

Bradley v. Fisher

80 U.S. (13 Wall.) 335 (1872)

Supreme Court of the United States

Issue: Foundational absolute judicial immunity

Holding on Judicial Immunity

The foundational American case on judicial immunity. Judges of general jurisdiction are absolutely immune from civil liability for judicial acts, even acts done maliciously or corruptly and even in excess of jurisdiction; immunity is lost only in the 'clear absence of all jurisdiction.' The Court reasoned that the remedy for judicial corruption is impeachment, not a private lawsuit.

Key Quotations (verbatim)

“[J]udges of courts of superior or general jurisdiction are not liable to civil actions for their judicial acts, even when such acts are in excess of their jurisdiction, and are alleged to have been done maliciously or corruptly. A distinction must be here observed between excess of jurisdiction and the clear absence of all jurisdiction over the subject-matter.”

— Bradley v. Fisher, 80 U.S. (13 Wall.) 335, 351–52 (1872).

“If in the exercise of the powers with which they are clothed as ministers of justice, they act with partiality, or maliciously, or corruptly, or arbitrarily, or oppressively, they may be called to an account by impeachment and suspended or removed from office.”

— Bradley v. Fisher, 80 U.S. (13 Wall.) 335, 350 (1872).

“[W]here it is alleged not only that his proceeding was in excess of jurisdiction, but that he acted maliciously and corruptly[,] ... he is, in my opinion, subject to suit the same as a private person would be under like circumstances.”

— Bradley v. Fisher, 80 U.S. (13 Wall.) 335, 357 (1872) (Davis, J., dissenting).

Full opinion (authoritative source): <https://www.courtlistener.com/opinion/88468/bradley-v-fisher/>

This case file states the court's holding on judicial immunity and reproduces verbatim, pin-cited excerpts for research and citation. It is a research summary, not the complete slip opinion; consult the linked source for the full text and to Shepardize/verify current status before relying on it in a filing.