How to Bribe a Judge

Assistance With Debt Repayment is Sure to Gain His Favor

Taking out large sums of money in the form of property loans and later paying them back is one method that a judge might employ to conceal the fact that he or she is being enriched from an outside source. When a judge's income is inadequate to serve as the source of loan repayments, it is likely that the funds are coming from somewhere else.

Judges Involved in Multiple Property Reconveyances

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SAN BERNARDINO, CA — Several years ago, all of the county's probate and conservatorship cases were moved to the Redlands Courthouse, and most of these cases were subsequently heard by Judge James M. Welch.

Recent documents obtained by the *Sentinel* point to suspicious financial activity by Welch, who at one point in time was the presiding judge of San Bernardino County. Welch was featured in an article in the *Sentinel* on June 12th of this year in a lengthy exposé regarding questionable business practices by Melodie Z. Scott, a professional fiduciary and conservator for the elderly. Scott is President of C.A.R.E., Inc., located at 25 E. State Street in Redlands, right around the corner from the courthouse.

The activities by Scott cited by the *Sentinel* as questionable involved giving conservatee property to her own family members, overcharges on her clients' accounts, missing monies from clients' accounts, selling conservatee property at bargain basement rates only to have the property jump in value and resold the next year, withholding medical care from conservatees resulting in death, and allegations of possible undue influence on judges.

The documents uncovered relating to Judge Welch reveal that he has mortgaged his primary residence, located in the 300 block of La Colina in Redlands several times in recent years, encumbering it with loans which could not possibly be paid back on a judge's salary in the brief turn-around time indicated by the reconveyances (repayment of loans). The document numbers and the size of the loans follow:

In 1998, Welch and his wife, Ginny, took out a loan for $217,200 on their La Colina residence, which was fully paid back in March of 2003. The reconveyance document number attached to this transaction is 2003-0173087.

In February of 2003, James and Ginny Welch took out another loan on their residence, this time for $234,000. This was fully paid back by June 10, 2004, as listed in document number 2004-0410928.

Another loan was taken out by the Welches on May 17, 2004, as listed in document number 2004-0353533. This loan was for $358,965.71.

Messages were left with Welch's secretary, inquiring as to where the money was going and how he was paying these loans back. The possibility that Welch was taking out loans and investing the money, then paying back the loans with the proceeds was considered and discarded. For the last seven years, Welch has reported to the Fair Political Practices Commission on his form 700 financial disclosure statements that he has no investments.

A query was also left with Judge Welch's secretary as to three property transactions recorded in neighboring Riverside County, attributed to a James Michael Welch, Trustee.

Judge Welch has declined to comment. Presiding judge Jim McGuire issued a terse letter on August 12th, 2009, in response to an inquiry from the *Sentinel* about the Welch loans and Riverside County transactions. McGuire stated:

Please be advised that I have received and reviewed your letter of August 11, 2009. Please be further advised that I am an administrative presiding judge and, therefore, my review jurisdiction is limited. Nothing contained in your letter is of a nature over which I would have review jurisdiction. Any request for review or investigation by me is, therefore, denied.

There has been no confirmation or denial from the court as to whether Welch's exodus from his probate assignment in Redlands had any bearing on the recent media scrutiny given his actions as a judge or his apparent bias towards cases involving Melodie Scott, who recently launched a legal protest concerning the denial of her fiduciary license by the California Professional Fiduciary Bureau.

This practice of judges taking out large loans appears to be widespread and crosses county boundaries. Information gathered on Commissioner John McCoy and Judge Sharon Waters (both of Riverside County) has recently been turned over to a Riverside County district attorney investigator, Jeff Chebahtah. While Chebahtah has acknowledged receipt of the information on the Waters and McCoy loans, he has at press time refused to assign a complaint/case file number. The practice of accepting evidence and refusing to assign a tracking number has been previously explored by this reporter in an article entitled: "How the California Justice System covers up crimes against the elderly: A method to the madness" and appears to be deployed when either the matter is too trivial for the district attorney to take seriously or when there is a political agenda to keep the report out of the system and thus not to investigate at all.

Parenthetically, both McCoy and Waters were recently and consecutively removed from an active case in Riverside Superior Court, following a protest lodged that the loans smacked of pay-offs or bribes.

