



**FOR IMMEDIATE RELEASE**

## **Defending the Judiciary and the Jury System**

**The following is a message from Luther J. Battiste, III, National President of the American Board of Trial Advocates:**

DALLAS (February 14, 2020) — Our American system of justice is based on the constitutional right to trial by jury, a system where evidence is weighed and decisions about the facts are made by our citizen jurors working collectively to arrive at a just determination of the issue at hand, untainted by political motivation or personal benefit. Overseeing this process is an independent judiciary that applies the law. Any attempt, by any person, no matter how high their position, to usurp either the role of the jury or the judiciary is a violation of these tenets of our Constitution.

The American Board of Trial Advocates' mission is the protection of the right to trial by jury before an independent judiciary. Concurrent with that mission is the recognition that no one places their hand on the scale of justice.

Further, offering post-trial criticisms of jurors can have a chilling effect for future jurors. The U.S. Supreme Court acknowledges that citizens enter the jury room with independent backgrounds and their own views. Unless evidence has been publicly brought forth to suggest that a juror did not provide full disclosure, the jury system is designed to fairly judge evidence and make decisions on the cases before them.

The rule of law, the role of the jury, and the independence of the judiciary are fundamental, guiding principles of our historic, constitutional system of the separation of powers so admired throughout the world. All play a vital role and must remain independent of political or personal influence. The judicial branch was intentionally created to be apolitical. Judges are governed by the rule of law—not partisanship or shifting political winds. Judges are precluded from defending themselves by speaking in public on matters in which they sit as judge. We, the American Board of Trial Advocates, can and do speak on their behalf when unfair criticism is leveled against them or pressure is applied in an attempt to affect their impartiality. We do so now.

### **About the American Board of Trial Advocates**

Preserving the quality and independence of the judiciary has been a hallmark of ABOTA's efforts for decades, and the organization believes that confidence in the nation's judicial system is profoundly important. More on this topic can be found in the ABOTA white paper, *Preserving a*

*Fair, Impartial and Independent Judiciary.* Founded in 1958, ABOTA is an invitation-only national association of experienced trial lawyers and judges. ABOTA and its members are dedicated to the preservation and promotion of the civil jury trial right provided by the Seventh Amendment to the U.S. Constitution. ABOTA membership consists of more than 7,600 lawyers—equally balanced between plaintiff and defense — and judges in all 50 states and the District of Columbia.

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