CONTENTS

INTRODUCTION 3

1. LEGAL PROFESSION IN THE USA 4

1.1 REGULATION OF THE LEGAL PROFESSION 4

1.2 LAWYERS: PARASITES ON THE BACK OF THE AMERICAN TAXPAYER?

1.3 THE LEGAL PROFESSION FOR WOMEN: A PROBLEM OF GENDER EQUALITY 11

2. THE LEGAL SYSTEM OF THE USA 13

2.1 THE MAIN PRINCIPLES OF THE AMERICAN SYSTEM OF JUSTICE 13

2.2 FACTS ABOUT THE AMERICAN LEGAL SYSTEM 16

2.3 CORRUPTION IN THE AMERICAN LEGAL SYSTEM 20

CONCLUSION 26

LITERATURE 27

**INTRODUCTION**

For centuries, the legal profession constituted an exclusive club of white, middle-class men. Although the last few decades have seen a dramatic increase in female and ethnic minority entrants, research shows that a successful legal career is far from being equally open to all. This raises the question whether affirmative action should be introduced by the legal profession.

A positive answer has implications extending beyond legal practice. This is because the advanced educational qualifications, and the intellectual and other skills required of entrants, which are thought to guarantee high quality services to clients, mean that appointing and promoting on merit is regarded as particularly important in professional and other skilled occupations.

Indeed, it can be argued that legal academics have a special duty to ensure that those they purport to admit to law school on merit and prepare for practice do not later find their career prospects hampered by their social background. In addition, for those wishing to ensure a more general acceptance of affirmative action, persuading the legal profession that it is just and practicable is a useful starting place, since lawyers are better placed than most occupational groups to secure an end to the current legal prohibition on `strong'1 forms of affirmative action.

The legal profession is morally and, as far as gender and race are concerned, legally obliged not to discriminate in distributing jobs and promotions. Currently the legal profession does so discriminate. Existing measures are unlikely to eradicate such discrimination even in the medium term. If appropriately designed and implemented, quotas and decision-making preferences can reverse patterns of exclusion. Consequently, unless there are strong countervailing considerations or insurmountable practical problems, they should be introduced into legal practice.

In the rest of this article we will speak about current situation and the existing problems in the legal profession and legal system in the USA.

**1. LEGAL PROFESSION IN THE USA**

**1.1 REGULATION OF THE LEGAL PROFESSION**

The legal profession is regulated at state level (and not at federal level) by the highest court of each state. A US attorney can practise and appear in the courts of the jurisdiction/state in which he/she was admitted. Attorneys may have rights of practice and audience in other States by virtue of rules which allow for admission pro hace vice. In addition, the rules of a number of State Bars in the US allow for "Admission on Motion", i.e. admission to another state without examination in the case of attorneys already qualified in other US states. The criteria for such admission differ from state to state, but usually involve minimum periods spent in practice.

The interim report, which was presented to the House of Delegates some years ago, makes recommendations easing the practice of law by US lawyers in states other than their state of admission. It also eases the position on the temporary practice of home law in the U.S. by Foreign Lawyers with a proposed amendment to its Model Rule for the Licensing of Legal Consultants. US State Bars fall into 2 categories:

1. Unified State Bars: membership is compulsory in order for an attorney to be able to practise; membership, therefore, serves the purpose of a practising certificate.

2. Non-Unified State Bars: membership is voluntary and as such, these bars have no regulatory powers.

On a national level, the profession is represented by the American Bar Association (ABA). Membership of the ABA is not compulsory, although it does have approximately 400,000 members. The ABA holds an annual meeting, which is the largest annual gathering of lawyers in the world, and is attended by approximately 12,500 international lawyers. The Law Society organises a programme of events at the ABA's annual meeting in order to raise awareness of the solicitors' profession and to facilitate contacts between English and Welsh solicitors and American attorneys.

Most states require a three year American law degree (Juris Doctor) in order to sit the State Bar examination. Some states recognise equivalent foreign legal qualifications or admittance to a foreign bar in an English common law jurisdiction but may require the applicant to take further courses in U.S. law at an ABA approved law school.

In some US States it is possible to practise as a Foreign Legal Consultant under home title (for instance as a solicitor). As a Foreign Legal Consultant, it is possible to advise on home country law and international law, but not to appear in court. The ABA commission on Multijurisdictional Practice referred to above has recently strongly encouraged those US States without a foreign Legal Consultants regime to introduce one.

