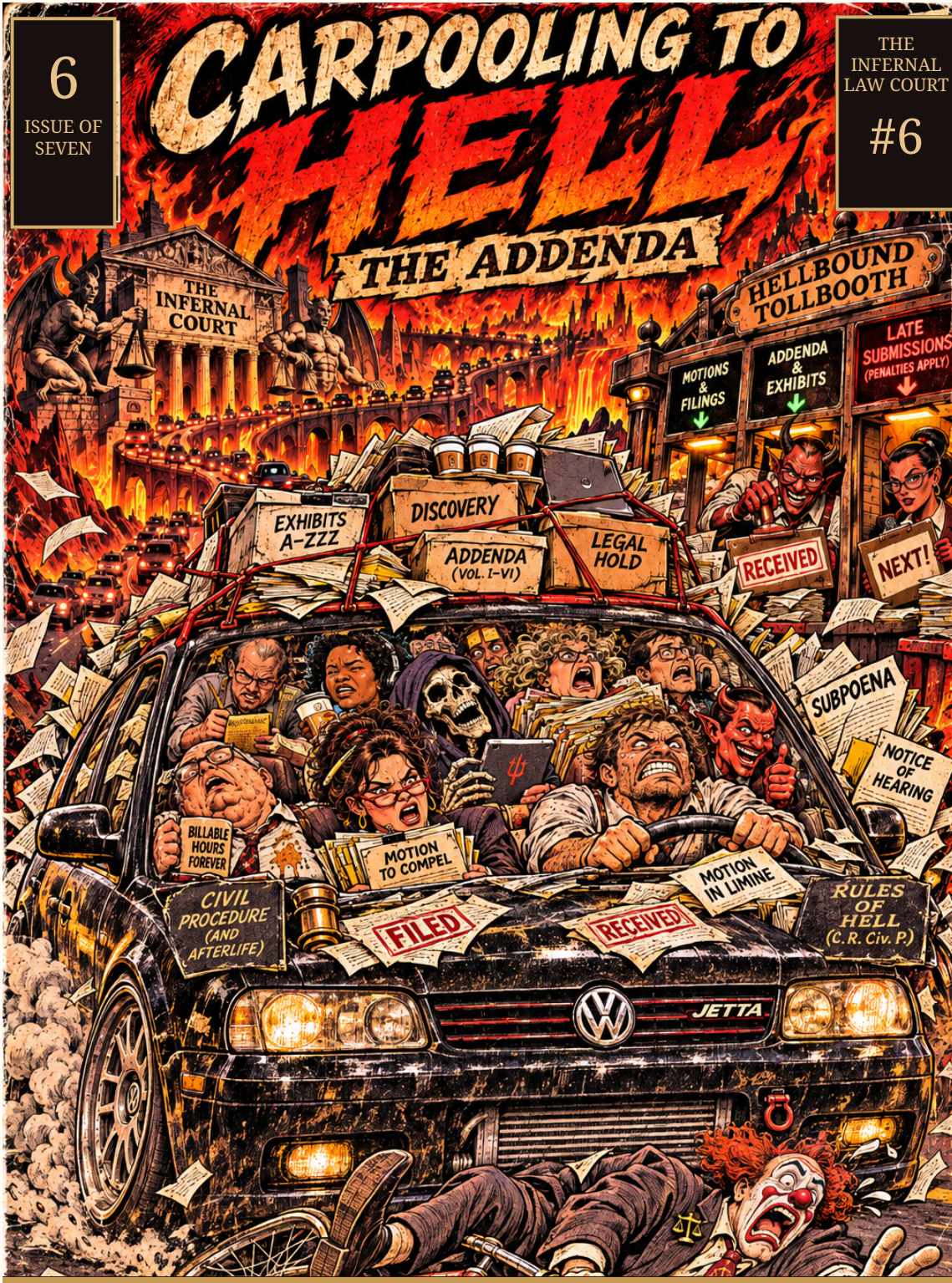
6
ISSUE OF SEVEN

THE INFERNAL LAW COURT
#6



Julia M. Limbopez

THE DOCTRINE OF SUBSTANTIVE SUFFICIENCY

THE NO “MOORE” HARM SERIES

CARPOOLING TO HELL: THE ADDENDA

JULIA M. LIMBOPEZ

ISSUE VI OF VII

THE DOCTRINE OF SUBSTANTIVE SUFFICIENCY

JUSTIN A. TAHAI

Notice of Fiction

This is one installment in a seven-part work of fiction and satire. Every Injustice, relative, tribunal, exchange, alleged doctrine, and reported event in the story is invented. The institution is the target of the caricature; no real judge's private family or personal misconduct is depicted. The invented children remain safe.

