-1795 (7th Cir. 2018).

⁸⁸ *Rutherford v. Zalas*, 2:14-cv-369 (N.D. Ind. 2015); cf. *Sinisgallo v. Town of Islip Hous. Auth.*, 865 F. Supp. 2d 307 (E.D.N.Y. 2012).

to mention U.S. Supreme Court precedent.⁸⁹ Any time a questionable act happens, that side should lose for trying to obtain an illegal advantage.

There is a real danger of a disabled lawyer losing his law licenses because he believes in the system and tried to use it to help disabled people. The ADA prohibits retaliation⁹⁰ but this provision is being suppressed through dishonest judges saying dishonest things. After 20 years of this judicial hate, I would say the courts are a dangerous place. I would not wish that danger on someone; the mines must be removed from the judicial minefield and only then will it be safe to pass.⁹¹

Congress makes the laws. Congress passed the Constitution. The judges who narrowly construe these laws to benefit their preferred parties are doing a violence to America and thumbing their noses at those who created the laws they as judges misconstrue. There need to be so many more political protections for disabled people who need the laws to protect them. One clearly cannot rely on judges alone, often the most hostile of government officers to civil rights, and when judges do wrong, there needs to be an administrative body separate from the courts that will provide tort relief, takings relief, and constitutional law compensation (*Bivens* relief). More democracy,⁹² more wholesome laws. That is the medicine for what ails us. A **national prosecutor and inspector general** is also needed because local prosecutors (even U.S. attorneys) are often afraid of holding judges to account. Judges should not get to judge themselves, either for their crimes or the ethical violations. *Nemo iudex in causa sua* covers every judge and justice. To tame the evil flames of judge hate, it is necessary to have a cool system of punishment that can “send a judge to Alaska” if needed. Judges being the least accountable to

⁸⁹ *Tennessee v. Lane*, 541 U.S. 509 (2004).

⁹⁰ 42 U.S.C. §§ 12132, 12133, 12203.

⁹¹ Certain criminal laws already in existence should be more aggressively enforced to protect disabled people and disabled lawyers who wish to use the courts to protect their civil rights. 18 U.S. Code §§ 1512, 1513.

⁹² Aman, Alfred C., "The Democracy Deficit: Taming Globalization Through Law Reform" (2004). *Books & Book Chapters by Maurer Faculty*. 90.

<https://www.repository.law.indiana.edu/facbooks/90>

the public, the publicly elected officers need to have more power than judges and the ridiculous insistence that judges be “independent” is simply a smokescreen to allow overreaching judges to be abusive. I reject it. No more judicial independence as an excuse for bad behavior.