

## **What are fair & impartial courts, and why do they matter?**

Judges should decide the cases before them based on the law and the facts, not because of politics, money, religion, or the judge's personal beliefs. When people come to court to resolve their disputes, they should feel confident that the judge will decide their case in a neutral manner, treating everyone the same and making evenhanded decisions. Fair and impartial courts protect everyone's rights to the fundamental promise of our justice system: equal justice under the law.

We expect that our elected representatives, like the governor and senators, will consider politics, the views of their constituents, and popularity as part of making decisions. But courts are different. Everyone in Alaska has the constitutional right to a fair legal process with a judge who acts fairly, impartially and in accordance with the rule of law. Every Alaskan who goes to court should be able to trust that justice will be determined by the law and the facts of their case, after everyone involved – regardless of their social status, income, race, beliefs or other factors – has had a fair and equal opportunity to be heard. Nobody should be afraid that they will not get a fair shake in court because the judge cares more about politics, money, or political pressure than about deciding their case fairly.

A fair and impartial judicial branch also is part of the careful balance of power among the three branches of government in the Alaska Constitution. Judges have the power and duty to invalidate laws that violate the federal or Alaska constitutions. To do that, they must be independent and feel safe making difficult decisions. The judicial branch was designed to be as insulated as possible from politics and public pressure, so that judges can focus on making the right decisions even if they are not popular.