



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
Joel W. Solomon United States Courthouse
900 Georgia Avenue
Chattanooga, Tennessee 37402

**FEDERAL COURTS CELEBRATE LAW DAY: RECOGNIZING
THE VALUE OF CIVICS, CIVILITY, AND COLLABORATION**

May 2023

May 1 is Law Day. This date is set aside to honor the rule of law in the United States. President Dwight Eisenhower started Law Day in 1958 through a proclamation intended to enhance the public's understanding of how law contributes to American freedom, liberty, and justice. As the proclamation read, "In a very real sense, the world no longer has a choice between force and law. If civilization is to survive, it must choose the rule of law." In 1961, Congress made the proclamation into law through a joint resolution establishing May 1 as Law Day.

A century earlier, Abraham Lincoln recognized the importance of the rule of law in combating societal turmoil, mob intimidation, and violence. He argued that cultivating respect for the rule of law is the best remedy for mob violence and civil unrest among the population:

Let reverence for the laws, be breathed by every American mother, to the lisping babe, that prattles on her lap—let it be taught in schools, in seminaries, and in colleges; let it be written in primers, spelling books, and in almanacs; let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice.

The American Bar Association was central to the eventual establishment of Law Day as a "national day set aside to celebrate the rule of law" that "underscores how law and the legal process have contributed to the freedoms that all Americans share." The ABA's Law Day theme for 2023 is "Cornerstones of Democracy: Civics, Civility, and Collaboration." Those three words—civics, civility, and collaboration—have special resonance for the courts. Each word represents an essential component of an effective judicial system.

CIVICS.

The federal courts are a foundational institution of American democracy. It is in the courts where the people access justice. It is in the courts where the people have their disputes resolved in a structured, non-violent, and generally accepted manner, *i.e.*, through the rule of law. It is in the courts where the Constitution's guarantees are realized. It is in the courts where the people obtain definitive decisions on the Constitution and other laws. The courts also give individuals a firsthand

view of their government in action and, through jury service, a means to affect how their government resolves disputes.

CIVILITY.

The courts provide an excellent model for resolving disputes without resorting to rancor or violence. Parties with deeply held disagreements come into courts across our country on a daily basis and are able to discuss and debate their differences without descending into uncontrolled hostility. They are able to do this because most parties and court participants practice civility. They disagree without being disagreeable. They engage in civil discourse by respecting the other side's right to have a different opinion and to state that opinion. By listening to the other side respectfully, parties can more often achieve a resolution both sides can live with.

COLLABORATION.

The work of the courts—which is actually the people's business—gets done thanks to the efforts and collaboration of untold numbers of people. Cases are filed in federal courts either by litigants or by attorneys acting on behalf of litigants. Once a case is filed, court clerks receive the cases and process subsequent matters pertaining to them. Court reporters create transcripts of what takes place in court so litigants and the public can have a complete and accurate record of what happened. Law clerks assist judges in researching the law and issuing well-reasoned and clear opinions. In criminal cases, prosecutors and defense attorneys present their varying views on the disposition of the case. In civil cases, attorneys for the parties represent their clients' positions in court and work together to identify the facts that underly the dispute. In both criminal and civil cases, the attorneys collaborate to determine if it is possible to negotiate a resolution to the case. The U.S. Marshals Service protects the judge and other court personnel, serves warrants issued by the court, arrests and brings to court individuals charged with federal crimes, and transports prisoners to local jails while their cases are pending or to federal prisons if they are convicted and sentenced to incarceration.

And most importantly, ordinary people acting as jurors play an essential role in dispensing justice in both civil and criminal cases. Average citizens are asked to leave their everyday pursuits to come into our courthouses to serve as members of grand juries and petit juries. As grand jurors, they decide when there is enough evidence for a person to have to stand trial for a felony crime. As petit or trial jurors in both civil and criminal cases, they hear competing parties present their sides of disputes. They do their very best to arrive at fair and impartial decisions based on the evidence and arguments of the parties. And in federal courts, a trial jury's decision must be unanimous, meaning that jurors must also engage in civil discourse with each other, working together to reach a just result under the law. Without the collaboration of these ordinary citizens acting as jurors, our system of law would not be what it is.

CONCLUSION.

Civics, civility, and collaboration: three necessary ingredients in keeping the federal courts functioning so we all can live under the rule of law. Truly they are cornerstones of democracy.

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