



The Due Process Advocate

*"No Person shall be . . . deprived of life, liberty, or property without the due process of law"
- Fifth Amendment of the United States Constitution*

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IF YOU DON'T KNOW YOUR OWN DUE PROCESS RIGHTS, YOU ARE TAKING A BIG RISK IF YOU ARE THRUST INTO THE LEGAL ARENA

Our August, 2019 (Vol.27, No.1) edition focused on the business of due process advocacy as an emerging business; explaining that due process advocates are helping defendants navigate their way through the maze of obstacles and hurdles that many court systems and administrative agencies employ due to their preference for "arbitrary rule" instead of the "rule of law." That edition also listed the fundamental due process rights that all defendants are entitled to.

Since the advent of The Due Process Advocate almost five years ago, our readers have been continually reporting due process abuses in legal proceedings.

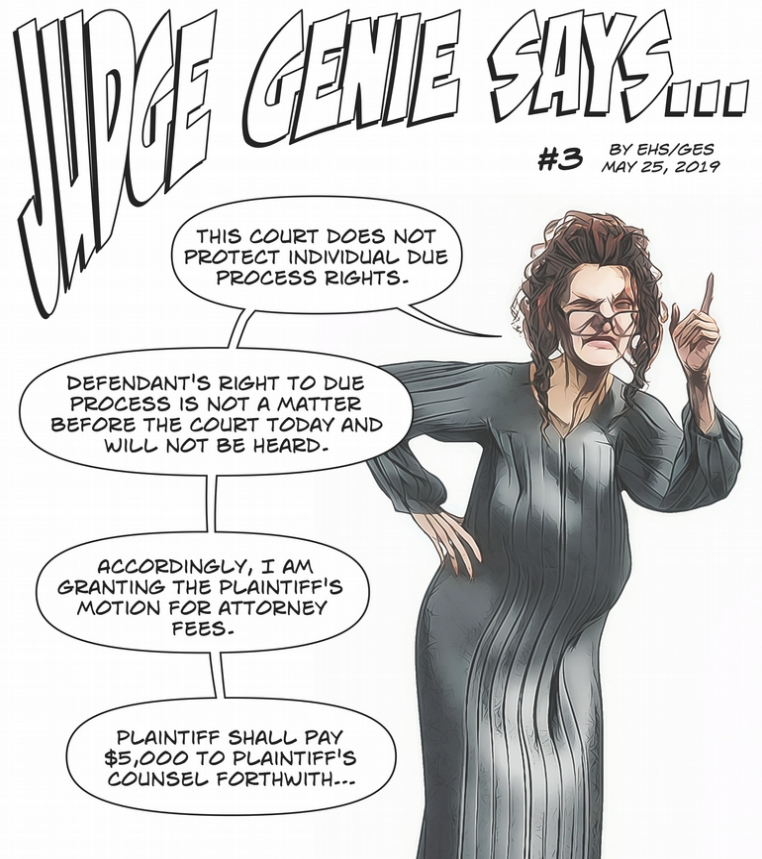
Ironically enough, many of the complaints and abuses are precipitated by the acts and conduct by the "powers-to-be" that, in past years, were often trusted for protection in the marketplace. Now it seems that many of the once-trusted courts and other institutions are, instead, designing their operations to remove due process rights to generate more control and profit.

Here are just a few actual examples:

1. Mr. D was taken to court by an alleged new owner the property where he resided. The new owner wanted to evict him from a property that Mr. D had previously owned for many years; but where there was also an ongoing dispute over the title to the property. This alleged new owner of the property claimed, through his attorney, that he acquired the property through foreclosure. However, the recorded deed to the property proved, irrefutably, that the alleged new owner DID NOT buy the subject property at a foreclosure at all. Nevertheless, the court granted the alleged new owner a judgment for possession...

2. In another crazy foreclosure-related case, Ms. B's insurance company collected hazard-insurance payments of approximately \$90 per month for another FOUR YEARS after her home had been foreclosed on! Finally, Ms. B. hired an attorney to recover the almost \$5,000 taken out of her bank account through automatic withdrawals (that the insurance company refused to stop processing despite repeated requests by Ms. B). The insurance company then tried to go around the attorney and deal directly with Ms. B to get her to sign a "weasel-worded cancellation" of the ALLEGED hazard insurance policy to avoid liability. And of course, the insurance company is still taking the money as of this writing...

3. In a child support case, Ms. J was due approximately \$10,000 of child support. After several hearings, the judge specifically ordered, pending trial, the ex-spouse to pay ALL arrearages and ALL ongoing child support payments into an escrow account kept by the ex-spouse's attorney. At trial, the ex-spouse's attorney tried to claim "attorney-client privilege" in order to NOT disclose that the payments were NEVER made in accordance with the judge's specific order. So Ms. J filed a port-trial motion for contempt and, at the hearing of her motion, some fireworks erupted as the judge found out that, in fact, the child support payments had never been paid...



One common denominator in all of these cases is that the defendants became involved with their respective cases with a “blind faith” that the legal system would somehow protect them when, in reality, the legal system operated to their detriment.

The critical mistake a litigant, especially a self-represented litigant, often makes is believing that his or her rights are automatically protected in legal proceedings. Nothing could be farther from the truth!

There is only ONE way to be sure your due process rights will be protected:

Learn what your due process rights are and then learn how to assert and protect them.



Gone are the days when you can just ask an attorney to “take care of it.” In this day and age, you have to understand the basic legal process and procedures. You have to gather the facts in your case and understand what you have to prove in order to win your case. You have to understand the law that is applicable to your case. You need to know exactly what’s at stake. In this regard, a good “due process advocate” can be absolutely critical to your survival if you are thrust into the legal arena.

The bottom line is, in the final analysis, that you MUST be proactive about your due process rights long before you are faced with a legal problem and find yourself in a legal proceeding.

Unfortunately, way to many folks are blind-sided and overwhelmed and end up paying dearly for not being prepared. Don’t let it happen to you!

DUE PROCESS ADVOCATES WANTED

If you have a special interest in due process issues, good verbal and written communications skills, personal experience with the legal system, and prefer an independent work-style; please contact The Due Process Advocate with a letter of introduction and/or your resume to explore a working relationship.

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