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Prescott
Arizona 86303

Telly: [REDACTED]

August 30, 1993

Mr. Brian Lamb
C-SPAN
Suite 650
400 N. Capitol Street N.W.
Washington D.C. 20001

Re:

America and the Courts.

Only C-SPAN Treats the Three Branches of Government Equally

Dear Mr. Lamb:

Jolly good show C-SPAN. Thank you ever so much for re-airing America and the Courts at a decent hour.

Re-airing it around 8p.m. (P.S.T.) solves a conflict of interest. Since the West Coast is three hours behind East Coast clock-time, viewers here had to get up at the crack of dawn to see it. Or, alternatively neglect the Saturday chores to watch the 4p.m. original schedule.

Even then, we're luckier than some families who only have time to watch telly on the week-nights. What a pity to miss this terrific, educational insight into decisions that affect our every-day life. By any chance would you consider re-airing it on week-nights?

Stroke of luck that C-SPAN treats the three branches of government equally. While the unmentionable stations give short shrift to the judiciary. How ironic. Because after all is said and done in the Executive and Legislative branches, it's the U.S. Supreme Court who has the final word on the Constitutionality of the lawmakers.

IMPACT OF BANNING CAMERAS IN THE U.S. SUPREME COURT

Perhaps, if this high and mighty court were more in keeping with the spirit of the First Amendment right of the people to receive information, more Americans would be informed about their constitutional rights.

"Ignorance of the law is no excuse." So they say. .
Certainly not for lawyers. They spend years studying it.
And the rest of their lives making sure we never understand it.

Thanks to the cloak and dagger attitude of the High Court, public knowledge that could be readily gained by watching T.V. debates on these crucial constitutional cases, have been shrouded in mystery.

Consequently, many Americans haven't got a clue about weighing constitutional laws. Laymen are kept in a state of ignorance on how to balance constitutional rights with constitutional responsibilities.

WHAT HAPPENS TO INFORMERS WHO UNVEIL THE MYSTIQUE BEHIND THE HIGH COURT?

As evidenced by S-SPAN's "America and the Courts" (8/7/93) Law prof. Peter Irons, co-editor of "May It Please the Court" landed up in a lawsuit for demystifying courtroom arguments.

Recently the "Supremes" took umbrage because he publically released audio tape debates of landmark High Court cases. The only way this co-editor could gain access to these recordings was for private viewing only. After making them available to the public, he was slapped with a law-suit for breach of contract.

But this top heavy restriction prohibiting release to the public smacks of a "contract of adhesion." Capriciously known as an ultimatum: "take it, or leave it." There's no recourse. Ironically, these type of sweetheart deals - - favoring one side, while giving the other the kiss of death - - have been invalidated by the the courts for violating fundamental fairness of public policies.

For instance, until the 1980's apartment owners could force renters to sign a contract agreeing that "no children would be allowed in the apartment." Riding on the horns of the dilemma, married couples, desperately seeking accommodation were given an offer they couldn't refuse. Either take it with the dreadful restriction, or leave it and try to find a roof over their heads in an over-crowded renters' market. Despite the lessee signing on the dotted line, the court overturned these "contracts of adhesion."

Likewise, this co-editor is caught in a Catch 22 situation. He can either take the Draconian prohibition on public release of the tapes and Mum's the word for the rest of us. Or he can breach the contract, releasing the information in the public's interest. Thereby subjecting himself to years of struggle and strife. Not to mention the risky business of litigation financial loss.

What a pity that people are forced to violate the constitution, breach contracts, or become personally embroiled in bad law, in order to establish jurisdiction requirement of "standing." A.k.a. the legal password to obtain entrance into court to challenge the fairness of a law.

Similarly, in order to challenge the U.S. Supreme Court policy of prohibiting cameras in the court, some brave soul would have to take a hidden camera into court. After establishing "standing," or a personal interest in the case, then challenge the constitutionality of the ban. Hoping to overturn the biased law on the grounds of First Amendment freedom of speech, freedom of the press and the people's right to know and the right to receive public information about this crucial branch of government.

