



FEDERAL JUDICIARY

The League's Position

Statement of Position on the Federal Judiciary, as announced by the national board, June 2025

The League of Women Voters of the United States (LWVUS) believes that all powers of the US government should be exercised within the constitutional framework of the balance of powers among the three branches of government. The League believes that, within the bounds of the US Constitution, the overarching principles of transparency, accountability, independence, and ethics are essential to an effective federal judiciary. These principles are not only essential for a strong democracy but foster public trust in the federal judiciary and adherence to the rule of law, the essence of our constitutional democracy.

For the federal judiciary, the League supports the essential principles of:

- **Transparency:** Federal court documents, proceedings, and rulings, including those in "shadow docket" cases, should be open and available to the public within the bounds of the law, recognizing the need for limited exceptions, such as legally protected sensitive information.
- **Accountability:** Federal judges and Justices should be held legally and ethically responsible for the integrity of their actions, with enforceable consequences for violations.
- **Independence:** Federal judges and Justices should act in accordance with the Constitution and statutory and case law, free from the influence of the other branches of government and free from shifting popular and political opinion.
- **Ethics:** Federal judges and Justices should adhere to ethical standards of conduct that apply universally at all levels of the federal courts. There should be a meaningful enforcement process with judges and Justices subject to penalties for failure to comply with the standards.

The League believes that standards of conduct for federal judges and Justices should include requirements to disclose non-judicial income; other financial benefits including, but not limited to, gifts and hospitality; and investment holdings. Federal judges, Justices, and their partners or spouses should be subject to penalties for failure to disclose accurately and in a timely manner.

The League believes that standards of conduct should include a process that requires a judge or Justice to recuse themselves upon evidence that a bias or reasonable perception of a bias exists for or against any party or issue raised in a case. A judge's or Justice's



decision and rationale not to recuse, despite evidence raised in the court proceedings, should be disclosed in the court's record.

The League believes that respect for precedent (*stare decisis*) under most circumstances contributes to a strong democracy and promotes predictability and stability of law. *Stare decisis* does not mean precedents cannot or should not be overruled, but that such instances should occur in exceptional circumstances.

The League believes that the elements of this position contribute to judicial integrity and are essential to a strong democracy. These elements exemplify what the League expects from the federal courts, building trust and buttressing the Courts' legitimacy. Adherence to the principles of accountability, transparency, independence, and ethics ensures both a strong federal judiciary and a stronger democracy.