

HELM SOCIETY SCHOOL



Special points of interest:

- Message from Richard Cornforth Co-Founder & Chief
- The Helm School Founders

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Crossfire

Volume I, Issue I

Summer 2007

“Change is going to do us good” Message From Richard Cornforth...

Our team’s mission for Richard Cornforth is to lead our target audiences through five stages of social consciousness as they relate to the law. The Crossfire Newsletter is a compilation of articles of people on their path to become those “champions” of change... The five stages are:

1. **From uninformed** - “The Helm Society School” is intended to enhance the law-consuming public’s legal knowledge by empowering people to firmly stand and act against judicial and administrative tyranny.
2. **To aware** - “The Helm Society”, in a manner of speaking, has always existed in spirit whenever and wherever innocent people stood alone or together to fight against the wrongs perpetrated by incompetent and dishonest public officials.
3. **To motivated** - The origin of

the term “Helm Society” comes from the seafaring expression, “Anyone can hold the helm when the sea is calm”. This is true indeed, as most people are lulled into a sense of complacency, believing that life is good until some fateful day, when through uncontrollable circumstances, they are drawn into the vortex of the monstrous evil of what our institutions have become. Being drawn into the vortex is followed by another stark realization that public officials, with rare exception, lack the intellect and character to make decisions which affect the lives of others.

4. **To Active** Now, worthy candidates have the opportunity to become fine-honed agents for change to a new tomorrow when government officials of all

levels are held accountable for their acts and suffer consequences for their criminal misconduct. Concisely, “Knowledge is power” but, “Too little knowledge is a dangerous thing”.

5. **To becoming “champions of change** - Armed with powerful knowledge and unhindered by knowing too little, associates of “The Helm Society School”, can be masters of their own destinies. The world as we know it will pass away, but the people who are dedicated to the ideals of “Truth, Justice, and the American Way” achieved by the process of “Facts, Law, and Procedure” can institute a new world order based on individual freedom and responsibility.

Again, our Newsletter is from those champions” of change who know that **“change is going to do us good”.**

About the Helm Society School Founders

Richard Cornforth and Marie Luke are Co-Founders of the Helm Society School.

Richard is a sought after speaker of law in the United States, who actually teaches the law and how to use it. His record of sixty three, (63) seminars over the country and twelve, (12) major speaking engagements, author of eight, (8) empowering law books with companion templates, including

volumes of usable evidential proceedings, and more in his pleading library, CD's, DVD's, and videos, in which can be purchased on-line and has inspired many to seek more extensive legal education.

Marie Luke a former teacher with a background in art, education, and finance began her mission for the need of judicial reform at the early age of thirteen. Her experience has en-

abled her to oversee every aspect and detail, managing the Helm Society School. Her vision and proficiency was the guiding force enabling the group to launch its grand opening September 2006.

Our next Helm Society School is scheduled August 19th -31st 2007. The strategy team is making plans to host four, (4) two week schools by 2008, meeting the growing demand.



Paul Phillips Editor

Why Attend A Richard Cornforth Seminar

I've been surrounded by professionals all my life but nothing prepared me for his grasp and ability to simplify and teach about the legal profession.

When I "met" Richard Cornforth several years ago, it was over the phone as a referral from a mutual acquaintance and friend of Richard's, Dan Meador. I quickly realized, because he told me, that Richard was a seminarian—that is, one who spoke at seminars, not one who attends a seminary. I wondered exactly what attending one of his seminars would be like, so I did the only manly thing I could do, I scheduled one, hosted Richard, and found out for myself.

I found Richard to be one of those people you'd like to have as your next door neighbor. I was

amazed at what Richard had experienced within the legal system and I was even more amazed at what he understood and could teach. I've been surrounded by professionals all my life but nothing prepared me for his grasp of and ability to simplify and teach about the legal profession.

I loved his approach. I've heard so many people spout theories that I braced myself for more theory. Theory is what someone who's never been there, never done that, but has an opinion. It's like

Stephanopolis in the Clinton Administration all over again. Not so with Richard.

My fears were completely unfounded because Richard uses more case law, textbook law, and concrete facts than anybody I've met. He helps dispense info that helps people win cases—I know I've won a few using his information. As an editor of a newsletter for a small business association, I appreciate having Richard as one of our contributing editors. In fact, I'm honored.



