

117th CONGRESS

xxx Session

H. R. xxxx

To Restore and Upgrade the United States Supreme Court and
Reestablish a National Right to a Merits Decision

IN THE HOUSE OF REPRESENTATIVES

DATE

X introduced the following bill; which was referred to the Committee on
the Judiciary.

A BILL

To Restore and Upgrade the United States Supreme Court and
Reestablish a National Right to a Merits Decision.

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ``Supreme Court Restoration Act''.

SEC. 2. SUPREME COURT RESTORED AS TOP COURT

(a) FINDINGS.

- (1) When the Constitution and Bill of Rights were passed, the United States Supreme Court was established to be the top court in the United States and available for all to use according to the terms in Article III of the U.S. Constitution as well as the First and Fifth Amendments, when those were added. The same fairness principles are found in the Fourteenth Amendment.
- (2) The Judges Act of 1925 and other similar laws over a century later removed the right to use the U.S. Supreme Court and replaced it with a certiorari system that allows the Supreme Court to renounce its duties to decide all cases brought to it on appeal, effectively affirming without any given reason well over 90% of all appeals from the state supreme courts and the U.S. Courts of Appeal. This while overturning over 70% of all cases actually allowed. Failing to provide a merits decision causes the U.S. Supreme Court not to exist for that petitioner upon denial.

(3) Congress can provide the means to expand the United States Supreme Court with money and extra justices and technology to ensure every petitioner obtains a merits decision.

(b) OPEN COURT; E-COURT

(1) The U.S. Supreme Court must be open online for business for filing documents every day of the year with no exceptions.

(2) The U.S. Supreme Court must accept filings from every petitioner and no one must be refused this right for any reason.

(3) The format of documents submitted shall be the same as found in the Federal Rules of Appellate Procedure. No odd paper sizes or paper weights or other rules that add expensive barriers shall be required.

(4) The U.S. Supreme Court may not refuse any petitioner or person any service offered by the Court on the basis of “frivolous” or any similar invented reason to disfavor someone. All petitions shall be considered equally valid as a means to ask the Court to act, regardless of the quality of the writing or any other invented reason. The U.S. Supreme Court shall consider all petitions to be equal and respected fully no matter who presents them or

what the arguments are. There shall be no viewpoint discrimination to deny services.

(5) Petitioners and respondents shall be immune from any attack, retaliation, or punishment by the U.S. Supreme Court or any other court, state or federal, in the same manner as a federal judge is immune for the words stated by the judge in a case.

(6) The U.S. Supreme Court shall not spend any money appropriated by Congress for any purpose (besides justice salaries) unless the above are adopted and implemented immediately and fully.

(7) Petitions and other filings to the U.S. Supreme Court shall be done in electronic PDF format. Links and URLs in such documents shall be preserved by the Court.

(8) All filings shall be accepted by the Clerk of the U.S. Supreme Court either via email or efilings systems and being a member of the bar of the Court shall not be used as a reason to exclude *pro se* filers from efilings.

- (9) All U.S. Courts of Appeals and lower U.S. courts shall accept filings by email and provide an email address for that purpose for *pro se* filers, including attorney *pro se* filers.
- (10) There shall be no requirement that an attorney filing *pro se* be a member of the bar where he files documents for himself.
- (11) The Clerk of the U.S. Supreme Court shall publish on the front page of the U.S. Supreme Court website and at the bottom of every page on that site an email address to which emailed filings must be sent.
- (12) Filers in criminal cases shall be allowed to file on paper, but these documents shall be scanned by the Clerk and placed in the dockets of these cases in PDF format.
- (13) All documents filed in any case shall be made available in the dockets maintained by the Clerk of the United States Supreme Court.
- (14) The U.S. Supreme Court shall no longer charge any fee for any document or case filing.
- (15) The word frivolous is prohibited to courts at all levels due to rampant past abuses of this term. No judge at any level, state

or federal, shall use the word frivolous or an equivalent to disadvantage any litigant, petitioner, respondent, or other party. Instead of irascibility, courts are expected to act with decorum and restraint.

(b) RIGHT TO A MERITS DECISION

- (1) The U.S. Constitution creates the U.S. Supreme Court. Congress deems this creation to imply a right to a merits decision from that Court upon filing a petition.
- (2) Not granting a merits decision in response to every petition creates privileged classes of petitioners and closes the Court in violation of Article III, the First Amendment right to petition, and fair play and due process under the Fifth Amendment.
- (3) There is a right to a merits decision from the U.S. Supreme Court and any law to the contrary or establishing an alternative system is hereby abolished. No one shall be denied their merits decision and the United States Supreme Court shall always and forever do its duty instead of avoiding it to disadvantage certain people.

(4) A merits decision shall explain the facts and law in an actual opinion and no one shall be punished or discouraged from asking such a merits decision since this is a constitutional right.

(5) If the U.S. Supreme Court is not efficient enough to process this many merits decisions, the Chief Justice of the United States shall request resources and the means to achieve this 100% merits decision without burdening any petitioner or respondent in any way.

(6) To assist the Courts and litigants, all document and filing systems such as PACER shall be free for anyone to access and use for any reason. Every document shall have a unique URL so that the documents may be cited directly in filings to the U.S. Supreme Court and lower courts.

(c) INTEGRITY OF THE NATIONAL BAR OF LAWYERS

(1) Given state supreme courts and lower federal courts have abused their powers to regulate the bar, the United States Supreme Court shall create a national bar regulation system that shall be fair and unbiased toward all lawyers.

- (2) The United States Supreme Court shall create rules to regulate all lawyers and no lower court shall ever discipline any lawyer without the prior investigation and approval of this national agency, which shall also have power to discipline judges who abuse this system to injure disfavored lawyers.
- (3) A lawyer shall be immune from all civil lawsuits in the same manner as a judge is immune in order to maintain the independence of the bar and protect it from judge abuses, which have been a problem from the beginning.
- (4) Lawyers shall not be immune from the criminal law.
- (5) There shall be a unified bar membership such that any lawyer can practice in any court and is only subject to discipline by the U.S. Supreme Court. There shall no longer a any contempt power against a lawyer, which shall be an office of the United States Supreme Court and thus every lawyer is higher in rank than every judge (state or federal) below that Supreme Court.
- (6) All lawyers admitted to any state or federal court shall be grandfathered into this system without regard to any past

discipline. The United States Supreme Court shall conduct bar examinations and admit lawyers consistently across the nation.

(7) Law licenses are property and any court that has taken such property creates a Takings Clause liability for the United States in the amount of \$100,000 per license per year, \$1,000,000 total upon the suspension reaching 3 years or disbarment happening without a crime by the lawyer to justify the discipline. The United States shall pay this upon the lawyer applying to the United States Supreme Court Clerk. The office of the Clerk shall verify that the lawyer was admitted in some court, suspended or disbarred without a crime, and thus the lawyer is eligible for the payment.

(8) This Act shall ensure that the United States Supreme Court is absolutely supreme in every area of law in every area where United States law prevails.