In the fictional Court of Reciprocal Jurisprudence, seven self-important officeholders are shown imaginary opportunities to spend ordinary family time. They are required to navigate the procedural doctrines they have adored. The recurring driver operates a modified black 1999.5 Volkswagen Jetta; the opposing attorney, Billmore, is a clown on a bicycle who invoices for every inconvenience.

ISSUE SIX

JULIA M. LIMBOPEZ

The Doctrine of Substantive Sufficiency

In re the Eighty-Seven-Page Declaration of a Right Which No Person Is Required to Honor

Julia M. Limbopez believed in words. She believed in them so profoundly that she had long suspected the physical universe was a crude preliminary draft which had failed to receive adequate editorial review. An admirable opinion, in her understanding, should not merely resolve a dispute. It should demonstrate by its very length that the author was a person of terrifying education and very limited availability.

The Sixth Door greeted her with an order weighing seventeen pounds.

It was eighty-seven pages long, printed on parchment so expensive that three imps were required to carry it from the printer. Its opening paragraph described family relationships as "constitutive loci of intergenerational flourishing." Its second paragraph quoted fourteen imaginary jurists on the unalienable dignity of affection. The order's closing pronouncement declared that Julia "shall have a full, meaningful, and reasonable opportunity for regular and frequent contact" with a safe, invented member of her family.

Julia beamed.

"An extraordinarily humane and well-reasoned instrument."

"Then go through," said the Jetta's driver.

She approached the door. It did not open.

A small brass keypad demanded a **CONFIRMED PLAN**. Next to the keypad was a button labeled **REQUEST PLAN**, which opened a screen instructing the petitioner to **CONFER IN GOOD FAITH**. The good-faith conference required both adults to agree, and the other adult's response was an automatically generated message saying **WE ACKNOWLEDGE YOUR DESIRE FOR A PLAN**.

"That seems promising," Julia said.

"It is not a plan," the driver answered.

"It is a statement recognizing the value of a plan."

"Yes. And I'm standing next to a locked door."

Miss Quill arrived bearing a supplemental clarification composed of twenty-six footnotes and a separate explanatory appendix concerning the noble history of *reasonableness*.

"The Court has enshrined your right to reasonable opportunity," she said. "Actual arrangements are to be determined by the responsible parties, subject to the order's comprehensive reservation of discretion."

"Which responsible party opens the door?"

"The order has not undertaken to assign that operational detail. To have done so would risk embroiling the Court in petty logistics when higher principles are at stake."

"Then assign it now."

"That may require modification."

"Of the eighty-seven pages?"

"Only the operative provision, which at present contains no specific obligation to be modified."

Behind the door was a scene of uncommon ordinariness: a kitchen table, two mugs, a deck of cards, and a fictional teenager absorbed in learning a complicated new card game. The teenager had invited Julia to join and had left a vacant chair on the near side of the table.

Julia tapped the glass. The teenager looked up and smiled. There was no safety issue in the invented scene. There was no unwillingness. There was only the gap between a ceremonially expansive judgment and an implementation system that required everyone to assume somebody else would act.

"I'll call the responsible party," Julia said.

The call rang through to an automated recording.

"Your desire for contact is acknowledged," it announced. "Consistent with the order's preference for collaborative arrangements, you are invited to propose a mutually acceptable plan. No response to this message shall be construed as agreement, refusal, or proof that the order imposes any specific duty to respond."

Julia proposed Tuesday at six.

Silence.

She proposed Thursday at four.

Silence.

She proposed any mutually convenient hour, indoors or outdoors, with neutral transportation if needed.

Silence.

"The order says messages shall be returned promptly," Julia observed.

"An inspiring aspirational standard," said Quill.

"It says *shall*."

"Indeed. An especially authoritative word. Much beloved. Very expensive to print in italic type. But enforcement would require evidence of an identifiable violation, and the order does not define *promptly* with sufficient precision to remove all conceivable room for disagreement."

"Then no one has to answer?"

"No one has been formally determined not to have to answer. That distinction is the foundation upon which the entirety of our procedural civilization rests."