The knowledge that I have obtained From Richard, Marie and other instructors has been invaluable

About The Helm Society School

The Helm Society School is a "MUST" for anyone that is tired of being "taken" by the legal industry.

Being the contact person, on behalf of my boss regarding the Helm Society School, their team has assisted me significantly. As the result, the knowledge my boss has learned is being filtered to me.

With the HSS team's guidance, we have filed several law suits. We have worked specifically with Gary Bryant, an instructor with the HSS and I have sent many emails, and calls to Marie. Her assistance has been invaluable, as the old saying goes, "Johnny on the spot". The HSS

team has extended much time and effort to our "good fortune".

Due to health issues, I have not attended the HSS but I am making plans to attend in Colorado August 19-31, 2007.

Barbara Shellman

Book of Choice

How to Beat Up On Debt Collectors

"HOW TO BEAT UP ON DEBT COLLECTORS" is my favorite best seller. Why? The last ten years I have been plagued by debt collectors. My debtors perceived (falsely) that I had assets. Example- After paying "Yellow Pages" approximately \$8,000.00 per month for many years they filed a judgment against me for \$44,000.00 (no service to

me) and was issued without my knowledge.

Thanks to Richard Cornforth and after attending The Helm School, I was confident enough to file the necessary documents to win the case against me and I was awarded a "Void Judgment" that caused the summary judgment to disappear. This action saved me ap-

proximately \$50,000.00. I used the templates from the "How to Beat up on Debt Collectors" and still do.

To date and all total I have avoided paying over \$75,000.00. This has caused me to be an avid fan of this champion of change, Richard Cornforth.

This is my book of choice.

Bill Hembree

Richard Cornforth Seminars

Thank you all who continue to express an interest in hosting a Richard Cornforth seminar.

Our Seminars are temporarily suspended to allow us some much needed rest; however, we will consider private seminars with reservations of 25 prepaid attendees.

Richard and Marie's upfront seminar fee is \$5,000.00 which includes travel expenses and hotel. A limited number of books are available for con-

firmed and pre-registered attendees, to help you promote your Richard Cornforth Seminar.

We suggest that you offer an early registration fee of \$275.00 per person which increases to \$ 300.00 at the door. We have found that an incentive like this encourages people to pre-register and it helps you in planning your seminar. Remember, the first 17 or 18

attendees' recoups your \$5,000.00 fee for Richard and Marie and anything over this is yours as the host.

For further information and booking dates contact:

lawclubusa@yahoo.com
Marie Luke
Phone: 1-386-747-7000

Private Seminars are being considered with a minimum of twenty five attendees.



The Helm Society School

Oct 21-Nov 02, 2007 Florida

Make your flight or travel plans to
ORLANDO INTERNATIONAL AIRPORT (MCO)
Specific details and location is given at the time of registration.

PLEADINGS LIBRARY CD CAN BE ORDERED NOW

I have participated in filing several law suits in the last year. Each filing requires unlimited hours of research should you not have the Richard Cornforth's Pleadings Library.

We now enjoy this data at our fingertips by owning our own pleadings

Library CD provided by Richard and Marie.

Without this awesome resource we would spend countless hours on the internet searching a Legal Library with no guarantee that the information would be correct or even in the proper format, to whom we would

serve the documents.

Please, let me encourage you to order the Pleadings Library. You will rely and count it your main resource for filing a proper law suit. It is a MUST HAVE!!!

Barbara



This CD can be ordered online

www.richardcornforth.com

Two Kinds of Lawyers an article from Allyx



I found an article on Jurisdiction that, as a beginner, would have helped me get a head-start on Helm School, so I want to send it to help anyone starting out or as a reminder to the "seasoned" warriors.

If your facts are not admissible they are of no value whatever in court...

"There are only two kinds of lawyers: (1) those who use the tools and rules to understand and find the truth and put it in the court's official record and (2) those who will play any dirty trick to hide the truth from you and the world.

There are two kinds of truth in lawsuits: laws and facts. As a party in a lawsuit you must get at both kinds of truth, and you must get them into the court's record. The laws and the facts, both must get into the record or you lose.

Typical lawyers play every dirty trick to hide the truth so it doesn't get into the court's record.

So, you get law into the record

by citing one of only four authorities:

1. Constitutions - both state and federal
2. Statutes - legislative enactments in all their many forms
3. Rules - rules of procedure and rules of evidence
4. Case Law - written opinions of appellate courts

My opinion, your opinion, or the opinion of your next door neighbor doesn't count. Whether we like it or not, constitutions, statutes, and rules mean only what written opinions of our appellate courts say they mean. So, before you go into court armed with a statute or rule or constitutional provision in support of your case, do the research! Find out and be prepared to cite what the appellate courts have to say about it.

