

92ND SESSION

4TH SESSION

# H.R. 50



IN THE UNITED STATES HOUSE OF REPRESENTATIVES

March 29, 2024

Presented by House Majority Leader MR ALEX J. CABOT representing the Great State of South Carolina having introduced this bill which was later referred to the Committee on the Judiciary, Government Affairs and Ethics.

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## AN ACT

To create a uniform source of law regarding the judiciary, government, procedures and other matters

*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 '**Judicial and Government Procedures Act of 2024**' or it may be cited in an abbreviated format of the 'JGPA of 2024'.

### SEC. 2. CONFLICT, SEVERABILITY AND EFFECTIVE DATE.

- (a) In the case of conflict with any existing statute, including the U.S. Code this Act shall reign supreme and repeal any conflicting parts.
- (b) This Act shall also be severable. Meaning in the case that one part of this Act is declared unconstitutional the other constitutional and fit parts shall remain a statute.
- (c) This Act shall be enforceable effective immediately once it gains passage in both Houses of Congress and receives the signature of the President of the United States.

### **SEC. 3. TABLE OF CONTENTS.**

The following is the table of contents for this Act:

- TITLE I. SUPREME COURT OF THE JUDICIARY.
- TITLE II. THE MAGISTRACY AND CHIEF JUDGESHIP.
- TITLE III. TORTS OF THE UNITED STATES.
- TITLE IV. LITIGATION AGAINST GOVERNMENT BODIES.
- TITLE V. CRIMINAL SENTENCING.
- TITLE VI. DISTRICT COURT.

## **TITLE I. SUPREME COURT OF THE JUDICIARY**

### **SEC. 101. REPEAL.**

- (a) The Federal Courts Administration Act of 2024 is hereby repealed in full and declared null and void.
  - (i) The Congress recognises that this act contains too many constitutional irregularities and is thus incompatible with the Constitution and laws of our land.
  - (ii) This Act shall remedy such deficiencies.

### **SEC. 102. SUPREME COURT; DISCIPLINE.**

- (a) The Supreme Court is hereby recognised as the sole court responsible for judicial discipline. When exercising this disciplinary power the court shall sit as a 'Supreme Court of the Judiciary'.
- (b) The Supreme Court shall have original jurisdiction over all complaints against judges of the United States, including Magistrates.
- (c) Any individual may file a complaint against a judge to the Chief Justice of the Supreme Court alleging violations of the judicial canons.
- (d) In a case where the complaint is against a member of the Supreme Court that member shall recuse from the complaint as a matter of law.
  - (i) Any justice who communicates with another justice about the outcome or determination of any judicial complaint against them shall have committed a high misdemeanor.

### **SEC. 103. SUPREME COURT; PUNISHMENTS.**

- (a) The Supreme Court of the Judiciary shall sit publicly in all its related proceedings except judicial deliberations.
- (b) The Supreme Court of the Judiciary may (sua sponte) reassign the docket of a judge under investigation if they see fit.
  - (i) This shall be for no longer than fifteen (15) days or until the complaint is disposed of – whatever comes quicker.

- (c) The Supreme Court of the Judiciary may dispose of a complaint in one or more of the following ways:
- (i) Dismiss the complaint;
  - (ii) Admonish the judge in a public hearing;
  - (iii) Censure the judge through an opinion (obiter dicta);
  - (iv) Suspend the judge from taking further active duties for a period of no more than twenty (20) days;
  - (v) Report such violations to the Speaker of the United States House of Representatives for further congressional consideration.