One more type of regulation of the legal profession is self-regulation. Often self-regulation is seen as arising from the social institution of trust: a social contract between society and the profession mitigates the moral hazard problem arising from the information asymmetry. However, they recognize that safeguards are required, particularly to ensure that the profession does not operate as a cartel. They also feel that the various professions will act as watchdogs on each other.

Self-regulation may reduce the cost of the regulator acquiring information and makes adjustments to regulations easier. These benefits need to be compared to the potential efficiency losses due to the potential for cartel-like behavior. Even where regulation by a professional body is deemed an appropriate solution it has been argued that the public interest would be protected best by having a number of professional bodies in competition with each other.

Regulation may not be the only solution to the information asymmetry problem. Independent rating agencies have been suggested as a solution or the use of repeat purchasers to perform the agency function on behalf of infrequent purchasers. Competition can also generate its own quality signals.

The current state of the discussion in the conceptual literature is such that although some authors recognize the potential problem arising from the asymmetry of information between client and professional, considerable skepticism remains on whether traditional self-regulation is a solution to the problem or a source of even greater welfare loss.

Scientists have identified a number of instruments typically used by self-regulators of the legal profession which may work against the public interest:

1. restrictions on entry;
2. (ii) restrictions on advertising and other means of promoting a competitive process within the profession;
3. restrictions on fee competition;
4. restrictions on organizational form.

A separate although connected literature has developed on restrictions on the nature of fee contracts between lawyers and clients.

**1.2 LAWYERS: PARASITES ON THE BACK OF THE AMERICAN TAXPAYER?**

Many critics accuse lawyers of making legal services an expensive luxury, and they challenged lawyers to re-think the way their services are provided and priced. In particular, there is an idea to stop billing by the hour and start charging by the case. Another initiative is that there is a need for ceilings, instead of an open-sky practice.

Criticism of lawyers' fees is almost as old as the profession itself and the present situation is no worse than before. But public tolerance has changed. Imagine if airlines charged on the same basis as lawyers: an hourly fee, with no guarantees of any limit and the price escalating as delays, bad weather and mechanical failures occurred.

What is to be done? Can the profession set its own house in order? The problem is not so much high fees in themselves; there's nothing wrong with charging a rich tariff to those who can afford it. After all, it is said, lawyers are selling a valuable commodity and are entitled to expect top-dollar remuneration.

But lawyers, unlike bankers, are not just another sector of the business world. They have sway over a legal system supposedly committed to social justice. And it is one of that system's virtues that justice is not for sale to the highest bidder. As long as lawyers are beyond the pocket of most citizens, it means social injustice.

Sadly, the legal profession too easily mistakes its own interests for those of the public. Allowing paralegals and others to offer more legal services might be a good start. A more practical, effective solution would be to let lawyers retain their monopoly, but only on the condition that they truly serve the public. This means that there must be more citizens and clients involved in running the profession, that lawyers must be answerable to someone other than themselves, that they pay for their monopolistic privilege by contributing a share of their fees to funding legal services for poorer litigants, and that fees are regulated for price as well as quality.

As long as access to justice depends on access to lawyers, society must oblige the legal profession to meet its public responsibilities – the leading one being that legal services must be genuinely available to all.

It is evident that the legal profession enjoys a special status because those who practice law and those who make the law are often the same people, The legal business has been turned into some kind of mystical hocus pocus over the years, and has been purposely made obscure, complicated, and difficult to understand, in order to force the public to consult lawyers. Entry into the profession has also been made more difficult than necessary so that there won't be too many people competing for the work.

The law belongs to the people is not a trade secret of lawyers and judges. The courts exist for the sole purpose of serving the people and for no other reason. They work for people. They do not rule them. But now lawyers become judges and judges are lawyers. They take care of themselves. Judges in America are above the law. Who's going to convict a judge? Another judge? Not hardly! Judges have immunity and generally can't be sued. They can get away with anything and they know it. Therefore if they decide to break the law or break the rules of court, they just do it. No one is there to stop them.

As with any other profession there is a possibility that there will be a few solicitors willing to turn a blind eye to suspicious activities where they will personally benefit, be it by additional fee income or an increased client base. But, this would not be the case for the vast majority of solicitors. And Law Society itself cannot dissolve the problem of “dirty hands”.

The system is supposed to be built on the idea of checks and balances where each branch of government has it's finger on the other two branches, so if one branch gets out of line the other two reel them back in. However, the judiciary is self regulating and only two of the three branches of government are part of the balance of power. Other than impeachment, the other branches have no control over the judiciary.

