



SDCBA Statement On Judicial Independence

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ATTRIBUTION:

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Our judicial system relies on the public's trust that judges are applying the law fairly, are independent and impartial, are free of financial, political, or other influences, and are acting without the fear of retribution. Inaccurate personal attacks on a sitting judge's ethics and/or character improperly alters public perception and compromises the power of our democracy. Criticism and healthy discourse are integral to our first amendment rights, and are to be encouraged and supported. However, the integrity of the justice system is compromised by irresponsible criticism and intimidation, particularly because judges who have been criticized are precluded from taking a position or speaking publicly on pending litigation.

The San Diego County Bar Association (SDCBA) will not comment on individual political candidates. However, we believe any candidate running for public office should be aware of the perils of undermining the power of the judicial branch of government. The SDCBA encourages voters to understand the working of the courts, and educate themselves on why an independent judiciary is a cornerstone of our government. For information about judicial independence, we suggest reviewing the following websites:

The Constitution Project:

www.theconstitutionproject.org

Judicial Learning Center:

www.judiciallearningcenter.org

Justice at Stake:

www.justiceatstake.org

Brennan Center for Justice, NYU School of Law

<http://www.brennancenter.org/issues/fair-courts>

The American Bar Association Standing Committee on the American Judicial System:

http://www.americanbar.org/groups/committees/american_judicial_system.html