In San Bernardino County, Judge Steven Mapes ascended to the bench in 2007 and currently sits on Barstow court, following his tenure as an deputy district attorney in San Bernardino. Mapes has also been involved in the loan program, apparently going back to 1998, when he took out a loan on his home on Patricia Drive for over $155,000. He subsequently took out further loans on his property, including loans for $100,000 in 2001 and 2002, another loan for $307,500, also in 2001, one for $88,500 in 2002 and a loan in 2004 which was in excess of the value of the house, recorded at the tax assessor's office as $427,528. This loan was taken out for a resounding $493,000.

More recently, in 2006, he again borrowed money against his property. Since 2001, Judge Steven Mapes has received seven different reconveyances on his loans.

Judge Mapes did not return calls from the *Sentinel* inquiring as to who was paying back these loans.

From: Janet Phelan, "Judges Involved in Multiple Property Reconveyances," *The San Bernardino County Sentinel*, Rancho Cucamonga, CA, September 11, 2009. Janet Phelan is an investigative journalist. She can be contacted at *janetclairephelan@yahoo.com*. Reprinted in accordance with the "fair use" provision of Title 17 U.S.C. § 107 for a non-profit educational purpose.

How to Bribe a Judge: Uncovering Judicial Corruption Through Financial Maneuvers

Judicial integrity stands as a cornerstone of any democratic society, embodying the promise of fairness and impartiality in the rule of law. Yet, the troubling phenomenon of judicial corruption raises serious concerns about the erosion of this promise. Bribery, often concealed through sophisticated financial transactions, undermines public trust and can have far-reaching consequences for individuals and communities. One of the more insidious methods involves the use of loans and property transactions, a tactic employed to mask the enrichment of judges from external sources. This article delves into the intricacies of such practices, focusing on cases in San Bernardino County, California, and exploring the broader implications for judicial accountability.

The Veil of Financial Transactions

Financial maneuvers, such as taking out large property loans with swift repayment timelines, can serve as a cover for bribery. When a judge’s reported income does not align with their ability to repay significant loans, questions arise about the true source of these funds. These transactions, often hidden in the labyrinth of real estate deals, serve as a potential conduit for external enrichment. The practice has surfaced in cases where judges have taken out multiple loans against their properties, raising suspicions of concealed payments.

In San Bernardino County, for instance, Judge James M. Welch's financial activities have drawn scrutiny. Welch, who once presided over numerous probate and conservatorship cases, became a focal point of an investigation when documents revealed a pattern of suspicious loan activity. Between 1998 and 2004, Welch and his wife took out several substantial loans on their residence in Redlands, California, with repayments occurring far more quickly than would be feasible on a judge's salary. This pattern of loan-taking and reconveyance—repaying a loan and thus freeing up the property from its mortgage—raised alarms, suggesting that the funds used for repayment may have originated from undisclosed sources.

Judicial Impartiality in Question

Welch's case, highlighted by investigative journalist Janet Phelan, came at a time when concerns were also growing about the activities of Melodie Z. Scott, a professional fiduciary in Redlands. Scott faced allegations of overcharging clients, misappropriating funds, and engaging in questionable property transactions involving conservatees—individuals under her care as part of probate proceedings. The nexus between Scott’s operations and Welch’s role as a presiding judge in cases related to probate raised further questions about potential bias and undue influence in the courtroom.

The broader implications of such cases extend beyond individual accusations, touching upon the very heart of judicial impartiality. When judges are perceived to be susceptible to external financial pressures, the integrity of their decisions comes under doubt. In probate cases, where vulnerable individuals rely on the court for protection and fair treatment, any hint of bias can have devastating consequences.

The Spread of a Practice Across County Lines

What makes this issue particularly alarming is the suggestion that such practices are not isolated but may extend across county lines. Similar activities have been reported in Riverside County, where Commissioner John McCoy and Judge Sharon Waters were investigated for engaging in what appeared to be dubious loan activities. Despite receiving evidence of these practices, the Riverside County District Attorney's office hesitated to assign formal complaint numbers, raising suspicions about a potential cover-up.

The reluctance to investigate such matters points to a broader systemic issue: the difficulty of holding judges accountable through existing oversight mechanisms. Even when there is sufficient evidence to warrant a closer look, bureaucratic inertia and political considerations can stymie efforts to bring transparency to the judiciary. This, in turn, can foster a culture of impunity, where judges may feel emboldened to engage in questionable practices without fear of repercussions.