Billmore rolled through the corridor carrying a portable lectern attached to his bicycle. He had prepared a lecture on **THE HAZARDS OF SPECIFICITY**, offering twelve continuing-education credits and a complimentary laminated card reading **SUBSTANTIALLY SUBSTANTIVE**.

"The beauty of a general right," he explained, "is that everyone may agree upon its importance without enduring the indignity of implementing it. A precise obligation, by contrast, exposes the unfortunate possibility that one might eventually be found not to have performed it."

"And what of the person holding the order?" asked Julia.

"They have received something magnificent: recognition."

"They asked for a visit."

"How mercenary."

He displayed a diagram consisting of three concentric circles. The outer circle read **RIGHTS**. The middle read **REMEDIES**. The center read **WHAT ACTUALLY HAPPENS**. The center was empty, and the diagram had received an award for clarity.

Julia returned to the order and searched for enforceable verbs. She found *encouraged*, *expected*, *appropriate*, *reasonable*, *may*, and the magnificent *shall have the opportunity*. In the margin she wrote a new question: **WHO MUST DO WHAT, AND BY WHEN?**

The words looked scandalously small against the acres of judicial prose.

Satan appeared wearing spectacles and carrying a red pen. He turned the order to page eighty-six, where the court had solemnly enjoined every participant to cooperate "in a manner befitting the dignity of the proceedings."

"That," he said, "is a sublime example of institutional composition. It specifies exactly how the proceedings ought to feel and leaves entirely undetermined what anyone must do."

"It wasn't meant to do that," Julia protested.

"Intentions are particularly easy to preserve on parchment. The public generally asks for something more combustible: results."

"But judges cannot arrange every pickup, every telephone call, every family dinner."

"Certainly not. Nor need they. Yet there is a difference between declining to micromanage ordinary life and issuing an order whose practical operation cannot be understood by the people required to live under it."

Julia listened to the sound of cards being shuffled behind the door. The teenager said something cheerful, unheard through the glass, and set one more hand of cards on the empty place.

She imagined the response a litigant might receive after sending the same unanswered scheduling request for months: *The order provides an opportunity.* The applicant's question was not whether the order contained nouns about opportunity. It was whether any person had undertaken the work of arranging one.

"How long must a family litigate the meaning of 'soon'?" she asked.

"Under our current doctrine," Satan replied, "until soon is no longer a recognizable unit of a family life. The remedy then becomes retrospective, which is another department's problem."

Julia took the ninety-page proposed clarification Miss Quill had offered and fed it into the printer backward. The machine made an offended noise and produced a single sheet bearing three numbered paragraphs.

First: Identify which adult must initiate the next scheduling step, the means of communication, and a reasonable timeframe for responding.

Second: Provide a practical mechanism to address disputed compliance, genuine safety concerns, and changed circumstances without forcing the child to serve as the parties' messenger or judge.

Third: Explain what evidence and process a court will use when a clear obligation is alleged to have been ignored; do not mistake the mere presence of an attractive judgment for proof of its implementation.

Miss Quill examined the sheet as though it contained an unlicensed firearm.

"This is very short."

"That is not a defect."

"It contains ordinary verbs."

"Another feature."

"Most troubling of all," the clerk whispered, "it could be understood by a person who has never attended law school."

Julia met Satan's eyes.

"Put it in the ledger."

The Devil accepted the sixth bookmark. On the far side of the door, the imagined teenager finished the game, put away the cards, and safely went about an ordinary evening.

Julia carefully laid the eighty-seven-page opinion on a table. It was elegant; it was sympathetic; it was capable of producing considerable admiration among people who did not have to rely upon it.

She placed the one-page implementation proposal on top of it.

For the first time, the shorter document seemed to weigh more.

INTERLOCUTORY ORDER NO. VI

THE TRIBUNAL RESPECTFULLY OBSERVES that a declaration of principle is not identical to its implementation. Petitioner's request that every human relationship be made subject to a rigid judicial itinerary is **DENIED** as neither possible nor desirable; her proposal for specific, workable duties and a means of testing alleged noncompliance is **PRESERVED**. The original eighty-seven-page document shall be donated to the Infernal Museum of Magnificent But Unopenable Doors.

The Court expresses its appreciation for the beauty of the opinion and declines to mistake beauty for access.

THE NEXT PROCEEDING

ISSUE VII

Christopher C. Tabulate · The Doctrine of Mootness by Maturation

The Court retains the matter for further consideration. The time lost in the meanwhile shall not be presumed refundable.