

Equal Access to Justice Act of 2025

Comprehensive Judicial Reform and Appellate Procedure Integrity Act

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SECTION I. SHORT TITLE

This Act may be cited as the "Equal Access to Justice Act of 2025."

SECTION II. PURPOSE AND FINDINGS

(a) Purpose

The purpose of this Act is to restore procedural fairness, limit judicial abuse of discretion, ensure equal access to justice in federal courts, and protect the integrity of appellate proceedings from ideological manipulation and procedural exploitation.

(b) Congressional Findings

1. Federal procedural rules have increasingly been used to shield institutional power, delay access to relief, and suppress meritorious civil claims.
2. Radical lawfare actors routinely exploit amicus curiae procedures in appellate courts to manipulate case outcomes, reframe trial records, and influence judges through non-legal advocacy.
3. Reforms are urgently needed to prevent systemic abuse, restore balance between plaintiffs and defendants, and reaffirm judicial neutrality.

SECTION III. FEDERAL RULES OF CIVIL PROCEDURE REFORM

Rule 12(b) - Motion to Dismiss (Amended)

- (1) All motions to dismiss must include a factual certification and legal memorandum.

(2) The court must rule on a motion to dismiss within 60 days of filing.

Rule 9(b) - Pleading Special Matters (Amended)

(1) Allegations of fraud or mistake are sufficient if supported by documentary evidence or verified declarations.

(2) No heightened pleading requirement shall be imposed beyond Rule 8 unless required by statute.

Rule 26(c) - Protective Orders (Amended)

(1) Protective orders must state specific harm, not generalized assertions.

(2) Blanket confidentiality agreements are disfavored and must be justified in open court.

Rule 56 - Summary Judgment (Amended)

(1) Parties must cite specific evidence in the record in motions and responses.

(2) Courts may not grant summary judgment unless all genuine disputes of material fact are resolved in favor of the non-movant.

SECTION IV. FEDERAL RULES OF APPELLATE PROCEDURE REFORM

Rule 29 - Amicus Curiae (Amended)

(1) Amicus briefs must disclose coordination with parties, ideological/political interest, and funding sources.

(2) No amicus may introduce facts not in the trial record or offer purely ideological commentary unrelated to law.

(3) Courts may accept no more than two amicus briefs per side absent leave showing unique and material contribution.

(4) Briefs failing these standards shall be struck and reported to the circuit's professional responsibility board.

Rule 27(h) - Amicus-Initiated Motions (Added)

- (1) Amici shall not file motions without express leave of court.
- (2) Motions for oral argument by amici are disfavored and must demonstrate unique legal expertise.

Rule 32(e) - Concealed Advocacy Prohibited (Added)

- (1) Amicus briefs shall not include citations to foreign law unless directly relevant.
- (2) Footnotes, appendices, and hyperlinks are subject to word limits and authentication.

Rule 40(c) - Amicus Participation in Rehearing Petitions (Added)

- (1) Amici may participate in rehearing only upon showing of exceptional relevance.
- (2) Only one amicus brief per side is permitted in rehearing unless extraordinary cause is shown.

Rule 29.2 - Review and Transparency of Amici Activity (New Rule)

- (1) Each court must maintain a public docket entry detailing authorship, affiliation, and disposition of each amicus brief.
- (2) A sworn statement of independence and accuracy shall accompany all filings.

SECTION V. OVERSIGHT AND ENFORCEMENT

- (a) The Judicial Conference shall implement enforcement procedures, reporting violations to the Chief Judge and disciplinary boards.
- (b) Any party may move to strike noncompliant amicus briefs under Rule 29, and the court must rule on such motions prior to any disposition on the merits.

SECTION VI. EFFECTIVE DATE

This Act shall take effect 180 days after enactment and shall apply to all cases filed thereafter.

SECTION VII. SEVERABILITY

If any provision of this Act is found unconstitutional or unenforceable, the remaining sections shall remain in full effect.