Judges are people’s servants, not rulers. And this concept is supported in the Rules of the Supreme Court which states as follows: "The legal profession's relative autonomy carries with it special responsibilities of self government. The profession has a responsibility to assure that its regulations are conceived in the public interest and not in furtherance of parochial or self-interested concerns of the bar."[[1]](#footnote-1)

We must always remember that the name says it all. When they cry like a stuck pig about what a great burden it will be on the legal community to have ethics imposed on judges and lawyers, we must never forget that the rights of the public take precedents over the profits of attorneys. The courts are not here to suck the wealth from society and give it to lawyers.

Having mentioned negative sides of the profession, we must admit positive ones. The Constitution establishes the fundamental right of access to the judicial system. The courts, as guardians of every person's individual rights, have a special responsibility to protect and enforce the right of equal access to the judicial system. If the courts have this special responsibility but no judicial police force to enforce their rulings, why is there general compliance? Two important reasons stand out: (1) public trust and confidence in the system overall, and (2) a strong commitment by the organized bar to work with the judiciary to establish and demand compliance of judicial decisions.

The organized bar has long recognized that it must speak out for the judiciary when it cannot speak out for itself. This is especially true during ongoing litigations, for example, when the press criticizes a judge's ruling, and because of the confidentiality of an ongoing case, the judge cannot explain his or her actions personally. The press may react by questioning not only the actions of the judge but his or her apparent unwillingness to respond. The organized bar is also in a position to help the public better understand the proceedings and the reasoning behind judges' rulings in an effort to inspire public confidence and generate thoughtful public debate.

The bar also works hard to provide trained advocates or counsel in civil matters. Though the right to counsel has been established in criminal cases, it is not guaranteed in civil matters.

An eminent writer has said: "It requires two workmen to make a lawyer, the Almighty and the man himself. The legal mind is the workmanship of God, and no power beneath His can create it. Not possessing it, no one ever became a successful lawyer; with it, no one ever failed if he earnestly tried." So we can see that such a gift is worth of paying money for it.

**1.3 THE LEGAL PROFESSION FOR WOMEN: A PROBLEM OF GENDER EQUALITY**

The Constitution of the United States is to woman as an Emancipation Proclamation, in that it erects no barriers, imposes no limitations, sanctions no discriminations on account of sex. Tacitly implying the perfect equality of man and woman as citizens, alike entitled to life, liberty and the pursuit of happiness, its very silence concerning the status of woman is an eloquent pleading in her behalf.

Woman has ever been one of the knottiest points of the law. At first, jurists thought to evade the issue by attempting to reduce woman to a ghostly nonentity; but, like Banquo's ghost, she would not "down" at the command of her Macbeth. Next she was concealed beneath the garb of legal fictions, and under the guise of vested rights smuggled through the departments of the blind goddess.

One link after another in the myriad chains which fettered her freedom and independence has been broken, until she is now not only recognized in legal procedure, but admitted into the very halls of justice, as an officer of the court, and permitted to participate in its proceedings. She may not only advocate her own rights, but may plead the rights of others. She has left in the rear her former colleagues–infants, idiots and the insane–and almost overtaken her rivals of the fifteenth amendment.

Such has been the breaking of dawn to woman, after her long civil night. The present century recognizes that the sphere of women is no longer a mooted question. Merit has no sex; and the meritorious lawyer, man or woman, who deserves success, who can both work and wait to win, is sure to achieve both recognition and reward.

Of the three so-called "learned professions" which are necessities of civilization, the legal profession has been perhaps the most reluctant to swing open its portals to admit in fellowship the former "pariahs" of legal procedure: nevertheless these majestic gates have in hundreds of cases responded to the reiterated taps of a woman's hand. The proportion of women engaged in the law is less than in the other professions is, in a measure, due to the peculiar requirements of the law. Woman may be the weakest in this profession, but in it she lifts with the longest lever the social and legal status of her sex.

