



# The Business of Being Impartial

“In a democracy, issues of policy are properly decided by majority vote; it is the business of legislators and executives to be popular. But in litigation, issues of law or fact should not be determined by popular vote; it is the business of judges to be indifferent to unpopularity.”

– *U.S. Supreme Court Justice John Paul Stevens*

John Paul Stevens is one of the nine justices who currently sit on the Supreme Court. He clearly understands the role of judges in America and has been on the majorities issuing important victories for our communities, from *Romer v. Evans* to *Lawrence v. Texas*. He is nearing retirement.

The next President may have the opportunity to appoint more than one U.S. Supreme Court justice and will nominate hundreds of federal district and appellate court judges. Many of these justices will serve for decades and shape the law for generations to come. This is something to remember as we go to the polls next month.

Lambda Legal does not get involved in partisan politics. We do not make endorsements or pitches for candidates. But we do know the importance of having fair and impartial courts in America, and around this time of year, it's our job to make the connection between the electorate and judicial appointments very clear. The stakes are too high. Plain and simple: We rely on a judicial system that promises everyone equal access to justice, where people are judged by the law — and the law only. That means, as Justice Stevens so succinctly put it, judges must not make decisions based on political pressure.

This fundamental principle is a pillar of American democracy and an essential part of our checks-and-balances system. But it is often under pressure and attacked by extremist organizations and politicians. As these threats to fair courts intensify, Lambda Legal continues to expand our Fair Courts Project. We serve as a

watchdog, an educator and an activist for fair courts in the states and nationwide. But you can be the biggest champion of fair courts!

While the U.S. Supreme Court and federal nominees often steal the limelight, your state may allow you to vote for some of the hundreds of state and lower court judges that can have a huge impact on laws affecting your life. We've created a Judicial Elections Chart to provide information about which judicial candidates are running, how they are chosen in each state and where to find information about them. You can find this chart and other resources on Lambda Legal's Fair Courts web page ([www.lambdalegal.org/fair-courts-project](http://www.lambdalegal.org/fair-courts-project)). We'll help you learn how you can educate yourself and others on this vital issue and give you tips to become a fair courts advocate.

The key is to find out as much information as possible about your candidates — whether they're up for a seat on the bench or a seat in Congress — and their position on fair and impartial courts. When you vote for candidates who support fair courts, you're helping to ensure that judges do their jobs — apply our laws fairly and make sure that all people have equal access to our nation's courts. And that's about as fundamental as it gets.

A handwritten signature in blue ink that reads "Kevin M. Cathcart".

KEVIN M. CATHCART  
EXECUTIVE DIRECTOR