## TITLE II. THE MAGISTRACY AND CHIEF JUDGESHIP

### **SEC. 201. THE MAGISTRACY; ESTABLISHED.**

- (a) Judges of the District Court shall by a majority vote appoint no more than three (3) Magistrate judges. In case of a tie, the Chief Judge shall decide whether to appoint the respective Magistrate.
- (b) REQUIREMENTS. To serve as a Magistrate an individual must be an attorney learned in law and be of good character.
  - (i) The Supreme Court may sua sponte order the removal of any Magistrate appointed who does not satisfy these requirements, in a public supermajority vote.
- (c) TENURE. Magistrates shall serve for a period of no more than four (4) months without reappointment by the District Court.
- (d) REMOVAL. A Magistrate shall only be removed from office for one of the following reasons by a majority vote of the District Court:
  - (i) Inactivity;
  - (ii) Misconduct;
  - (iii) Neglect of Duty;
  - (iv) Services are no longer required.
- (e) 28 U.S. Code Section 631 is hereby repealed in full and deemed null and void.

### **SEC. 202. THE MAGISTRACY; POWERS.**

- (a) Magistrates shall handle the following matters by procedure or at the request of a District Judge:
  - (i) Arraignment, setting bond or bail;
  - (ii) Issuing warrants, summons or other writs;
  - (iii) Pretrial matters;
  - (iv) Preside over trial – but final judgement shall be rendered by the District Judge.

**SEC. 203. CHIEF JUDGESHIP OF THE DISTRICT COURT.**

- (a) The Chief Judge of the U.S. District Court shall be appointed by the President with the advice and consent of the Senate.
  - (i) The Chief Judge shall complete duties that are established by local judicial ordinances, including case assignment and other administrative matters.
- (b) This section shall come into effect upon the resignation or removal of the sitting Chief Judge of the U.S. District Court.
- (c) 28 U.S. Code Section 136 is hereby repealed in full and deemed null and void.

### **TITLE III. TORTS OF THE UNITED STATES**

**SEC. 301. PREAMBLE.**

- (a) Any citizen of the United States may file suit in the United States District Court to action any of the torts named in this title with proper standing.
- (b) The United States District Court shall have original jurisdiction over claims arising under this Title.
- (c) The United States Archivist shall publish these torts in a public manner in the Public Law Database with their respective section numericals.
- (d) No Court of the United States shall have authority to review disputes relating to torts outside of the in-game territories of the United States. Nor shall any Court have jurisdiction over matters which seek relief in the form of real-life or ROBLOX currency.
- (e) Only the torts named in this Title are recognized and actionable in the United States Courts.

**SEC. 302. VIOLATION OF THE PUBLIC LAW.**

- (a) Any person, government agency (by and through their respective agent) or commercial entity who wilfully violates a public law of the United States, including the Constitution or any municipal law of the United States, shall be liable under this section.
- (b) RELIEF. The Court shall only be able to award declaratory or injunctive relief for a violation of this tort.

**SEC. 303. BATTERY.**

- (a) Any person who intentionally and voluntarily brings about the unlawful application of force or offensive contact, thus causing bodily injury against another shall be liable under this section.

(b) RELIEF. The Court may provide compensatory, actual, declaratory or punitive damages not exceeding \$45,000 and any other common law remedies they see fit.

**SEC. 304. ASSAULT.**

- (a) Assault is not recognised as a lawful or actionable tort in the United States any longer.
- (b) Assaults occasioning bodily harm are covered by the tort of battery in section 303 of this Title.

**SEC. 305. TRESPASS TO LAND OR CHATTELS.**

- (a) Any person, government agency (by and through their respective agent) or commercial entity who passes onto or enters into another's property without lawful reason or other proprietary rights shall be liable under this section.
- (b) RELIEF. The Court may provide compensatory, actual, declaratory or punitive damages not exceeding \$35,000 and any other common law remedies they see fit.

**SEC. 306. FALSE IMPRISONMENT.**

- (a) Any person, government agency (by and through their respective agent) or commercial entity who intentionally and without lawful justification restrains another from exercising their personal autonomy, liberty or freedom of movement shall be liable under this section.
- (b) RELIEF. The Court may provide compensatory, actual, declaratory or punitive damages not exceeding \$90,000 and any other common law remedies they see fit.