Also it is no trifling education that is needed for successful competition in this profession. The ramifications of the law are infinite, and the successful lawyer must be versed in all subjects. The law is not a mere conglomeration of decisions and statutes; otherwise "Pretty Poll" might pose as an able advocate. A mind unadapted to investigation, unable to see the reasons for legal decisions, is as unreliable at the bar as is a color-blind person in the employ of a signal corps. The woman lawyer who demands an indemnity against failure must offer as collateral security not only the ordinary school education, but also a knowledge of the world and an acquaintance with that most abstruse of all philosophies–human nature. She must needs cultivate all the common sense and tact with which nature has endowed her, that she may adjust herself to all conditions. She must possess courage to assert her position and maintain her place in the presence of braggadocio and aggressiveness, with patience, firmness, order and absolute good nature; a combativeness which fears no Rubicon; a retentiveness of memory which classifies and keeps on file minutest details; a self-reliance which is the sin qua non of success; a tenacity of purpose and stubbornness of perseverance which gains ground, not by leaps, but by closely contested hair breadths; a fertility of resource which can meet the "variety and instantaneousness" of all occasions; an originality and clearness of intellect like that of Portia, prompt to recognize the value of a single drop of blood; a critical acumen to understand and discriminate between the subtle technicalities of law and an aptness to judge rightly of the interpretation of principles.

While America's sons sit at the feet of this divine Law, let not the daughters be unmindful of the peculiar position which they occupy. Woman has both felt the "power" and participates in the "care" of that law; therefore, her homage is due, and her voice needed with that of man to complete the harmony of the world.

**2. THE LEGAL SYSTEM OF THE USA**

**2.1 THE MAIN PRINCIPLES OF THE AMERICAN SYSTEM OF JUSTICE**

In a democratic society where the governed relinquish a portion of their autonomy, the legal system is the guardian against abuses by those in positions of power. Citizens agree to limitations on their freedom in exchange for peaceful coexistence, and they expect that when conflicts between citizens or between the state and citizens arise, there is a place that is independent from undue influence, that is trustworthy, and that has authority over all the parties to solve the disputes peacefully. The courts in any democratic system are that place of refuge. U.S. Supreme Court Chief Justice William Howard Taft stated in 1926 that "the real practical blessing of our Bill of Rights is in its provision for fixed procedure securing a fair hearing by independent courts to each individual."

A fundamental value in the American system of justice is that the stability of the society depends upon the ability of the people to readily obtain access to the courts, because the court system is the mechanism recognized and accepted by all to peacefully resolve disputes. Denying access to the courts forces dispute resolution into other arenas and results in vigilantism and violence.

The judicial systems of the United States are structured to ensure access to the courts and equal justice under law for all citizens. The U.S. Constitution and the constitutions of all 50 states contain specific articles on the judicial branch. The judicial systems of the United States are separate, coequal branches of government that maintain autonomy through their own structures, authorities, and rules. The principle of judicial independence, reflected in the federal and state constitutions and in American legal and political history, allows judges to make decisions based on the law and the facts of each case, rather than on popular opinion or political considerations.

The judicial systems of the United States include the federal courts and separate court systems for all 50 states, the District of Columbia, and five territories. These different court systems handle approximately 100 million cases per year, with the vast majority being heard in state courts. At the federal level, approximately 2,200 judges serve across the United States in the following capacities: justices of the Supreme Court, judges of the courts of appeals, judges of the district courts, bankruptcy judges, and magistrate judges. At the state level, approximately 31,000 judges serve on the bench, from the highest court down to local courts of limited jurisdiction.

Each state and territory has the authority to establish and operate its own court system. The structure of state court systems varies from state to state. Some states have "unified," or simplified, systems of only two or three levels, while others have multiple levels of court for different types of cases. Judges are selected by a variety of different methods in the states, including appointment by governors, popular election, and selection by the legislature. Terms of office for state judges range from four years to lifetime tenure.

When discussing the idea of access to the courts, mere access in the theoretical or legal sense is not enough; rather, it is the results that flow from the decisions made by the courts that give it meaning. For example, the value of "access" is evident when the courts decide that no one, especially those in positions of power, is above the law, or when access requires the right to counsel in cases where one's liberty is in jeopardy.

The practical application of the fundamental right to access the courts under the U.S. Constitution has been put to the test throughout the nation's history. It has been claimed and challenged by many.

Perhaps the importance of open access to the courts is best recognized in the criminal justice sector in cases involving the right to counsel. In the United States it has been established that, at least in criminal matters involving the loss of liberty, a person cannot be considered to have adequate access to justice unless the person is provided with legal counsel.

An impartial, independent judiciary is the guardian of individual rights in a democratic society. In order for citizens to have faith in their court system, all people must have access to the courts when necessary.

Real and meaningful access to the courts is fundamental to the health and vitality of any democracy. It is the shield used by citizens to protect themselves against tyranny, abuses, and simple errors in judgment. Access to the courts is the lifeblood of the system because from it flow all other rights. It helps preserve order when conflict arises and keeps citizens actively participating in the proper use of their collective power.

