

Thursday – May 15, 2008

Citizens' Forum On Judicial Accountability
Capitol Hill – Washington, D.C.

Debate Resolution And Stipulation

Resolved: Adequate judicial oversight is generally available in America through well-established government processes.

Negation: Government processes for judicial oversight in America generally lack adequate procedural protections to vindicate the substantive rights of complainants alleging judicial misconduct.

Stipulation: Both sides to the debate stipulate that the relevant government processes are as follows:

Trial Process:

- Change of Venue
- Recusal motions
- Disqualification motions
- Motions for Reconsideration
- Objections to Proposed Findings
And Conclusions
- Post-trial motions for relief
- Writ coram nobis and coram vobis
- Jury Trial

Appellate Process:

- Interlocutory Appeals
- Appeal of Final Judgment
- Motion for Rehearing
- Motion for Rehearing *En Banc*
- Limited right of Direct Appeal or
Transfer to Highest Court

Action for Extraordinary Writ:

Mandamus Prohibition Habeas Corpus Certiorari

Civil lawsuit for monetary and/or equitable relief;

Administrative claims for relief – local/state/federal;

Judicial disciplinary procedures – state/federal;

Legislative limitations of judicial power – state/federal;

Impeachment proceedings – state/federal;

Criminal prosecution – local/state/federal.

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