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Clarifying 'Good Behavior' of Federal Judges

ABSTRACT

This amendment to the Judicial Conduct and Disability Act of 1980 seeks to clarify and enhance the "good behavior" standards expected of federal judges. It explicitly prohibits specific actions and practices that undermine judicial impartiality, fairness, and public trust in the federal judiciary. By addressing these behaviors, the amendment strengthens accountability mechanisms and ensures the judiciary adheres to the highest ethical and legal standards. The amendment introduces enforcement procedures to investigate violations and provides clear guidelines to uphold integrity and confidence in judicial proceedings.

“Enhanced Judicial Standards and Accountability Amendment of 2024”

Amendment to the Judicial Conduct and Disability Act of 1980

****Section 1: Title****

This amendment shall be known as the "Enhanced Judicial Standards and Accountability Amendment of 2024."

****Section 2: Purpose****

The purpose of this amendment is to update the standards of "good behavior" for federal judges by explicitly prohibiting specified actions that undermine fairness, impartiality, and public confidence in the judiciary.

****Section 3: Prohibited Conduct****

Federal judges shall be prohibited from engaging in the following conduct:

1. ****Improper Advocacy for Prosecution****:
 - Objecting on behalf of the prosecution and subsequently sustaining the same objection.
2. ****Misinterpretation of Undefined Legal Terms****:
 - Defining terms not specifically defined in legislation in a manner inconsistent with the Dictionary Act (1 U.S.C. §1).
3. ****Misapplication of Legal Standards****:
 - Intentionally or negligently misapplying legal standards as established in controlling case law.
4. ****Abuse of Motions “in Limine”**:
 - Using motions in limine to unfairly favor the prosecution by excluding relevant testimony from being presented to the jury.
5. ****Restrictions on Defendant’s Defense****:
 - Prohibiting defendants from referencing their state of mind (mens rea), applicable law, or constitutional principles in their defense.
6. ****Abuse of Protective Orders****:
 - Using protective orders to improperly restrict access to or disclosure of discovery materials to the detriment of fairness.
7. ****Unjustified Limitation of Witnesses****:

- Restricting witnesses solely based on their categorization as "unindicted co-conspirators."

8. **Improper Testimony Determination**:

- Allowing witnesses to testify outside the presence of a seated jury to determine the relevance of their testimony.

9. **Rebuttal Argument Abuse**:

- Permitting the prosecution to present rebuttal closing arguments when the defense has not presented a closing argument.

10. **Improper Detention Practices**:

- Confining non-convicted defendants with convicted prisoners in detention facilities.

11. **Entrapment Based on National Security Doctrine**:

- Allowing or facilitating the entrapment of U.S. citizens under the guise of national security by promoting radicalization to preempt extremist organizations or individuals.

Section 4: Enforcement and Discipline

1. **Reporting Violations**:

- Complaints alleging violations of these standards may be submitted to the Judicial Conference of the United States.

2. **Investigation and Resolution**:

- Allegations shall be investigated under the procedures established by the Judicial Conduct and Disability Act of 1980. Confirmed violations may result in disciplinary action, including censure, suspension, or referral to Congress for impeachment proceedings.

3. **Transparency**:

- All complaints and investigative findings, unless sealed for compelling reasons, shall be made publicly accessible to promote accountability.

Section 5: Effective Date

This amendment shall take effect 60 days after enactment and apply to all judicial actions and proceedings initiated thereafter.

Section 6: Severability

If any provision of this amendment or its application to any person or circumstance is held invalid, the remainder of the amendment and its application to other persons or circumstances shall not be affected.

CONCLUSION

The "Enhanced Judicial Standards and Accountability Amendment of 2024" serves as a critical step in reinforcing the integrity, impartiality, and fairness of the federal judiciary. By explicitly defining prohibited behaviors and updating the "good behavior" standard for federal judges, this amendment addresses systemic vulnerabilities that can undermine public trust in the judicial system.

Its provisions ensure that judges adhere to the highest ethical and legal standards while maintaining transparency and accountability. By outlining clear enforcement mechanisms, the amendment strengthens judicial oversight while respecting the separation of powers and judicial independence. Ultimately, it reaffirms the commitment to a fair and impartial judiciary as a cornerstone of American democracy.

AUTHOR BIO – ERIC PARKER



Eric Parker, a resident of Idaho, is a prominent advocate for constitutional rights and a vocal critic of governmental overreach. He gained national attention for his involvement in the 2014 Bundy Ranch standoff, a high-profile event that highlighted tensions between federal authorities and private citizens over land use and property rights. Parker, often referred to as the “Bundy Ranch Sniper,” became widely recognized after a photograph captured him on an overpass, armed, during the standoff—a symbol of resistance to perceived government overreach.

Parker has since dedicated himself to raising awareness about individual liberties, accountability in government, and the preservation of constitutional rights. As a speaker and writer, Parker has actively addressed issues such as prosecutorial misconduct, federal militarization, and the erosion of due process. His writings and public appearances frequently focus on systemic failures within the justice system, particularly as they relate to high-profile cases like the Bundy Ranch incident.

Through his advocacy, Parker has emphasized the need for legal reforms, including greater accountability for government officials and protection of citizens' rights against abuses of power. He is an advocate for grassroots activism and believes in empowering individuals to understand and assert their rights under the Constitution. Parker resides in Idaho with his family and continues to engage with communities across the country, sharing his experiences and promoting a message of liberty and justice.

AUTHOR BIO – MARK HERR



Mark Herr is the visionary founder of the Center for Self Governance (CSG), an innovative educational organization dedicated to promoting the principles of individual, relational, and societal self governance; the American Social Science Association and the Washington Systematic Policy and Learning Center, national and state-based institutions created to promote the development and distribution of systematic policy and the networking of systematic practitioners.

With a profound belief in the power of informed laymen to shape their communities and nations, Mark has spent over a decade empowering individuals to understand and exercise their self-governance effectively and practice systematic politics competitively.

Mark is a sought-after speaker and educator, known for his engaging teaching style and ability to distill complex concepts into actionable insights. His work has been featured in various media outlets, and he continues to inspire individuals to take ownership of their role in maintaining their individual, relational, and societal self governance.