



## Defending Justice. Protecting Citizens.

Fair and Impartial Courts play a critical, stabilizing role in our democracy

In America, courts exist to protect people and their rights, to guarantee fairness and justice for all. The procession of people through the nation's courts reflects the essence and issues within our country, from the smallest traffic offense to the most serious criminal case. Unlike legislators, judges must stand apart from politics and provide fair and impartial resolution of disputes.

### Let's face it – life isn't always fair

A courtroom is the place to go to right a wrong or address an injustice. The peaceful resolution of differences depends on fair judges. When we are involved in a lawsuit, we need to have confidence that judges will decide our case on the basis of the law and the evidence presented - with no consideration of the political affiliation of the individuals involved or who may support or oppose a particular outcome. We want judges' decisions to be fair and impartial, so that those who win and those who lose know they received a fair hearing and can trust the process.

### We must not take the rule of law for granted

In some countries, judges cannot be trusted to decide cases fairly and impartially. They are subject to outside pressures from forces that control the government. Our Constitution creates the judicial branch separate from the other branches of government, so that the courts can provide decisions free from politics and special interests.

### Judicial selection systems must guard against those seeking to tip the scales

While federal judges are appointed for life, state judges are selected differently. In some states, judges are chosen by direct votes. In others, they are appointed through a judicial selection process and voters decide whether they will be retained in office. No matter how they are selected, a judge's ability to make fair and impartial decisions should not be threatened by the politics of the moment or influenced by special interests.

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*Because our courts must protect the poor, the minority and the unpopular, as well as the rich and powerful, we must defend the courts from improper political interference and pressure from special interests.*

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### Voters play a critical role

The judicial process is threatened when large amounts of money and political pressures are applied to influence how cases are decided in the courts. Voters play a critical role in protecting the courts from those attacks and pressures by determining the best judicial selection processes, rejecting attempts to politicize the courts, and participating in and choosing fair and impartial state court judges. To do this, voters must be fully informed about the value and importance of fair and impartial courts and the role of the courts in our system of government.

Voters who know that special interest attacks and political interference or pressures have no place in the courts will reject efforts to politicize judicial races. When we, as voters, understand what judges do and how the courts are supposed to work, we are more likely to vote based on a judge's character, integrity and willingness to decide cases based on the law and the evidence.



## The National Association of Women Judges "Informed Voters - Fair Judges" Project

is a non-partisan program to inform voters about how to make sure our judges are fair and impartial. Its goal is to inform citizens about the judicial system and to ensure that judges are elected on the basis of their character and ability. Politics and special interests should have no place in American courts.

“When a judge does what is right according to the law, when a judge decides each case strictly on the merits, when a judge gives every case and every person the same treatment, our courts are what they have always been and must always be... fair and free.”

*From “Fair and Free” featuring Supreme Court Justice Sandra Day O’Connor, Ret.*

**Learn more at <http://ivp.nawj.org>**



## POLITICS AND SPECIAL INTERESTS HAVE NO PLACE IN OUR COURTROOMS

The rule of law is the cornerstone of democracy and we rely on our courts to uphold it. So it is no exaggeration to say that the future of democracy is at stake when partisan or political interests seek to seize control of our courts. And they are doing precisely that!

The threat is all too real. Our courts and judges are under siege for doing their job —deciding cases based on the evidence and the law, and not on the basis of some preconceived political agenda or ideology. And the politicians and special interests don't like it. They would have you believe any ruling that doesn't go their way is "judicial activism."

Unlike our representatives in the legislature, we depend on our judges to stand apart from politics and partisan ideas, and to focus on the fair resolution of our problems and disputes under the Constitution and laws. Judges should not be subject to influence by special interests, or fear losing their job because powerful outside groups dislike a particular decision.



## IT IS TIME FOR US TO STAND UP FOR FAIR AND IMPARTIAL COURTS

Our courts have demonstrated the ability to uphold our basic rights with fair and impartial rulings based solely on the Constitution and laws. It is up to you as a voter to help keep it that way.

- ✓ Inform yourself about your state's courts and judges.
- ✓ Vote for judges based on their character, integrity, fairness and willingness to decide cases based on the law.

## OUR DEMOCRACY DEPENDS ON IT





Informed voters will not want judges influenced by politics or special interests, or by fear of losing their position because a powerful group dislikes a particular decision.

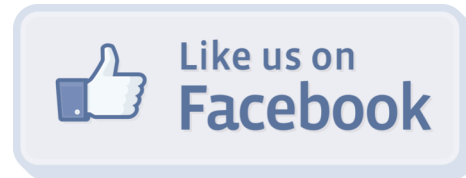
We should consider the differences between judges and other public officials when we cast our votes. Judges should make decisions based on the law and not be pressured based on politics or special interests.

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