**2.2 FACTS ABOUT THE AMERICAN LEGAL SYSTEM**

The American system of justice long has guaranteed citizens the right to have their legal disputes heard and resolved by an impartial judge or jury. The dispute resolution system now firmly established in the United States is an adversarial one—that is, the parties to a lawsuit take opposing sides when they appear before the neutral finder of fact. Usually vigorously represented by lawyers, the litigants—the parties to a lawsuit—present their evidence to the judge or jury for a determination of liability or guilt. Traditionally it has been thought that such an approach to the resolution of legal disputes is the most effective way for the judge or jury to arrive at the truth and to reach a fair finding.

In recent years, the use of alternative dispute resolution, including mediation and arbitration, has become increasingly popular and accepted as a means for parties to resolve their legal disputes.

The United States has one integral court system divided into two components. One set of courts exists at the federal government level and another set of courts is set up in each of the 50 states and the District of Columbia. While such a system may seem duplicative, the courts have different responsibilities, and access to the two court systems provides citizens with the greatest potential to have their legal disputes resolved quickly and justly.

The federal judiciary, created under the authority of Article III of the U.S. Constitution, has jurisdiction over “cases or controversies” arising from federal questions and “diversity of citizenship” jurisdiction. In general, that means that federal courts decide cases involving the U.S. government, the U.S. Constitution, acts of Congress or treaties, or controversies between the states or between the U.S. and a foreign government. They also hear disputes between citizens of different states.

Federal and state courts have concurrent—or co-existent—jurisdiction over certain matters, such as crimes involving drugs, which means litigants can choose whether to litigate their dispute in federal or state court. Some legal matters, however, can be litigated only in either federal or state court. Bankruptcies and admiralty cases, for example, are handled exclusively in the federal courts.

Viewed as a pyramid, the federal court system has as its top level the U.S. Supreme Court. On the next level are 13 U.S. Courts of Appeals and the U.S. Court of Appeals for the Armed Forces. On the next level are 94 U.S. district courts and such specialized courts as the U.S. Court of Federal Claims, the U.S. Tax Court, the U.S. Court of Veterans Appeals and the U.S. Court of International Trade.

The Supreme Court is the highest appellate court in the country and the court of last resort for appeals from cases heard in the other federal and state courts. The Supreme Court has what is known as both original and appellate jurisdiction. Its original jurisdiction—which means no other court hears the case before it comes to the Supreme Court—is over disputes between two or more states and in cases where ambassadors or public ministers are parties to a suit. Its appellate jurisdiction—which means its authority to review cases that already have been decided by a lower court—permits the Court to hear appeals from federal circuit courts and from state courts of last resort.

Under authority granted it by Congress, the Supreme Court determines its own caseload. The Court decides about 100 or fewer of some 5,000 or more cases that it is asked to review each year. It usually accepts only those cases that involve important interpretations of the Constitution, acts of legislative bodies and treaties. Most of its decisions in those cases are announced in published opinions.

The Court usually disposes of the other cases that it has been asked to consider by issuing a short decision rejecting the matter either because the subject matter is not proper or the case is not sufficiently important to justify review by the Court. In these cases, the decision of the last court that considered the matter is the final judgment.

When the Supreme Court decides to hear a case, the parties are required to file written briefs and the Court generally hears oral argument. Justices sit en banc for oral arguments, which means they all sit together in open court.

Surprisingly, there are no constitutional or statutory qualifications for judges nominated to serve on any federal court—from the U.S. Supreme Court to federal district courts. Judges don’t have to pass any examination or meet any age requirement, nor are they required to have been born in the U.S. or be legal residents. They don’t even have to have a law degree.

Those who are nominated and confirmed to the federal bench, however, typically are well-regarded private or government attorneys, state court judges, magistrate judges or bankruptcy judges, or law professors.

Each court in the federal system has a chief judge who, in addition to hearing cases, assumes administrative duties relating to the operation of the court. The judge who has served on the court the longest and who is under 65 years of age is designated chief judge. Chief district and courts of appeals judges may serve for a maximum of seven years. They may not serve as chief judge beyond the age of 70.

Each circuit has a judicial council, consisting of the chief judge and an equal number of court of appeals and district judges. One of the council’s main jobs is caseload management. They also act on complaints about a judge’s misconduct or disability.

