Unanimous Supreme Court Declaratory Judgment Declares "Rudy Giuliani Is A Dingbat," Unfit For Federal Law Practice

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Michael J. Matheron, May 18, 2018

Early today, we reporters on the Supreme Court beat stirred out of our communal stupor when a declaratory judgment by a unanimous court declared Rudy Giuliani "a dingbat."[1] Consequently, Mr. Giuliani may no longer appear as an attorney before any federal court or advise clients regarding federal legal matters. Seemingly humorless scholars considered the "dingbat" framing somewhat strong language, particularly from mild-mannered Chief Justice John Roberts who

authored the two page judgment.

The immediate effect: President Trump is out one more lawyer. Is Vinnie Gambini available? Saul Goodman? Bueller? ???? (click me!)

Declaratory judgments appear occasionally to declare "the opinion of the court on a question of law." Under statute, these judgments can settle certain issues before trial, as here: the brewing dispute between the Federalist Society, its claimed reputation, and Mr. Giuliani's claim as a competent federal "attorney." By filing this request for declaratory judgment, the Federalist Society, a group called arch-conservative by many, hoped to protect President Trump from Mr. Giuliani's "cartoon persona and incomprehensible blithering. etc.."[2]

Importantly, for declaratory judgment purposes, the Federalists wanted to contain Giuliani ***before*** the presidential interest "in ***not*** being caught, personally"[3] are irretrievably damaged by Giuliani's FOX news appearances. In effect, they sought the court's help in "ridding them - and President Trump - of this troublesome dingbat"[4] Poised upon the unprecedented spear point of "ineffective assistance of counsel," the petitioners wanted this decided before any complaint by the President, although, the Federalists admitted, "the President thinks 'Rudy's doing fine!'"[5]

The court's declaration, in part:

> "Mr. Giuliani is a dingbat. Therefore, he is presumptively unable to provide his clients with anything but ***in***effective counsel, ineffective and improper counsel so mammoth in scale, so gigantically inept that one cannot in good conscience feed any more unsuspecting clients to his circus act. [*Eg.*, see the video evidence, preceded by an Exxon commercial we on this court heartily endorse]."

(From evidence in *Federalist Society v. Giuliani*.)

> Protection of the public is among the manifest responsibilities of our constitutional duty. This is particularly true about Mr. Giuliani's present client, the President of the United States, who, *still* is our president, for now, despite his merits. In fact, President Trump, is the very embodiment of an unsuspecting client, a man so mentally out to sea that he routinely appointed the raving and the criminal to nearly every office and cubicle within his administration.
>
> Who more that President Trump needs protection both from *himself* and from *Mr. Giuliani's* unhinged legal ministrations? Given these facts, Mr. Rudolph Giuliani is immediately stripped of his permission to represent clients in federal courts and within the confines of any federal building or anywhere else for that matter. And the hell with the

First Amendment. Period."[6]

The case has "landmark" written all over it, joined by Mr. Rudy Giuliani as well, an oddly American landmark himself.

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1. Memorandum in Support of Defendant's Motion to Clarify, *Federalist Society v. Rudy Giuliani*, Slip Op., pg. 2 (May 18, 2018).

2. *Id.*, at 2 (quoted by court from petitioner's brief).

3. *Id.*, at 1 (quoted by court from petitioner's brief)(emphases in original).

4. *Id.*

5. *Id. at 2, n.3* ["Yeah, and Paul Manafort's doing fine too. HAH!!" Justice Ruth Bader Ginsburg].

6. *Supra.* at 1.