

## CONSENSUS QUESTIONS

The first four consensus questions for your consideration and discussion cover the basic principles outlined in the scope of the Federal Judiciary Study.

For each statement, we will determine whether there is strong or moderate consensus for or against or no consensus.

1. Transparency is essential to an effective Federal Judiciary.
2. Accountability is essential to an effective Federal Judiciary.
3. Independence is essential to an effective Federal Judiciary.
4. Ethics is essential to an effective Federal Judiciary.

The remaining questions deal with more specific aspects of the workings of the Federal Judiciary.

5. There should be binding universal standards of conduct for judges and Justices at all levels of the Federal courts.
6. Court hearings, documents filed in the court, and rulings for all federal cases should be open and available to the public.
7. There should be an effective enforcement mechanism for the Federal Judiciary code of ethics at all levels.
8. An enforcement mechanism should include a process to require a judge or Justice to recuse him or herself when a reasonable litigant would believe that the judge or Justice has a bias against any party or an issue raised in the case.
9. A judge or Justice's decision and rationale to recuse or not recuse should be publicly disclosed in writing.
10. Federal judges and Justices should be subject to rigorous financial disclosure requirements, enforcement, and penalties for all financial benefits, including but not limited to income, gifts, paid speaking engagements, and book deals.
11. Stability of law (stare decisis) is a value that contributes to a strong democracy.
12. Public perception of the Supreme Court's legitimacy contributes to a strong democracy.