

Judiciary Independence and Distribution



The independence of the judiciary is essential for a free society.

Appointment of judges by politicians or selection of judges by political parties is inherently corrupt. Election of unaffiliated judges, at large, places an unjust burden of research on the electorate.

A [judicial district](#) is a [level-2 district](#) composed of two neighboring level-2 cells. A level-1 selector district is composed of two neighboring level-1 cells. Each [selector](#) district elects a selector to the level-2 judicial district. If there are an odd number of level-1 cells in the level-2 judicial district, the odd cell elects a selector with $\frac{1}{2}$ a vote.

Selectors are only elected when the previous judge associated with the judicial district retires, dies, is removed by the judiciary, or is removed by a 2/3 plurality of the [level-2 dominion](#).

Because of the [dynamical nature of the cellular democracy](#), the judge associated with the level-2 judicial district could be different from the one selected by the previous group of selectors. This can happen if the original judicial district is [fragmented](#). In the case of judicial district [mitosis](#), a new election of selectors could be warranted, even though the original judge is still sitting.

The optimal selector has some background in law, psychology, and human resources. They should have completed a short course on being a judicial selector. The sole purpose of their office is to review resumes, conduct interviews, and select a judge to initially represent the level-2 district in the level-3 circuit.

The selectors must propose their selected candidates to the level-3 circuit, which is allowed to reject the candidate by a 2/3 majority, sending the selectors back to the search process.

The ultimate position of the selected jurist within the judiciary is independent of the judicial district of origin. While it is expected that the judge will begin as a

member of the local level-3 circuit, the judge can be moved and promoted anywhere in the [Federation](#) throughout their career.

A judge in the level-3 circuit earns \$60,000 (2022 dollars) annually. This is a very high salary in a tax-free economy where food, housing, content, healthcare, and education are subsidized or free. The judge receives no salary for the first month. The \$5,000 is paid to the selectors for their service.

Once a judge is selected into the judiciary, they are expected to serve until they retire. Judges are assigned independently of where they were selected. Beyond the level-3 circuit, and requirements in the [Federation Constitution](#), the judiciary governs its own structure, what level of dominion has jurisdiction over different types of cases, and procedures for appeal. Jurists can only be promoted from within. Thus, all jurists, no matter how high in the appellate chain, are initially chosen by a group of selectors.

Although independent, jurists can be removed by a 2/3 plurality of the associated level-2 judicial district, or any higher-level dominion. If removed, a jurist is barred from serving in another dominion. The judiciary has the power to remove its own by whatever criteria it deems appropriate.

The distribution for the judiciary also pays for public defenders appointed by the court. Lawyers go into the public defender's office because they are dedicated to fighting injustice. The pay is not great. Winning percentage as a public defender must be posted on their [VOS](#).

Associated with the judiciary and the [judiciary distribution](#) is a branch of law enforcement dedicated to investigating police brutality, manufacture of evidence, government malfeasance, and malicious prosecution. This branch includes an office to prosecute these infractions. Special prosecutors are selected at random from sitting judges. Cases are tried at a high-level special court. Investigations are initiated by public defenders or jurists.

There are an average of 5.5 judges selected into the level-3 circuit for a population of 15,400. If the level 3 district is expanded to 6 level-3 cells, there will be 33 judges for a population of 92,400. It is expected that 33 judges are not needed to try cases for a population under 100,000. Particularly in a world where [crime is reduced by over 70%](#) and the VOS is a release from liability.

However, judges have other responsibilities. [Judicial preview](#) is a new responsibility, even at lower levels of dominion. [Chancery court](#) takes on new significance and utility with the body of [treble law](#).

Some of these judges will be promoted to higher levels of dominion, appellate courts, and specializations. Others will assume managerial and consulting roles within the judiciary. A chief judge will administer the courthouse and circuit. There is judicial oversight of the special investigations' unit and public defender's office. Sitting judges are chosen at random as special prosecutors.

The Earth Dividend distribution for the judiciary is \$10/capita/month. Consider a hypothetical budget for 6 level-3 cells and a population of 92,400. The monthly income is \$924,000. The budget assumes a courthouse with 12 courtrooms, an office for each judge connected to an office for the clerk/secretary, squad room and other rooms for the investigators, and a public defender's office. Although they are paid from the government distribution, there are offices and reception areas that will be staffed by prosecutors and victim's advocates.

The budget is not tight, with many areas for give and take. Keep in mind that salaries in 2022 dollars, while low by 2022 standards, augment an Earth Dividend for every family member.

Level-3 Circuit of 6 Level-3 Cells (pop. 92,400)		Monthly Salaries	
		Monthly Jurist Salary	\$5,000
33 Judges	\$165,000	Average Public Defender Salary	\$3,000
20 Public Defenders	\$60,000	Average Investigator Salary	\$3,000
16 Investigators	\$48,000	Average Clerk Salary	\$2,000
33 Clerks/Secretaries	\$66,000	Average Bailiff Salary	\$2,000
20 Court Support	\$30,000	Average Maintenance Salary	\$1,500
20 Bailiffs	\$40,000	Average Admin Salary	\$2,200
20 Janitorial/Maintenance	\$30,000	Average Court Support	\$1,500
20 Admin/Support Staff	\$44,000		
Courthouse Depreciation/Rent	\$60,000	Earth Dividend Revenue	\$924,000
Courthouse Utilities	\$70,000		
Supplies	\$120,000		
Total	\$733,000	Amount Remaining for Higher Courts and Offices	\$191,000

Judges are expected to be [VSG-certified](#) (equivalent to the bar exam) and to continue their education throughout their career.

Sovereign States

Sovereign states pay for a judiciary with their Earth Dividend, but might have other methods of adjudication than those assigned to the judiciary by the Federation Constitution. Judges are selected by the sovereignty equal to the number selected in a [virtual cellular democracy](#).

If the sovereignty is sufficiently large that 2/3 of the level-3 circuit approves a selected judge that meets sovereignty qualifications (such as being a religious leader), then the sovereignty can take full advantage of the distribution. However, judges, regardless of their sovereign affiliation, must support and defend the Federation Constitution.

In the case of sovereignties, the most important of these are [exit rights](#) and the [right to life of children](#). Judges must take a proactive stance on these. Investigators for the judiciary will actively search for violations of these rights.

If a higher level of the judiciary finds a level-3 circuit not performing these duties, the entire circuit can be removed. 2/3 of a higher-level dominion can do the same.

Even if the sovereignty gives them no other power, members of the judiciary have the right to sit at all trials, hearings, or other tribunals that can further restrict the liberty of any sovereign state citizen and inform them of their exit rights.

The judiciary, if permitted, will rule according to the laws of the sovereign state, provided those laws are logically consistent and do not contradict rights found in the Federation Constitution, particularly exit rights and the right to life of children.

The judiciary will supply public defenders for the accused in a sovereign state, or for those accused under [class III](#) legislation, unless such defense is prohibited by laws of the sovereignty. The judiciary will investigate sovereign state police and prosecutors for corruption and malfeasance unless this too is prohibited by sovereign state law.

Sovereign failure to abide by [land capture from outside forces](#) or respect exit rights will lead to intervention by the [Federation Military](#).