

The Montana and U.S. governments consist of three branches—legislative, executive, and judicial. This separation of powers, established by our Montana and U.S. Constitutions, includes a system of checks and balances to prevent any one branch from becoming too powerful.



LEGISLATIVE

Federal: Congress
State: Legislature

Makes laws and controls budget.



JUDICIAL

U.S. Supreme Court, Federal Courts
Montana Supreme Court, State Courts

Interprets laws, determines constitutionality, and resolves legal disputes.



EXECUTIVE

Federal: President, Cabinet
State: Governor, Agencies

Carries out and enforces laws.

FRIENDS of the THIRD BRANCH



THE IMPORTANCE OF THE JUDICIARY

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THE ROLE OF OUR COURTS

Interpret Laws

Determines the meaning of laws and how they should be applied to cases.

Judicial Review

Gives courts the power to evaluate if laws or government actions are constitutional.

Balance of Power

Serves as an independent check on the other branches of government, ensuring laws are enforced equally.

Protect Rights

Defends individual rights and freedoms by striking down unconstitutional laws.

Resolve Disputes

Settles legal disagreements and holds individuals and the government accountable under the law.

Provide Stability

Establishes legal precedents to guide future rulings and provide predictability in the legal system.



The Rule of Law

Rule of Law is shorthand for a Constitutional structure to produce predictable outcomes from a fair process, not from the whims of the powerful. The Rule of Law requires the three branches of government: Someone to make the law, someone to enforce the law, and someone to interpret the law. All checks and balances come from the rule of law.

THE IMPACT OF THE COURTS ON THE PEOPLE

Maintains Balance of Power



Prevents any single branch of government from becoming too powerful, ensuring a system of checks and balances.

Protects Core Values



Defends fundamental democratic principles, such as freedom of speech, right to privacy, and due process, regardless of public opinion.

Upholds the Rule of Law



Ensures the Constitution is the supreme law of the land and that everyone, including government officials, is subject to the law.

Ensures Impartiality



An independent judiciary is protected from political pressure to apply the law impartially and defend our constitutional rights.