**SEC. 307. HARASSMENT.**

- (a) Any person who engages in the malicious harassment of another after being warned that their conduct is causing emotional distress and being given notice to cease their actions and nonetheless continues shall be liable under this section.
- (b) Before proceeding with a claim under harassment, the Judge must be satisfied *prima facie* in a preliminary hearing that:
  - (i) the defendant committed the act(s);
  - (ii) the defendant's conduct was malicious or outrageous;
  - (iii) the defendant acted purposefully or recklessly to the plaintiff's emotional distress;
  - (iv) the defendant's conduct was responsible for the distress.
- (c) If satisfied of such facts in the preliminary hearing, there shall be a trial as to whether the conduct was malicious or outrageous – no other facts or issues.

(d) RELIEF. The Court may provide compensatory, actual, declaratory, injunctive or punitive damages not exceeding \$30,000 and any other common law remedies they see fit.

#### **SEC. 308. NEGLIGENCE.**

- (a) Any person who, owing a duty of care, provides that duty of care below the standard that any reasonable person would have provided in the same circumstances shall be liable under this section.
- (b) RELIEF. The Court may provide compensatory, actual, declaratory or punitive damages not exceeding \$50,000 and any other common law remedies they see fit.

#### **SEC. 309. DEFAMATION.**

- (a) Any person, government agency (by and through their respective agent) or commercial entity who knowingly publishes a false or defamatory statement with or without an intention to make a commercial, monetary or personal gain which causes serious harm to the reputation of another person or commercial entity shall be liable under this section.
- (b) The defamatory statement in section 309(a) may be communicated through writing, expression, speech or innuendo.
- (c) Before proceeding with a defamation claim, the Judge must be satisfied *prima facie* in a preliminary hearing that:
  - (i) the defendant made a false statement;
  - (ii) the defendant's statement caused 'serious harm';
    - (1) Serious harm shall be defined as causing a substantial detriment to the plaintiff – whether it is monetary or reputational. It must be more than *de minimis*.
  - (iii) the defamatory statement was publicised to a third party;
  - (iv) fault amounting to at least negligence.
- (d) If satisfied of such facts in the preliminary hearing, there shall be a trial as to (1) whether an appropriate defence can be invoked and (2) whether the defendant knew the statement was false at the time of publication and nonetheless published it anyway.
- (e) RELIEF. The Court may provide compensatory, actual, declaratory, injunctive or punitive damages not exceeding \$100,000 and any other common law remedies they see fit.

#### **SEC. 310. DEFENCES.**

- (a) All defences recognised by the common law for the torts named in this Title may be invoked in proceedings relating to these torts.

## **TITLE IV. LITIGATION AGAINST GOVERNMENT BODIES**

### **SEC. 401. INTERAGENCY LITIGATION.**

- (a) No agency, body or department of the United States (excluding the United States Department of Justice) shall have the authority to file a civil suit against another agency, body or department of the United States without the expressed written permission of the Attorney General.

### **SEC. 402. FEDERAL CLAIMS AGAINST THE UNITED STATES; PROCEDURAL REQUIREMENTS.**

- (a) The 'United States' in this section is defined as the United States and its respective agencies and agents.
- (b) A claimant is required to have exhausted all attempts at settlement or out of court dispute resolution before making a claim against the United States in the Federal District Court.
- (i) Before filing a claim against the United States a claimant must make a certification to the Federal District Court certifying this has been attempted in good faith.
  - (ii) This shall be known as a 'Section 402 Certificate'.
- (c) A claimant must file a claim against the United States (or its respective agencies or agents) within twenty (20) days of the respective tortious act occurring.
- (d) The United States must make a separate 'Section 402 Certificate' certifying they have in good faith attempted dispute resolution.
- (e) The Court shall take into account any party that fails to act in good faith in the pre-litigation process and count such acts adversely against them in any determinations it may make.