As for the facts, there are two kinds of facts. Facts in the special category known as "admissible evidence" and everything else. If your facts are

not admissible they are of no value whatever in court.

You get admissible facts into the court's record using the five discovery

tools:

1. Requests for Admissions - just what they sound like
2. Requests for Production - getting papers and things from the other side
3. Interrogatories - written questions that must be answered under oath
4. Depositions - spoken questions that must be answered under oath
5. Subpoenas and other court orders - that command others to respond

Get the facts of your case into the record ... in spite of the other side's dirty tricks to stop you!

Only the truth is true. Nothing else is.



I won an Award of: Case Dismissed with Prejudice Against Wolpoff & Abramson/ MBNA

A Word of Encouragement

Nearly two years ago, I began disputing the credit cards because I was so deeply in debt. I didn't get what was going on. And I certainly did not know what I know now, of course, this is only the tip of the iceberg.

The credit card dispute process I used took the banks into arbitration with an independent arbitration group. Even though MBNA denied the validity of the independent

arbitration, they took me to the National Arbitration Forum where I won an award of: Case Dismissed with Prejudice against Wolpoff & Abramson/MBNA.

Since this process and the nightmare of my own debt slavery and contact with financial institutions, debt collector-lawyers, and the judicial system, I now wish to do whatever I can to change the insidious debt

predators and enslavement practices of our society.

Congratulations Richard Cornforth for all your work and thank you for the assistance that you give me to help fight back against this wicked judicial system. I now have become a lethal weapon.

Natasha

THE FOUR SECRETS OF THE LEGAL INDUSTRY

These are the four secrets:

1. Courts of general, limited, or inferior jurisdiction have no inherent judicial power.¹

- Courts of general, limited, or inferior jurisdiction get their jurisdiction from one source and one source only: SUFFICIENT PLEADINGS.

- Someone before the court must tell the court what its jurisdiction is.

- Without pleadings sufficient to empower the court to act, that court cannot have judicial capacity.

No judge has the power to determine whether he has jurisdiction. He does have the duty to tell when he does not.

....What this means to you is that no court can declare that it has the legal power to hear or decide cases of jurisdiction. Jurisdiction must be proved and on the record. Without sufficient pleadings, without jurisdiction, no court can issue a judgment that isn't void ab initio, void from the beginning, void on its face, a nullity, without force and effect.

2. We have a common law system.

- No statute, no rule, or no law means what it says as it is written.

- Only the holding tells you what it means. The statute means what the highest court of competent jurisdiction has ruled and determined what the statute means in their most recent ruling.

....What this means to you is that courts are governed/ruled by case law, what has been determined before, what the highest court of competent jurisdiction has determined the law means. It is called the Doctrine of Precedent. This doctrine is so powerful that it can kill and has killed. A family in Florida has become quite familiar with this doctrine when they tried to prevent feeding tubes from being removed from their daughter who was in a vegetative state.

3. Attorneys CANNOT testify. Statements of counsel in brief or in argument are never facts before the court.

....What this means to you is

that no attorney can state a fact before the court. This was more than adequately pointed out in 2000 when thousands of Florida ballots were taken before the U.S. Supreme Court, without even so much as one competent fact witness. Without a witness the court could not see the ballots, the ballots were not before the court, and the ballots could not be introduced as evidence.

4. Before any determination, there must be a court of complete or competent jurisdiction.

- There must be two parties with capacity to be there.

- There must be subject matter jurisdiction. There must be the appearance or testimony of a competent fact witness.

....What this means to you is that without jurisdiction, complete jurisdiction, no court can issue a judgment that isn't void; a nullity, without force or effect, on its face and in fact.

Cont on pg 6



“It is not enough to be given a free country; it must be kept that way”.

Learning The Knowledge of Law and Practical Application

I recommend the Richard Cornforth Seminar to every American, including attorneys, who might end up fighting government or big businesses in court.

I have attended other seminars related to these topics, but all have paled to insignificance when contrasted to my weekend seminar with Richard Cornforth. I

consider the Richard Cornforth Seminar the most valuable compressed instructional education of my life and for the practical use of arcane principles to attain worthy goals against an ominous and seemingly indomitable and inscrutable foe.

