

Speedy Courts Act 2024

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The Senate, hearing frequent complaints about the efficiency of the court system, passes this bill in the hopes that it may speed up the criminal and civil processes for the citizens of SimDemocracy.

Section 1 - Responsibilities of the Judge or Justice

1. It shall be the responsibility of the presiding judge or justice to see to it that all courtroom proceedings are held in a reasonably timely and speedy manner.
2. It shall be the responsibility of the presiding judge or justice to, when proceedings begin, make it known to all parties should there be anything preventing them from presiding over the proceedings in a reasonably efficient manner.
 - a. Should a judge or justice be unable to preside over the proceedings in a reasonably efficient manner, they must remove themselves from the case and a new judge or justice shall be appointed.
3. It shall be the responsibility of the presiding judge or justice to find those in violation of any provisions outlined in this Act, those in violation of any other codified courtroom procedures, and those who attempt to stall or delay courtroom proceedings, guilty of Contempt of Court.
4. If court proceedings during a criminal trial stall, on the part of the State, for more than seventy-two (72) hours, the presiding judge or justice must either declare a mistrial or dismiss the case.
5. Upon the adjournment of a courtroom, the presiding judge or justice must deliver their verdict or judgment within seven (7) days or, in the case of a Supreme Court case, the court must deliver their verdict or judgment within fourteen (14) days.
6. A judge or justice who fails in upholding their defined responsibilities may be charged with the crime of Dereliction of Judicial Duty.
 - a. Dereliction of Judicial Duty shall be defined as the failure to follow or uphold the proper judicial processes on the part of a judge or justice or; the failure to ensure, on the part of a judge or justice, that courtroom proceedings are held in a reasonably timely and speedy manner or; the failure to uphold any of the other defined responsibilities of a judge or justice.
 - b. Dereliction of Judicial Duty shall be punishable with a mute or ban of at least one (1) week, in addition to termination and/or forbiddance from office for at most 6 months, if such a termination and/or forbiddance is permitted by current law.

Section 2 - Responsibilities of the State during Criminal Proceedings

1. During a criminal trial, the Department of Justice or any of its employees must not seek to prolong or delay the trial in any way, shape, or form that is unreasonable or unnecessary to the deliverance of justice.
2. It is the responsibility of the Department of Justice to ensure that all necessary preparation is made before filing a criminal complaint against the defendant, at which point the Department of Justice must strive to ensure that the criminal proceedings conclude in a reasonably timely and speedy manner.
3. The Department of Justice must also ensure that the defendant is not held under detention, suppression, or arrest during the duration of the trial unless otherwise permitted by law.
 - a. If the defendant is held under detention, suppression, or arrest during the trial, they must be released if the court proceedings stall, on the part of the State, for more than seventy-two (72) hours.
4. The violation of these provisions by any employee of the Department of Justice may be charged with Obstruction of Criminal Justice.
 - a. Direct Obstruction of Criminal Justice shall be defined as knowingly or negligently failing, on the part of an employee of the Department of Justice acting in their official capacity, to follow any of the duties of the State defined in this Act.
 - b. Obstruction of Criminal Justice shall be punishable with a mute or ban between three (3) days and six (6) weeks and termination and/or forbiddance from office, if allowed under current law.

Section 3 - Responsibilities of the Plaintiff and Defendant in a Civil Case

1. If the plaintiff, during a set of civil proceedings, fails to follow codified courtroom procedures in a reasonably timely and speedy manner, the presiding judge or justice may dismiss the suit and/or find in favor of the defendant.
2. If the defendant, during a set of civil proceedings, fails to follow codified courtroom procedures in a reasonably timely and speedy manner, the presiding judge or justice may find in favor of the plaintiff.

Section 4 - General Provisions

1. Unless otherwise stated, any participant in a set of legal procedures shall be considered inactive if they, upon being given instruction by the court or when it is their time to provide argumentation, testimony, evidence, cross-examination, statements, instruction, etc. do not reply within seventy-two (72) hours.
 - a. A reply shall constitute either compliance with court instruction, participation in the current step of courtroom procedures, or a request for an extension.
 - i. A request for an extension to the 72-hour time limit may be made at any time within the 72 hours, but shall only be considered a “reply” for the purposes of this provision if accepted by the presiding judge or justice.
 - ii. The prosecution may not request an extension during criminal proceedings unless it is to enter a motion for recess on the grounds of new information in order to introduce newly discovered evidence that is vital to the case but inaccessible before the start of the criminal proceedings.
 - b. If the defendant in a criminal pre-trial or trial becomes inactive, the presiding judge or justice may declare a pre-trial or trial in absentia, respectively.
 - c. If a state-assigned Public Defender in a criminal pre-trial or trial becomes inactive, a new Public Defender must be assigned to the defendant.
 - d. If the State Prosecutor in a criminal pre-trial or trial becomes inactive, the Department of Justice has forty-eight (48) hours to assign a new prosecutor. Should they fail to do so, or if this happens twice within the same set of legal proceedings, the judge must declare a mistrial or dismiss the case.
 - e. If either side during civil proceedings becomes inactive, the case shall automatically be found in favor of the other side.
 - f. If the presiding judge or justice becomes inactive, a new one must be assigned within forty-eight (48) hours.