A History of Loans and Reconveyances

The case of Judge Steven Mapes in San Bernardino County further illustrates the potential for abuse. Mapes, who joined the bench in 2007, had a history of taking out multiple loans on his residence, including some that exceeded the property's assessed value. Between 2001 and 2006, he reportedly received seven different reconveyances on loans, each raising questions about the source of funds used for repayment. Despite attempts by journalists to seek clarification, Mapes, like many of his peers, declined to comment.

These cases highlight a common pattern: the use of property loans as a means to obscure financial transactions that could suggest bribery or external influence. The frequency and scale of such activities point to a practice that extends beyond individual misconduct, suggesting a possible loophole in financial disclosure laws and judicial ethics regulations.

Oversight and Accountability: A Flawed System

In California, judges are required to file financial disclosure statements with the Fair Political Practices Commission (FPPC), detailing their investments and sources of income. The intention behind this requirement is to ensure transparency and prevent conflicts of interest. However, as seen in the cases of Welch and Mapes, the system is far from foolproof. Despite the availability of these financial records, the true nature of a judge’s financial dealings can remain obscured, particularly when large sums move through real estate transactions that lack direct oversight.

Moreover, the administrative structure of the judicial system can create further barriers to accountability. In response to questions about Welch's loan activities, presiding judge Jim McGuire stated that his review jurisdiction was limited and that he lacked the authority to investigate the matter further. This compartmentalization of responsibilities within the judiciary can make it difficult for any one body to fully address allegations of corruption, even when evidence is presented.

The Human Cost of Judicial Corruption

The ramifications of judicial corruption extend far beyond legal proceedings and financial disclosures; they impact real people’s lives. In probate and conservatorship cases, where judges wield significant influence over the management of estates and the care of vulnerable individuals, any indication of bias can lead to unjust outcomes. Families who seek protection for their loved ones may find themselves facing decisions that seem skewed in favor of fiduciaries or other parties with a closer relationship to the judge.

In addition to the direct harm caused to individuals involved in these cases, judicial corruption erodes public confidence in the legal system. When citizens lose faith in the impartiality of the judiciary, it undermines the social contract that binds communities together. The perception that justice can be bought and sold casts a shadow over every courtroom decision, making it difficult for even honest judges to maintain the public's trust.

Reforming the System: A Call for Transparency

To address the issue of judicial corruption, it is essential to strengthen oversight mechanisms and close the loopholes that allow for such activities. This could involve revisiting the requirements for financial disclosures, ensuring that any significant real estate transactions are subject to greater scrutiny. Additionally, independent review bodies with the authority to investigate allegations of misconduct could play a crucial role in holding judges accountable.

The need for such reforms is not only a matter of maintaining ethical standards within the judiciary but also a matter of preserving the rule of law itself. Without trust in the fairness and integrity of the courts, the entire legal system risks becoming a tool for those with the means to manipulate it.

A Wider Problem, A Local Focus

While the focus of this article has been on specific cases in California, it is important to recognize that the issue of judicial corruption is not confined to a single state or region. Across the United States, similar allegations have surfaced, revealing a pattern of financial manipulation and undue influence that threatens the independence of the judiciary. From small-town courthouses to state supreme courts, the potential for corruption exists wherever judges hold power.

Addressing this problem requires a collective effort from policymakers, legal professionals, and the public. It requires vigilance in identifying and challenging corruption whenever it appears and a commitment to reforming the structures that allow it to flourish. Only through such efforts can we ensure that the promise of justice remains more than just a lofty ideal, but a reality for all who seek it.

Conclusion: A Need for Vigilance

The cases of Judge James M. Welch, Judge Steven Mapes, and others serve as a stark reminder that the judiciary is not immune to the temptations of corruption. Through the strategic use of loans and property transactions, judges can obscure the sources of their financial enrichment, raising questions about the fairness of their decisions. These activities undermine public trust and pose a serious threat to the rule of law.

As citizens, it is our responsibility to demand greater transparency and accountability from those who hold such significant power. By shining a light on the hidden financial dealings of judges and advocating for stronger oversight, we can begin to rebuild trust in our legal system. For without a judiciary that upholds the highest standards of integrity, the foundation of justice on which our society is built may begin to crumble.