

Student Handout: Part 1 – Understanding Judicial Independence

Directions: You will be using the Judicial Learning Center Web Page to find the answers to the following study guide. Please read the sections on “About Federal Judges” and “Judicial Independence” to find the answers.

Go to the “ABOUT FEDERAL JUDGES” page and answer the following questions:

Section “Article III Judges”

1. Name the types of Article III judges:
 - a. _____
 - b. _____
 - c. _____
2. How do Article III judges get their jobs? They are appointed by the _____, and are subject to confirmation by the _____.
3. For how long do Article III judges serve? _____

Section “The Appointment Process”

4. In which Article of the U.S. Constitution will you find the requirements for the appointment process?

5. The job of appointing and confirming the nominees begins with the _____
_____ Committee, whose members meet with and investigate the nominees to make sure they are good candidates for the position.
6. The process by which a judge in the state systems gets his/her job is different. What is the name of the process used in parts of Missouri? This process is used by several other states as well, and combines both appointment and election.
The _____ _____ _____ Plan.

Now move to the “JUDICIAL INDEPENDENCE” page for the following questions:

7. _____ refers to the practice of protecting the courts from the influence of the other branches and from public opinion.
8. What three factors are given on the web page for how this is guaranteed? List each. On the second line, explain how the factor contributes to independence.
 - a. _____
Explain: _____
 - b. _____
Explain: _____
 - c. _____
Explain: _____

Section “Checks and Balances”

9. What are two ways the power of judges is checked?

d. _____

e. _____

Application

10. Look up the definition of the word INTEGRITY in an online dictionary. _____

11. Why is INTEGRITY an important quality for a judge to possess? _____

12. You may recall that Alexander Hamilton, in *The Federalist Papers*, warned it would be a bad idea to put the courts under the leadership of Congress. He felt this would jeopardize the independent nature of the courts. Use this reasoning to explain how the principle of SEPARATION OF POWERS helps to ensure an independent judiciary.
