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Controversial U.S. Supreme Court rule is challenged in court

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Lady Justice ponders unjust rules: "can money buy access to The High Court?"

Lakeland, FL (PRWEB) April 24, 2015 -- (Fri. 03 April 2015) Case Update: High Court enters odd ruling, upholding "money can buy access to courts" rule - Petition for rehearing filed with court, "Original + 40," instead of usual 'O+10' required of In Forma Pauperis, so clerks, Justices, libraries, & press can have easy access. Case documents are available at The Register in front-page news.

--End of Update-Original press release follows:

RULE 37.1 of the U.S. Supreme Court, which does not permit non-attorneys to file such briefs ("An amicus curiae brief may be filed only by an attorney admitted to practice before this Court as provided in Rule 5.") is being challenged in the High Court by Register Editor-in-Chief, Gordon W. Watts, who, several years ago, lost a 4-3 split decision on behalf of Theresa 'Terri' Schiavo.

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The case is set for review Friday, March 27, 2015 by the Justices:

<http://www.supremecourt.gov/Search.aspx?FileName=/docketfiles/14-8744.htm>. Watts is arguing in his filing that, since RULE 37.3(a) of the U.S. Supreme Court permits that: "An amicus curiae brief in a case before the Court for oral argument may be filed if accompanied by the written consent of all parties..." then Watts' brief would normally be "automatically accepted." As noted on The Court's Official Docket, "Consent to the filing of amicus curiae briefs, in support of either party or of neither

party" was filed with the court by both petitioners and respondents in one case:

<http://www.supremecourt.gov/Search.aspx?FileName=/docketfiles/14-571.htm>.

"A petitioner or respondent may submit to the Clerk a letter granting blanket consent to amicus curiae briefs, stating that the party consents to the filing of amicus curiae briefs in support of either or of neither party. The Clerk will note all notices of blanket consent on the docket.": RULE 37.2(a). However, unlike a federal appeals court, which permitted Watts to file an amicus brief (see files on the right), RULE 37.1 of the Supreme Court doesn't allow non-attorneys to file such briefs: "An amicus curiae brief may be filed only by an attorney admitted to practice before this Court as provided in Rule 5."

Many people, including the court's own Justices, have said that people have "no" automatic right of review by the Supreme Court, but as shown above, that is not true in all cases. Watts is taking issue with the case where a person wants to file a 'friend of the court' brief as Watts has been allowed to do, but one simply can't afford a lawyer who is a member of the Supreme Court bar. The only thing stopping Watts from filing was the fact that he couldn't afford to "buy access" through a high-money 'Big Law' lawyer. He also believes that the fact that his filings took hard shots at both pro- and anti-gay advocates did not help his chances at finding a lawyer willing to file for him.

The court did not find any fault with Watts' brief, and, in fact, actually docketed it in error for a short period of time, as he showed in the Appendix of his petition with the court.

Watts desires to file a friend of the court brief in the gay marriage cases before the court because he feels that the parties involved have overlooked a solution that would work for both sides. That brief is more fully described in this concurrent release:

<http://www.prweb.com/releases/2015/03/prweb12608035.htm>

Mr. Watts was a high-profile litigant in the recent 'Terri Schiavo' lawsuit, almost winning in court on her behalf:

In Re: GORDON WAYNE WATTS (as next friend of THERESA MARIE 'TERRI' SCHIAVO), No. SC03-2420 (Fla. Feb.23, 2005), denied 4-3 on rehearing. (Watts got 42.7% of his panel)

<http://www.floridasupremecourt.org/clerk/dispositions/2005/2/03-2420reh.pdf>

In Re: JEB BUSH, GOVERNOR OF FLORIDA, ET AL. v. MICHAEL SCHIAVO, GUARDIAN: THERESA SCHIAVO, No. SC04-925 (Fla. Oct.21, 2004), denied 7-0 on rehearing. (Bush got 0.0% of his panel before the same court) <http://www.floridasupremecourt.org/clerk/dispositions/2004/10/04-925reh.pdf>

Schiavo ex rel. Schindler v. Schiavo ex rel. Schiavo, 403 F.3d 1223, 2005 WL 648897 (11th Cir. Mar.23, 2005), denied 2-1 on appeal. (Terri Schiavo's own blood family only got 33.3% of their panel on the Federal Appeals level) <http://media.ca11.uscourts.gov/opinions/pub/files/200511556.pdf>

You may visit The Register: <http://GordonWatts.com> or <http://GordonWayneWatts.com> for further details.

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(Jan. 06, 2014) Notice of Court Action



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