## **TITLE V. CRIMINAL SENTENCING**

### **SEC. 501. STATUTE OF LIMITATIONS.**

- (a) There shall be a uniform statute of limitations for all criminal offenses under Title 18 of the U.S. Code and other criminal statutes established by Congress.
- (i) Criminal statutes enacted after this Title comes into force shall be subject to this statute of limitations unless explicitly stated.

- (b) No person shall be criminally prosecuted for an offense that has occurred more than sixty (60) days from the recorded or alleged evidence in the United States District Court.
  - (i) This statute of limitations may be suspended from the date someone leaves the group to the date that they rejoin.

#### **SEC. 502. D.C. CRIMINAL CODE; SENTENCES.**

- (a) Federal Judges shall apply the sentences as a matter of law in cases brought by the District of Columbia to the United States District Court.

#### **SEC. 503. MAXIMUM SENTENCES.**

- (a) The 'maximum sentence' relates to each singular charge – not the cumulative offense.
- (b) The maximum sentence for 18 US Code 1111 is twenty (20) days.
- (c) The maximum sentence for 18 US Code 1113 is fifteen (15) days.
- (d) The maximum sentence for 18 US Code 1114 is eleven (11) days.
- (e) The maximum sentence for 18 US Code 1116 is twenty two (22) days.
- (f) The maximum sentence for 18 US Code 1117 is seven (7) days.
- (g) The maximum sentence for 18 US Code 401 is fifteen (15) days, a \$10,000 fine or both.
- (h) The maximum sentence for any offense in Title 18, Chapter 20, Chapter 29, Chapter 37, Chapter 47, Chapter 113B, Chapter 188, Chapter 111A and Chapter 115 is forty (40) days.
- (i) For any other Title 18 offence not named in this section, the maximum sentence per charge shall be ten (10) days.
  - (i) The Chief Justice is hereby ordered to create a Sentencing Guidelines Trello directing judges how to sentence for all offences contained in section 503 of this Act and also regarding mitigating and aggravating actions for other Title 18 offenses.

## **TITLE VI. DISTRICT COURT**

#### **SEC. 601. DISMISSALS WITH PREJUDICE APPLIED.**

- (a) The Courts of the United States are hereby empowered to dismiss any matter before the court with prejudice for any procedurally fit and lawful reason.

- (b) Dismissals with prejudice shall only have their dismissal reviewed upon appeal within fourteen (14) days of the dismissal order.
- (c) The following shall serve as a non-exhaustive list of reasons for dismissals with prejudice:
  - (i) Malicious prosecution;
  - (ii) Statute of limitations violations;
  - (iii) Constitutional rights violations;
  - (iv) A party being put in prejudice;
  - (v) Negligent or bad faith behavior from either party;
  - (vi) Judicial proceedings which conflict with the common law.

#### **SEC. 602. MILITARY PROSECUTIONS.**

- (a) All prosecutions under Title 10 of the US Code shall take place in the United States District Court – which shall retain original jurisdiction for these offences.
- (b) The Judge Advocate General shall pursue cases through the United States District Court.
- (c) The Chief Justice shall appoint one Justice to serve as a ‘Military Justice’ who shall exercise the powers of a Military Judge for the purposes of Title 10 in order to exercise discipline.
- (d) Section 602 of this act may be made inactive by the Secretary of Defense if he so chooses and it may be reactivated by him at any time.

#### **SEC. 603. RIDING JUSTICES; RETIRED JUDGES IN ACTIVE SERVICE.**

- (a) The Chief Justice may appoint Justices of the Supreme Court to handle District Judge duties and responsibilities if the Chief Judge of the District Court certifies the need for such.
  - (i) There shall be no more than two Riding Justices at any one time.
- (b) The Chief Justice shall be responsible for appointed Retired Judges and Retired Justices into Active Service – solely at his discretion.
  - (i) There shall be no more than two (2) Retired Judges/Justices in Active Service at any one time.