I feel that I no longer have to cower in fear under intimidation of lawyers for government and big business threats. I now

feel empowered with the education learned through Richard Cornforth's seminar and Helm Society School that by using facts, laws and procedures I can beat them at their own game and use the knowledge of law to its practical application.

Bob Hurt



“I consider it the most valuable compressed instruction of my life”.

Cont from pg 5... Secrets of the Legal Industry



“Fear and apathy must be set aside and ordinary people must stand and be counted”.

Gained confidence to the degree that I could stand before the Supreme Court and argue my case...

Nineteen years ago, Richard Cornforth was cast into courtroom situations that were not of his making. Like many today, he thought that he would receive a fair and impartial trial. Like many, he thought unfair treatment was something that only happened on rare occasions. What he discovered was a judicial system that was/is corrupt almost beyond all recognition.

For the past seven years [Richard Cornforth](#) has been teaching people, ordinary people, what their rights are, how to assert those rights, how to get the justice they are entitled to. Richard has been presenting **weekend seminars** teaching people how to win in court, (visit: richard-cornforth.com to acquire materials and related information). In September of 2006 Richard and Marie Luke launched the Helm Society School, a two weeks very intense study, that teaches evidence, civil procedures, criminal procedures, contracts, torts, causes of actions, trusts and constitutional laws. Among other topics taught during HSS, these

subjects may equip students to engage the enemy through procedures and WIN!

It is not enough to be given a free country; it must be kept that way. Fear and apathy must be set aside and ordinary people must stand and be counted. We can no longer rely upon others to do it for us, it is up to us. Socrates was condemned to death by the Sophists, Attorneys and Politicians by today's standards. The Sophists didn't want a quick and decisive execution, they wanted Socrates to run away, and in so doing, proving Socrates wrong and the Sophist right. Socrates devastated the Sophists, along with their lies and deceit (sophistry²), when he stood his ground and drank the cup of hemlock. Things haven't change in thousands of years. Evil flourishes when good people do nothing, or run away to hide.

Don't you think that it is time to begin vindicating our right to a fair and impartial hear-

ing/trial? Don't you think it is time that we become informed as to what our rights really are and what they look like in a courtroom? Don't you think it is time we got the Justice we are entitled to?

For more authoritative information on void judgments and subject matter jurisdiction, visit: <http://voidjudgements.net>.

fn¹"The judicial Power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish." U.S. Const. art. III, § 1, cl. 1. fn² Sophistry - deceptively subtle reasoning or argumentation.

You can learn to use “Secrets of the Legal Industry” and learn “How To Handle Yourself In The Court Room”.

These two books are offered by Richard Cornforth at www.RichardCornforth.com

Jeff

What You Can Expect By Attending a Helm Society School

I have attended all three Helm Society Schools thus far and I have gained in the following ways:

- Skills beyond my belief to use in any court of law.
- I have met some wonderful support people with a passion to do good.
- Acquired books, C.D.'s, etc. to guide me in my twisting path to seek justice for myself and friends.

- Gained enough confidence that I could stand before the Supreme Court and argue my case (if Richard were standing with me.)

I cannot say enough about the Helm School and Richard Cornforth, (I do not wish to leave out Marie, Jesse, Gary, and the other instructors), as it has given me hope for a better outcome, a daily challenge that I can win

against a huge, overbearing and oppressive foe (the legal profession).

Thank God for this wonderful evolution of fair legal help and hope to defeat the illegal legal establishment which has a choke-hold on the average American.

God Bless America and our freedoms. As Captain John Paul Jones said;” *I have just begun to fight!*”

Bill

USING THE FIFTH AMENDMENT TO PROTECT

JESSE TOCA

Helm Society School Instructor
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The following, *in a nutshell* discussion is how the Fifth Amendment can protect against the compelled disclosure of documents and records.

Q: Does the Fifth Amendment protect the contents of the records if they are "incriminating" ?