The Judicial Conference of the United States is the chief policymaking body for the federal courts. The Chief Justice of the United States is the presiding officer of the Judicial Conference. Twenty-six other judges serve on the Judicial Conference—the chief judge of each of the federal circuits, one district judge from each of the 12 regional circuits, and the chief judge of the U.S. Court of International Trade. The conference meets semiannually for two-day sessions. Besides establishing policy, the Judicial Conference also identifies legislative requirements, recommends revisions to the federal rules of practice and procedure, and has other administrative responsibilities.

The Administrative Office of the U.S. Courts manages administration of the federal judicial system. Charged with implementing the policies of the Judicial Conference, it also works in program management and policy development. It is this office that handles public affairs for the federal judiciary.

The vast majority of legal disputes in the U.S. are handled at the state court level. State courts have the power to decide nearly every type of case, subject only to the limits of the U.S. Constitution, their own state constitutions and statutes. Most of state court precedent comes from common law, a legal system that originated in England and depends upon the articulation and acceptance of legal principles in judicial decisions over a long period of time.

State and local courts are the judicial forums with which citizens are most likely to have contact. Such courts are found in nearly every city and many towns in the country. They handle criminal matters, legal business concerning probate of estates, juvenile, traffic and family matters, real estate and business contracts, and personal injury claims. In many states, special courts are set up to deal exclusively with such subjects as probate, juvenile, and domestic relations. And some “small claims” or “pro se” courts specifically are set up to hear claims under a certain dollar amount.

Most states require that judges, except for judges of the peace, be lawyers admitted to practice for a certain number of years, and have residency and state citizenship requirements.

**2.3 CORRUPTION IN THE AMERICAN LEGAL SYSTEM**

The recent patterns of American violations of international law are ultimately based in the corruption of the USA domestic legal system. Phony USA courts are very dangerous even for travelers and visitors to America, who can easily wind up among the USA's more than 2 million prisoners, or lose all their family's possessions to corrupt American lawyers.

The reality is that the United States of America, which proclaims itself the "land of freedom", has the most dishonest, dangerous and crooked legal system of any developed nation. Legal corruption is covering America like a blanket.

The corruption of the USA legal system is well-known, but also well-hidden, by the news services of America's corporate-owned media. The US media companies are afraid both of reprisal, and of the social revolution that would come from exposing the truth. Here is what the US media companies know, but are afraid to tell you about American "justice".

America has the largest prison gulag in the entire world - yes, right there in the USA, the self-proclaimed "land of freedom". The starting point for understanding anything about the USA, is to digest the fact that just this one country, the United States of America, has twenty-five percent of all of the prisoners in the entire world.

More than 2 million prisoners - more than 1 out of every 150 people in America - are behind bars in the American gulag. This is now the world's biggest system of what are effectively concentration camps, though most of these prisoners are behind masonry walls and inside prison buildings. For minorities, the statistics are even more brutal. For example, the USA is now imprisoning about 1 out of every 36 people in its black population. American "justice" is especially focused on jailing young black males.

Quite amazingly, Americans and the American government, continually criticize the legal systems and so-called "political" legal proceedings in other countries such as China, Russia, and even Belgium among many other places. Yet, for example, the proportion of prisoners is 30 times higher in the USA than in China, even though China is a country regularly criticized and denounced by the USA government.

America's Constitution and Bill of Rights are nearly dead, not just because the judges will no longer enforce them, but even more because America's lawyers will not even fight for them. The two American "political parties" are not fighting for them, either, and America's news media are also very passive. If you look at America in depth, you can see there has been a widespread moral collapse in America's legal and political structures. This means that America's legal system has become largely a tool of government terror, and of bribery for the rich and the powerful. The average person is just fodder for the meat-grinder of America's courts.

There's some very special aspects about the way American lawyers are controlled by American judges, which is central to why America's legal corruption is so much worse than any other advanced nation. Even if you are paying an American lawyer huge amounts of money, he or she doesn't really work for you, and in fact may sell you down the river to the jailhouse.

American lawyers are directly under the thumb of the judges and the government, and must submit to the culture of bribery and perversion of justice, or else face terrifying revenge. Lawyers, just like you, can be instantly jailed by an American judge on flimsy pretexts, and American lawyers can be quickly stripped of their right to practice law, and personally and financially destroyed, if they dare to criticize legal corruption. Lawyers who try to fight the system can find themselves not only dis-barred, but also criminally charged and jailed, and no other lawyer will help them. It is a horribly crooked system in America.

