

WE THE PEOPLE

COURT REPORT



ACLU


PACKED COURTS

The judicial system is one of the most important in the United States. It is also one of the easiest for our political process to manipulate. Political parties attempt to pack the courts with judges they align with, and those judges serve those appointments for life (Matthews, 2018). Each party is guilty of corrupting what should be a fair, impartial, a-political judicial process (*What is court packing?*).



THE ACLU'S ROLE

ACLU's mission has, and will continue to be, to **defend** and **preserve** individual rights and liberties (FAQs).



The ACLU is a constant advocate for the people's rights and liberties in the courts, through the lawsuits we file challenging local, state, and the federal government's actions violating individual rights and liberties.

A POSITION FOR THE PEOPLE

Reform the Court

The ACLU's position is that comprehensive reform of our judicial system is necessary to ensure individual's rights and liberties continue to be protected. The system has been corrupted by the influence of party politics for too long. The ACLU believes the courts must fair, impartial, and a-political.

For The People

The ACLU is a firm believer in working for the people. We would not support a measure, legislation, or agenda that potentially endangers the people's rights and liberties. Through comprehensive reform, the courts can return to their status as the people's champion in the United States government.

Non-Partisan

Defending civil rights is above party politics, and the ACLU works tirelessly to hold our system to a standard of fairness, equity, and equality. The courts should and must be equally non-partisan at all stages, to act as the people's advocate for the same fairness, equity, and equality the ACLU fights for.

Fairness

In recent years, we've seen the Supreme Court of the United States become a battleground between Democrats and Republicans. Both vie for control over the court, who is appointed, and how quickly they get confirmed. The whole system is based on conflict, and we must ensure that in order to maintain a judicial system that is fair to the people, the appointments must also be fair. **To work for the people, to be non-partisan and fair: these are the core values of the ACLU.**

REVIEW & RECOMMEND

Key Points

It is necessary to comprehensively reform the courts to work for the people, as non-partisan and fairly as possible. Doing so is in the best interest of the people, and enable the ACLU to be even more effective in our work to protect and defend the people's rights and liberties.

Recommendations

The ACLU has three, brief recommendations at this time.

1. We need to take the power of judicial appointments away from the President. The President should instead have the ability to appoint a portion of a non-partisan committee, with Congress having the ability to appoint the other portion.
2. We need to expand the size of the Supreme Court, as the balance has been thrown away by the political maneuvering of President Trump and Senator Mitch McConnell. The additional justices would be appointed by the non-partisan commission detailed in our first recommendation.
3. We need to implement set guidelines for when a Supreme Court nomination may occur. As seen most recently with Amy Comey Barrett, our judicial process has become so skewed that it is destined to remain a forever politically-charged moment whenever a seat is open (Sprunt, 2020).

TRANSPARENCY

Sources

The ACLU believes in transparency of information. That's why we ensure that any information we use in our evaluations, reports, and proposals is included and cited.

FAQs. American Civil Liberties Union. (n.d.). Retrieved October 16, 2021, from <https://www.aclu.org/faqs>.

Matthews, D. (2018, July 2). Court-packing, Democrats' nuclear option for the Supreme Court, explained. Vox. Retrieved October 24, 2021, from <https://www.vox.com/2018/7/2/17513520/court-packing-explained-fdr-roosevelt-new-deal-democrats-supreme-court>.

Sprunt, B. (2020, October 1). How Amy Coney Barrett's confirmation would compare to past Supreme Court picks. NPR. Retrieved October 24, 2021, from <https://www.npr.org/sections/supreme-court-nomination/2020/10/01/916644231/how-a-barrett-confirmation-would-compare-to-past-supreme-court-timelines>.

What is court packing? Rutgers University. (n.d.). Retrieved October 24, 2021, from <https://www.rutgers.edu/news/what-court-packing>.

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