A: NO. In *U.S. v. Doe*, 465 U.S. 605 (1984), the U.S. Supreme Court held that the contents of documents that have been properly subpoenaed are not privileged under the Fifth Amendment, regardless of how incriminating. In *Doe*, the grand jury was investigating corruption in the awarding of county and municipal contracts; the respondent was the owner of several sole proprietorships. The grand jury issued five subpoenas seeking telephone records from several of the businesses, all records for four bank accounts of the respondent and his companies, all business records from two of the companies, and bank statements and canceled checks from two companies that had bank accounts in the Grand Cayman Islands. When determining if the contents of these documents were protected under the Fifth Amendment, the Court held that "[w]here the preparation of business records is *voluntary*, no compulsion is present," *Doe*, 465 U.S. at 610. As a result, "the contents of those records are not privileged," *Doe*, 465 U.S. at 612. (Emphasis added). However, noting that the District Court and the Court of Appeals for the Third Circuit had both found that the act of producing these documents would involve testimonial self-incrimination, the Court held that while the contents of the documents were not privileged, "[t]he act of producing the documents at issue in this case is privi-

leged," *Doe*, 465 U.S. at 617 (see below, for more on this issue). (Emphasis added).

Q: Does the Fifth Amendment protect the production of "incriminating" records that are in the possession of third parties ?

A: NO. In *Fisher v. U.S.*, 425 U.S. 391 (1976), the Court held that the owner of various records who has voluntarily placed those records in the possession of a third party has no Fifth Amendment privilege to prevent the production of those records. The Fifth Amendment only applies to *personal compulsion* and not the compulsion of others. (Emphasis added). In *Fisher*, taxpayers were interviewed by an IRS agent. Shortly after the completion of the interviews, the taxpayers obtained records regarding the preparation of their tax returns from their respective accountants and gave them to their respective lawyers, who were retained to assist the taxpayers in the investigation. When the IRS discovered the whereabouts of these documents, they issued summonses to the lawyers requesting the documents. The Court ruled that because the Fifth Amendment would not protect the taxpayer from turning over the papers of the accountant in the taxpayer's possession, such protection would not extend to the taxpayer's attorney. In ruling that the attorneys were required to turn over the accountants' documents — regardless of whether they belonged to the taxpayer or accountant — the Court in *Fisher* stated:

"The [Fifth] Amendment protects a person from being compelled to be a witness against himself. Here, the taxpayers retained any privilege they ever had not to be compelled to testify against themselves and not to be compelled themselves to produce

private papers in their possession. This personal privilege was in no way decreased by the transfer. It is simply that by reason of the transfer of the documents to the attorneys, those papers may be subpoenaed without compulsion on the taxpayer. The protection of the Fifth Amendment is therefore not available. *Fisher*, 425 U.S. at 390-91.

Q: Under the Fifth Amendment privilege against self-incrimination, does it matter if the business is a corporation, sole proprietorship or partnership ?

A: YES. How the business entity is organized does have an impact upon the protection that is provided under the Fifth Amendment and how the documents should be produced. We will now take a close look.

Sole Proprietor — In *U.S. v. Doe*, 465 U.S. 605 (1984), the Court held that, depending upon the type of records requested, a sole proprietor may have a *valid Fifth Amendment claim* with respect to the act of production. In *Doe*, the District Court and Court of Appeals had both found that the act of production would involve testimonial self-incrimination, and the U.S. Supreme Court noted that "[t]he District Court's finding essentially rests on its determination of factual issues. See *United States v. Nixon*, 418 U.S. 702 (1974). Therefore, we will not overturn that finding unless it has no support in the record." *U.S. v. Doe*, 465 U.S. at 613-14. Thus, based on *Doe*, it would appear that whether a sole proprietor has a *valid Fifth Amendment claim* against producing documents would be based on the specific facts of a given case. (Emphasis added).

Corporations — In *Braswell v. U.S.*, 487 U.S. 99 (1988), the Court held that "the custodian's act of production is not deemed a personal act, but



"The [Fifth] Amendment protects a person from being compelled to be a witness against himself".

...in a nutshell discussion is how the Fifth Amendment can protect against the compelled disclosure of documents and records.

THE FIFTH AMENDMENT... cont. from previous page by Jesse Toca

rather an act of the corporation. Any claim of Fifth Amendment privilege asserted by the agent would be tantamount to a claim of privilege by the corporation — *which of course possesses no such privilege.*" Braswell, 487 U.S. at 110. (Emphasis added). Thus, a corporate custodian cannot resist production of business records on grounds that production would be personally incriminating. The government, however, cannot make any "evidentiary use" of the act of production against the individual actually producing the corporation's records. (Emphasis added). For instance, this means that the government's attorney cannot tell the jury that a particular individual was served a subpoena or produced the documents or records belonging to the corporation. However, the prosecution can make use of the items produced to convict anyone. In essence, the government can compel production of corporate documents and records through a corporate agent or representative who is a target of an investigation, and then turn around and use the items produced against anyone, including the target.