Hope springs eternal. Perhaps the High Court would be forced to recuse themselves, due to unethical conflict of interest in the outcome of the case.

With a little bit of luck, then this issue of the legality of cameras in the U.S. Supreme Court may be handled by the legislature. There again, over a decade ago, some lawmakers also opposed cameras in their branch of government. But after discovering that C-SPAN could cover the proceedings without intrusion, they supported media coverage.

Likewise, cameras, with few exceptions, are permitted in State courts.

Similarly, most federal judges, who recently authorized cameras in their court, on a trial bases, found that their fears about the media turning the courtroom into a potential big-top "circus" has been eliminated by modern technology's unobtrusive camera equipment.

As demonstrated by C-SPAN's gavel-to-gavel coverage of U.S. Supreme Court Ruth Ginsberg's nomination hearings.

C-SPAN cleverly concealed the camera behind a wall plaque.
Out of sound and mind of the participants.

If these advanced camera techniques are good enough for the U.S. Congress, they're good enough for the U.S. Supreme Court. What's good for the blinking goose, is ditto for the gander.

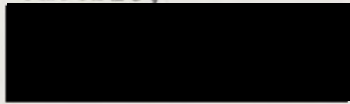
Pressing on regardless, some "Supremes" seem so bloody twisted everytime a reporter tries to educate the public about what's going on in our High Court that they'd probably like to sentence the media informers - - à la Woodward & Bernstein's "Bretheren" - - to 99 years in the electric chair.

Thanks to C-SPAN, viewers are becoming more informed about the "highest court in the land."

After all, our U.S. Supreme Court doesn't belong to these nine elite justices. It's the People's court. Bought and paid for in full. So open up our chambers. Let the sunshine in.

Bravo to C-SPAN staff and camera crew for lighting up a lifetime of executive, legislative and judicial education.

Cheerio,



P.S. Ta for airing our House of Commons, Prime Minister's Question Time. And for interviewing the chaps in British Politics. At the risk of sounding like Oliver Twist, - - wish we had more.

Encl. Copy of a wee notion for something different in the U.S. Supreme Court: Equal representation in the People's court.

Opinion/Editorial

^{Prescott}
The Courier
Sunday, July 11, 1993

Lawyers' monopoly will control Supreme Court

EDITOR:

The criteria for picking a U.S. Supreme Court Justice favors minorities at the expense of all other intelligent people in America.

Ironically, these so-called "minorities" regardless of race or gender, consist of an elitist majority — all lawyers.

Despite the fact that the Constitution does not require the president's nominee to be elected solely from a group of lawyers, they dominate this

appointment process.

While this monopoly may be justified for lower court judges, who regulate courtroom procedure, rules of evidence and jury presentation, it's hardly justifiable at the high court where there are no trials. On the contrary, it's a bench aglow with philosophical philandering.

Strictly speaking the role of the nine U.S. Supreme Court Justices is limited to reading and reviewing lower court decisions. Then voting on a specific issue; Is the case on appeal constitutional or unconstitutional?

Judging from past rulings split 5 to 4, some decisions swing on arbitrary interpretations. As evidenced by conflicting personal opinions on what the Constitution actually means.

Politicking behind closed doors, justices campaign their colleagues to vote their way. Liberally or conservatively — depending on their political viewpoints — defining a buzzword with the turn of a screw.

Pressing on regardless of the fact that the Founding Fathers did not restrict the people's representation on this review court to lawyers only. The justices' lifetime tenure appointments have a longer lasting effect on our lives than the temporary president.

In spite of this, the system automatically eliminates all other capable professions in the country. From well-read civic teachers, experts in business and finance, specialists in problem solving, constitutional scholars to consumers. This arrogant high court selection process rejects all other walks of life.

What an ironic twist this handy-dandy discrimination inflicts on non-lawyers: "Ignorance of the law is no excuse," they tell us. While at the same time the powers-that-be assume that in this country of advanced computer research, we're too bloody ignorant to interpret our Constitution. Alas! That prize position belongs solely to the closed shop union. The lawyers' monopoly.