



# The Independence of Federal Court Judges



## How the Constitution Protects Judicial Independence



### 1. Life Tenure

*- Article III, Section 1: Judges hold their office during good behavior.*

### 2. Salary Protection

*- Article III, Section 1: Congress cannot unjustly reduce judge's pay.*

### 3. Appointment

*- Article II, Section 2: Nomination by the President and confirmation by Senate.*

## Independent from whom and what?

*Judges do not fear the loss of their jobs for unpopular rulings allowing them to apply the law fairly, even when powerful figures or the majority disagree. This makes judges independent from Congress, the President, and public opinion.*

*Prevents lawmakers from using pay cuts to intimidate judges and influence their rulings. Judges can instead focus on justice, not job security, making judges independent from congressional punishment or budget manipulation.*

*Judges do not need to campaign for elections, freeing them to interpret the law without chasing popularity or political favor. Because of this, judges are independent from voters, campaigns, and partisan politics.*



## Canon Five of the Code of Conduct

Canon 5 states that judges should refrain from political activity that could compromise their neutrality or the public's trust in judiciary.



- *Prevents judges from endorsing candidates or holding office in political organizations*
- *Reinforces the fact that judges should not attend political gatherings*
- *Emphasizes that judges should not make speeches on behalf of political groups*

## The Courthouse Ethics and Transparency Act

Requires federal judges to report financial trades and to make disclosures publicly available by reporting stock trades over \$1,000 within 30-45 days and creating a database for financial disclosures.

- *Exposes potential conflicts of interest*
- *Promotes greater transparency and accountability*
- *Helps enforce recusal rules in sensitive areas*

