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Topic: What does an impartial Judicial System mean to me?

As I stood in the Federal Courthouse for the Eastern District of New York arguing a Moot Court Case in front of Federal Judges, the importance of having an impartial Judicial System came over me. Through my experiences in various courthouses during mock trial and moot court competitions, I have learned how important and amazing it is that we live in a country where there is a Constitution stating every citizen in America has the right to due process; meaning, in the eyes of the law, every citizen is equal and has the right to a fair trial.

In the Federal Courthouse, I was given the opportunity to go on a tour of the building. On this tour I learned about the ways the people who work there go out of their way to make sure the accused experiences an impartial trial, no matter what they are suspected of doing. When the accused walks into the courtroom, they do so in formal attire. The marshalls at the courthouse take them out of their original jumpsuit so that the jury does not automatically get this “criminal image” of them. Additionally, the jury is not brought into the room until after the accused has been escorted from the jail and all of the accused’s handcuffs and chains have been taken off. This prevents the jury from having an immediate image painted in their minds that the accused is guilty. The courthouses around the United States take these measures in order to keep the jury impartial. If the accused came out dressed in chains or a jumpsuit and were walking right out of a cell, it would immediately tarnish the image of the accused to the people in the jury. Under the eyes of the law, everybody is innocent until proven guilty. In many countries, people do not get the chance to a fair trial, never mind being given formal attire or an attorney to represent them.

It's both amazing and important that the United States does so. By taking such measures, our country does its best to protect the rights of the accused. Anyone who has been accused is given a fair chance to tell their story, so the judge and jury can come to an informed ruling. To further protect the rights of the accused, even if he or she does not testify, the burden of proof remains within the hands of the prosecution.

After this tour, I presented a moot court argument before the Federal Judges. My case was about whether the United States government had the power to force a private cell phone manufacturer to create software, undermining their security features, to allow law enforcement to search the contents of a locked phone, if, as in this case, the customer using the phone is a suspected terrorist. Studying this case showed me the importance of an impartial justice system and arguing the case before Federal Judges furthered my understanding of the need for impartiality. In the Moot Court case I was assigned, the accused was a suspected terrorist who attempted to bomb a school. It would be easy to be biased against such a suspect. However, to do so would undermine the rule of law set forth in our Constitution. When I had to argue that the United States government did not have the power to force a cell phone manufacturer to create this software, it was important to emphasize that in the United States, we have an impartial justice system. On this side of the case, I had to argue that despite the fact that the defendant was a *suspected* terrorist, the Federal Judges needed to look past this and be impartial when coming to a decision. They could not allow the disturbing wrongdoings of the accused to distract them from the actual issue that the United States Constitution protects property rights, in this case, valuable software of a cell phone manufacturer. If the United States could force one private company to do something, what would stop them from forcing any, and all, private companies

(or persons) to comply with other government orders harmful to their property rights? It would be appropriate for the United States to create a contract with a private company, or to create the technology themselves, but forcing a private company to expend a significant amount of resources in order to create software for the government has constitutional implications, even with compelling reasons like fighting terrorism. This showed me one of the many reasons why it is so important that our nation has an impartial justice system. If the Federal Judges were partial to the government, and automatically against someone who was suspected of being part of a terrorist group, the United States government might have taken away crucial rights of private companies around the country. The government adhering to this impartial justice system forces the government to adhere to the Constitution and allows us, as American citizens, to maintain our rights that are so important to us.

The Fourth and Fourteenth amendments of the Constitution guarantees all American citizens the right to due process. This is so important as it provides every citizen the right to a fair trial, no matter what their race, religion, or what they have been accused of, without fear that they will be discriminated against. The Judicial Branch is quite different from the Executive Branch and the Legislative Branch in that it is not influenced by money and politics, but by justice and the only way to obtain this justice is by being impartial. The Judicial Branch is where any American citizen can turn for a voice and they can come with an expectation of fairness. It is crucial that this expectation is met with an impartial judicial system. While in many countries, the same level of impartiality and fairness is not met, I feel extremely lucky to live in a country that makes due process and impartiality a right and not a privilege.