C. Partnerships — In Bellis v. United States, 417 U.S. 85 (1974), the Court held that the Fifth Amendment privilege was not available to a law partnership that had received a grand jury subpoena for documents. Although the firm was small, only three partners, the crucial factor was that the partnership "did have an established institutional identity independent of its individual partners." Bellis, 417 U.S. at 95. However, in In re: Grand Jury Subpoena Duces Tecum dated November 13, 1984 (Doe), 605 F. Supp. 174 (E.D.N.Y. 1985), a husband and wife were operating a small partnership out of their home. They were the only partners in the business, which the husband had operated as a sole proprietorship until 1980. The court held: "[i]t seems clear that the Bellis Court contemplated that individual owners of the proverbial "Mom and Pop" stores would continue to enjoy the protection of the Fifth

Amendment even though they elected to conduct business as a partnership. If the Bellis Court intended to hold that no partners could ever invoke the Fifth Amendment with respect to partnership records, it could easily have said so." Id. at 605 F. 2d at 178.

Q: For purposes of the Fifth Amendment, does it matter that the records being requested are in the possession of a former corporate officer ?

A: YES. In In re: Three Grand Jury Subpoenas Duces Tecum dated January 29, 1999, 191 F.3d 173 (2d Cir. 1999), the court concluded that although Braswell, discussed above, held that a corporate officer *could not* resist the production of documents on the grounds that the act would be personally incriminating, this analysis does not apply to former corporate officers who possess requested records. In determining that the respondents — all former employees of the corporation — could claim an act of production Fifth Amendment privilege, the court wrote:

"The rule in Braswell was predicated on the rationales that corporate custodians hold and produce documents only in a representational capacity and that when a corporate custodian produces subpoenaed corporate records, at bottom, "the corporation produce[s] the documents subpoenaed." Braswell, 487 U.S. at 118. It follows, as we noted in Saxon Industries, that once the agency relationship terminates, the former employee is no longer an agent of the corporation and is not a custodian of the corporate records. When such an individual produces records in his possession he cannot be acting in anything other than his personal capacity. In no sense can it be said, as Braswell requires, that "the corporation produces the records subpoenaed." In re: Three Grand Jury Subpoenas Duces Tecum dated January 29, 1999, 605 F. Supp. at 181.

Q: Given that corporate officers have no Fifth Amendment protection under Braswell, to what extent must a corporate officer testify when producing requested records ? In Curcio v. U.S., 354 U.S. 118 (1957), the U.S. Supreme Court held that a

"corporate officer who has been required by subpoena to produce corporate records may also be required, by oral testimony, to identify the records." Curcio, 354 U.S. at 125. Thus, corporate officers can be compelled to authenticate the records produced by them. However, the Court in Curcio also held that "forcing the custodian to testify orally as to the whereabouts of nonproduced records requires him to disclose the contents of his own mind. He might be compelled to convict himself out of his own mouth. That is contrary to the spirit and letter of the Fifth Amendment." Curcio, 354 U.S. at 128. See also, In re Grand Jury Subpoena Dated April 9, 1996, 87 F. 3d 1198, 1201-02 (11th Cir. 1996).

THE BOTTOM LINE: Whether or not documents or records are protected by the Fifth Amendment depends on a variety of facts and circumstances, including those mentioned above.

POINTER: When it comes to prevailing upon the assertion of one's Fifth Amendment right to not be forced to be a witness against one's self, it is important that one make a clear record of the reasons why one fears that answering questions or furnishing documents/records could help an investigator or prosecutor construct a link in a chain of evidence to gain a conviction for any criminal offense. Sometimes this is best done in open court....meaning, in a public courtroom and on the record. While at other times, it is probably more prudent to discuss one's reasons to fear self-incrimination in an *in camera* hearing....meaning, a private hearing on a sealed record with just you, the judge, the court reporter, and your attorney, if any, present.

The factors that one might wish to weigh in order to determine which proceeding (public or *in camera* hearing) is preferable will be discussed in a future article. For now, however, I want to leave the reader with the idea that the Fifth Amendment right is a very important one. The reader should certainly be very careful not to say or do anything that could be construed by a judge as actions (or in some relatively rare instances, *inactions*) that are waivers this *most valuable fundamental right*.