Over the past century, the American lawyers lost the right to regulate themselves, and instead fell under the power of the judges. So American lawyers are afraid to do things in court, that the judges don't want them to do. America's army of nearly 1 million lawyers, is almost totally under the control of a few thousand judges, with their entrenched culture of bribery and fraud and miscarriage of justice.

Some USA lawyers don't like this, but they are helpless and can't fight it. Most lawyers in America have, to one degree or another, signed up with the devil, to do things the way the devil wants them done.

That means that any time you hire an American lawyer, he already is in a conflict of interest. He has to make the judge happy first. And if the judge wants to make the government happy, or make somebody else happy who is paying a big bribe, then guess what? You are destroyed. It doesn't matter what you paid the lawyer. He works for the judge, first and foremost.

So a totally unique factor in USA legal corruption is the amazingly dishonest profession of American lawyers, these lawyers who "play the game" with America’s judges and politicians and police. It is a savage culture of legal fraud, where lawyers work with judges to rob and terrify people, especially minorities, but also foreigners, and above all those who dare to question the system.

People accused of serious crimes have the "right" to a lawyer, but this may mean only a crooked lawyer who is stage-managing the victim to help the government and prosecutors. If the lawyer does not help the government, he can be put out of work and not "assigned" to any more cases, or treated badly the next time he is in a courtroom. This legal fraud is the core of the danger to those who visit America. A lawyer, who is "representing" you in the USA, whether the government is paying him, or even if you are paying him yourself, may just be a stooge who is helping the prosecutors to put you in jail.

Most American court cases never go to trial, never see a jury; it is the job of the victim's lawyer to "sell the deal" that the judge has decided will happen, or else. This is how people accept a "plea bargain" so they accept going to jail for 3 years even though they are innocent, instead of going to trial before a jury.

Because of the corruption of lawyers under the thumb of the judges, there's a very fake and phony aspect of court proceedings in America. They are really fake "show trials" in many cases, sometimes very obviously so, where both purported "sides" of lawyers are actually working together for the government, or for the big corporation or rich person that is bribing the judge.

You will also find, in the American legal system, that you essentially have no recourse whatsoever against wrongdoing by your own lawyer. A lawyer can sell you out, betray you, steal your money, engage in malpractice, help out the other side, hide the evidence that proved you were right, or commit felony crime against you, and there is nothing you can do about it, so long as the lawyer made the judge happy, and the judge got his cut of any money the lawyer stole from you.

There is a huge amount of bribery in America, perhaps even more than in the courts of any other country in the world. Even some American ex-judges have admitted the near-universality of bribery there. Nearly all bribes are given to the judges by lawyers; this is considered the safe way to bribe a judge. Bribery is rarely spoken about, just understood. Rich people pay huge amounts of money to law firms with connections, the lawyers walk around with a certain amount of cash in their jacket, and they pass it to the judges in their quiet moments together. It is mostly all cash of course. Sometimes the bribery is blatantly obvious, because of the other crimes that lawyers and judges commit in broad daylight together. In the courtrooms you can see the judges being extremely friendly to their rich lawyer friends who pay big bribes.

Jury trials are actually very rare in America, unlike what you see in the movies. Most cases are settled through some deal or extortion or intimidation, before there is an actual trial. If there is a jury trial, they tend to stack the jury with un-educated idiots who will tend to believe whatever lies they are told by the judge and the government. If you are trying to fight a rich person in court, the judge might let the fancy lawyers for the rich person say anything they want, while he tells you to shut up as soon as you start talking. The judges have a thousand ways to rig a legal proceeding, to benefit rich people or the government.

Yes, there are appeals courts, but these are just more judges, who are often friends with the lower court judge who originally sold you out. The appeals judges tend to go along with the lower court judge, unless you have suddenly acquired some politically powerful backing on your side.

Americans love to talk about "taking it all the way to the Supreme Court!", but this is a nearly empty hope. The U.S. Supreme Court simply refuses to consider most cases that are presented to it.

When the USA President talks about "advancing the cause of freedom", he basically means freedom for big corporations to do business. He's not really talking about actual personal freedom for real people. But he grins when he talks about "freedom" because it's a good word of salesmanship, people hear him and some of them can be duped into believing that America cares about personal or political freedom.

Hollywood movies and American television are a major element of political myth-making. Around the world, people derive an image of America, and its legal system, from these fictional creations on film. America's propaganda about having "the greatest legal system in the world" is one of those phony stories that Hollywood is helping to sell.

