

OUTLINE FOR INDEPENDENT JUDICIARY PRESENTATIONS BY ATTORNEYS, JUDGES, AND EDUCATORS

I. Our need for a fair, impartial and independent judiciary

- A. What is it?
- B. Why is it so important?
- C. Can we have a fair and impartial judiciary without the judiciary also being independent?
- D. How important has a fair, impartial and independent judiciary been to our Nation?
- E. Discussion of present day examples.

II. What do judges really do?

- A. Discuss the three (3) equal branches of government, i.e. the executive, responsible for enforcing the law; the legislative branch, responsible for the creating and making of laws; and the judiciary, responsible for interpreting the laws.
- B. A description and discussion of the true roles, duties and obligations of our judges on an every day basis, so that the lay public would have a better understanding of the courts, the legal system, and the judiciary's actual every day role.
- C. Judges decide cases based on existing law applied to the facts of the given case without regard to outside pressure, influence or concerns.

III. Historical perspective/past and present

- A. Impression of the colonists prior to the Revolution
- B. The Declaration of Independence
- C. The Federalist Papers
- D. The Constitution and the Bill of Rights
- E. Use of [Invaders](#) and other activities which will give audiences hands-on experience and participation in the discussion and concepts
- F. The importance of the Courts in our history since the Revolution and the creation of the Nation
- G. Present day issues
 - i. Jail for Judges
 - ii. Legislative attacks upon both the judiciary and its jurisdiction and authority by both state and federal legislatures
 - iii. Cases such as the Schiavo case
 - iv. Comments of legislators and their views of the judiciary
- H. The judiciary as a third and co-equal branch of government vs. the theory of a limited or restrained judiciary. The three (3) co-equal branches of government.

IV. What would a judiciary which is not fair, impartial and independent look like?

- A. A discussion of judicial systems as they exist in other parts of the world, without naming specific countries
- B. Concept of telephone justice
- C. The importance of the separation of powers
- D. Judges as employees of the legislature
- E. The lack of a Constitution as it affects the authority of the judiciary
- F. Judicial systems throughout the World and how they compare to ours

V. Question and Answer Session