

Understanding Judicial Immunity: A Deep Dive

Source: Excerpts from "Article - How Judicial Immunity Works.pdf"

I. Available for:

- A comprehensive list of individuals and entities covered by judicial immunity, including judges, prosecutors, law clerks, and even the US President.

II. Judicial Immunity:

- **Two-Part Test:** Outlines the criteria for establishing judicial immunity.
- **Definitions:** Clarifies the definitions of "Immunity" and "Judicial Immunity", emphasizing the judge's jurisdictional boundaries.

III. Legal Citations:

- Provides relevant legal citations from the US Code and Constitution, establishing the legal foundation for judicial immunity.

IV. Case Law:

- **Case Comments:** A curated list of case summaries, offering insights into the application and evolution of judicial immunity across various scenarios.

V. Quick Commentary:

- **Purpose:** Highlights the rationale behind judicial immunity – to protect the integrity of the court and ensure judges can operate without fear of repercussions.
- **Principle:** Underscores that immunity protects the functions, not the individuals, ensuring essential public services can be performed without undue pressure.
- **Inapplicability:** Clarifies the limitations of absolute immunity, particularly when an officer acts without jurisdiction.
- **Distinction:** Differentiates between "Excess of Jurisdiction" and "Lack of Jurisdiction," emphasizing the importance of the court's authority.
- **Test for Judicial Immunity:** Outlines the two circumstances where judicial immunity can be challenged and a two-part test to determine its applicability.
- **Factors for Analyzing "Judicial Capacity":** Provides a four-factor test to determine whether an official was acting within their judicial capacity when the alleged offense occurred.
- **Considerations for Applying Absolute Immunity:** Presents six considerations courts use to determine whether absolute immunity should be granted.
- **Recommendations:** Suggests two specific cases, *Mireles v Waco* and *Young v Selsky*, as valuable resources for understanding judicial immunity due to their clarity and conciseness.

VI. Additional Notes:

- **Useful Quotes:** Compiles key quotes from various legal sources to provide further context and nuance to the understanding of judicial immunity.

VII. Additional Resources:

- Lists scholarly articles and law review publications offering in-depth analyses of judicial immunity from various perspectives.

VIII. Bibliography:

- A comprehensive list of legal cases cited throughout the document, enabling further research and verification of the information presented.

****IX. ...Points & Things...: ****

- Concludes with a summary statement and directs readers to additional relevant information and resources on the website.