It is also a myth sustained by the few trials about which there is a lot of publicity, like with the celebrity trials of Martha Stewart or Michael Jackson. Judges behave very differently when the cameras are rolling, or the media is reporting everything that goes on, and millions of dollars are being spent on lawyers. But in the 98 percent of court activity that does not have big media coverage, the judges of America provide a bizarre sideshow of horror.

In the Hollywood version, the judges in American courts are like kind uncles, smiling and being wise and calmly dispensing justice. But in reality, American judges sometimes scream at people like disturbed perverts, and show off their bribed corruption right there in the courtroom. Sometimes judges engage in flagrant extortion, where you have to agree to pay money to the judge's lawyer friends as the price to stay out of jail. It is really that bad. You can find no end of documented horror about American judges behaving like criminal lunatics, and it is getting worse all the time.

It is just getting worse and worse in America's legal system. For some years now, the USA judges and lawyers have gotten used to denying people justice, to the great flow of bribery money, and even to committing felony crimes in broad daylight and getting away with it. It just keeps on escalating. Though a social explosion is lurking beneath the surface - with judges starting to get murdered, and people lighting courthouses ablaze - the people who run America are letting the current system chug along as it is, justice be damned, and to hell with the people who seem to have no way to fight back..

It can't go on like this forever, but it may get a lot worse first, despite the fair internet visibility on documented American legal corruption. One should note a brave and promising grass-roots attempt at judicial reform in the USA called, which attempts to place onto American ballots, a referendum for a new procedure to give citizens a real right of redress against corrupt judges. It is a wonderful and beautiful idea that deserves success, and will help transform America if it moves forward.

America, indeed, does not have the rule of law at all. Instead, it is just the rule of lawyers, lawyers who crave money and power.

**CONCLUSION**

There was a time, long ago, in the USA when lawyers were illegal. All persons in court had to represent themselves and have a decent grasp of the law.

This had several effects:

1. It kept legal action short. You could only keep a case going as long as you could afford to be gone.

2. It kept the law simple. When everyone is forced to know the law you don't end up with the million page monster that USA current laws are. This is, I think, the biggest bonus. How can you keep the law when you don't even know the law? It became a big problem currently in the USA, and corrupted or greed lawyers and judges make money on it.

But at the same time if you kill the lawyers then the criminalities will be in an even better place than before. One problem with the current legal system is that it's believed that two lawyers, both fighting hard for their clients, can after much muckraking and slander finally uncover the truth and find justice. And I come back to the same question: what defines justice? How can a lawyer knowingly fight on behalf of guilty man and demand for his client what is not justice? What defines justice? Is it money?

As one can notice there are a lot of problems in the modern American legal system: corruption, untruly revenues and often unequal access of citizens to the judgment. The system is sophisticated and uncontrolled.

Analyzed all the previous information I can state with very much confidence that American legal system needs reforms in the area of organization.

**LITERATURE**

1. Acheson, Patricia C., Our Federal Government, How It Works*,* Dodd, Mead & Co., New York, 1984.
2. Burke, Thomas F. Lawyers, Lawsuits and Legal Rights. California, 2002
3. Carp, Robert A., Stidham, Ronald, Judicial Process in America, Congressional Quarterly Inc., Washington, D.C., 1993.
4. Curran, Christopher (1993), ‘The American Experience with Self-Regulation in the Medical and Legal Professions’. Regulation of Professions, Antwerpen, Maklu, 47-87
5. Gillers, Stephen; Simon, Roy D. Regulation of Lawyers: Statutes and Standards. New York, 2001
6. Hazard, Geoffrey C. Jr.; Rhode, Deborah L. The Legal Profession: Responsibility And Regulation Westbury, 1994
7. Lee, Katherine J., Courts & Judges, How They Work, Halt, Inc., 1987.
8. M. Thornton, Dissonance and Distrust Women in the Legal Profession (1996)
9. Morgan, Thomas D.; Rotunda, Ronald D. Problems and Materials on Professional Responsibility New York, 1995
10. Rhode, Deborah L. In the Interests of Justice- Reforming the Legal Profession . USA, 2000
11. Vago, Steven Law and Society. St.Louis, 2000
12. Wasby, Stephen L., The Supreme Court in the Federal Judicial System, Nelson-Hall Publishers, Chicago, 4th ed. 1996.

1. from the preamble to Supreme Court Rule 4 [↑](#footnote-ref-1)