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The scope of judicial liability in Roman law covered a range of activity including intentional and unintentional judicial misbehavior. The extension of judicial liability from clearly intentional acts of wrongdoing to imprudent error created a broader base of judicial accountability. Two other changes in the law accompanied this chronological development. As the judge incurred greater liability for judicial misbehavior, the sanctions imposed upon the judge became less severe and more compensatory in nature. During the Republican Period, the scope of the *iudex qui litem suam facit* was very narrow, yet its sanction was very harsh. Hence, its legal purpose during that time was deterrence and retribution. During the Classical and post-Classical Periods, its scope broadened, while its sanction diminished. Roman law increasingly directed the sanction at compensation of the litigant in an effort to preserve the integrity of the legal system.

This phenomenon in Roman law parallels the development of the doctrine of judicial immunity in the American legal system, where the availability of an appeal system gave rise to the concept of judicial immunity. Currently, the status of judicial immunity is rather broad, thus providing little recourse to litigants for misconduct arising from a judge's official duties. However, similar to the philosophical and historical underpinnings of Roman society, American legal and political systems provide numerous other measures of accountability in an effort to balance the judiciary's need for independence with society's duty to redress the wronged litigant.

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