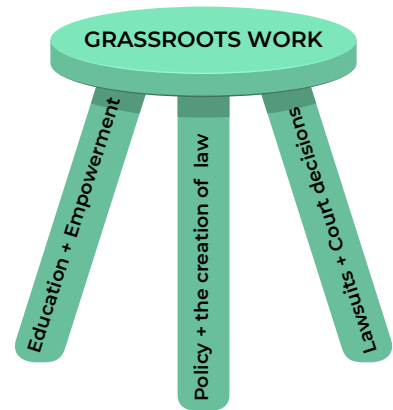


# GRASSROOTS + THE COURT SYSTEM

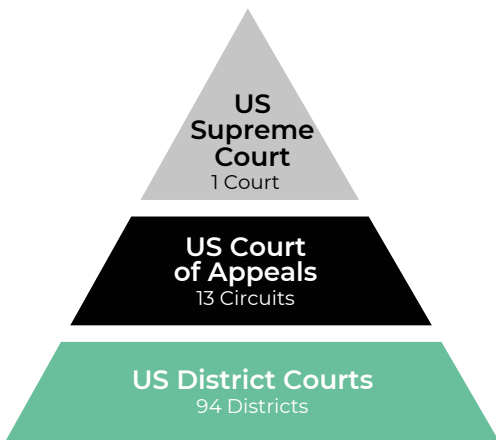
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Stand for Health Freedom sees a grassroots movement as a stool, with 3 strong legs. Each leg is pivotal in the work we do and when all three legs are working together, we find a study place to land. The 3 legs of the stool are :

- Empowerment through **education**.
- **Policy work** through the creation of good law and stopping bad bills from being signed into law.
- Pivotal **court decisions** to reflect our Constitutional rights



When following pivotal cases that point to health freedom sometimes we need help to understand how the process works, so we can fully understand the 32,000 ft level of where we are in the process. SHF is going to breakdown both how the court systems work and some definitions of what you need to know, to follow a court case in our current system.



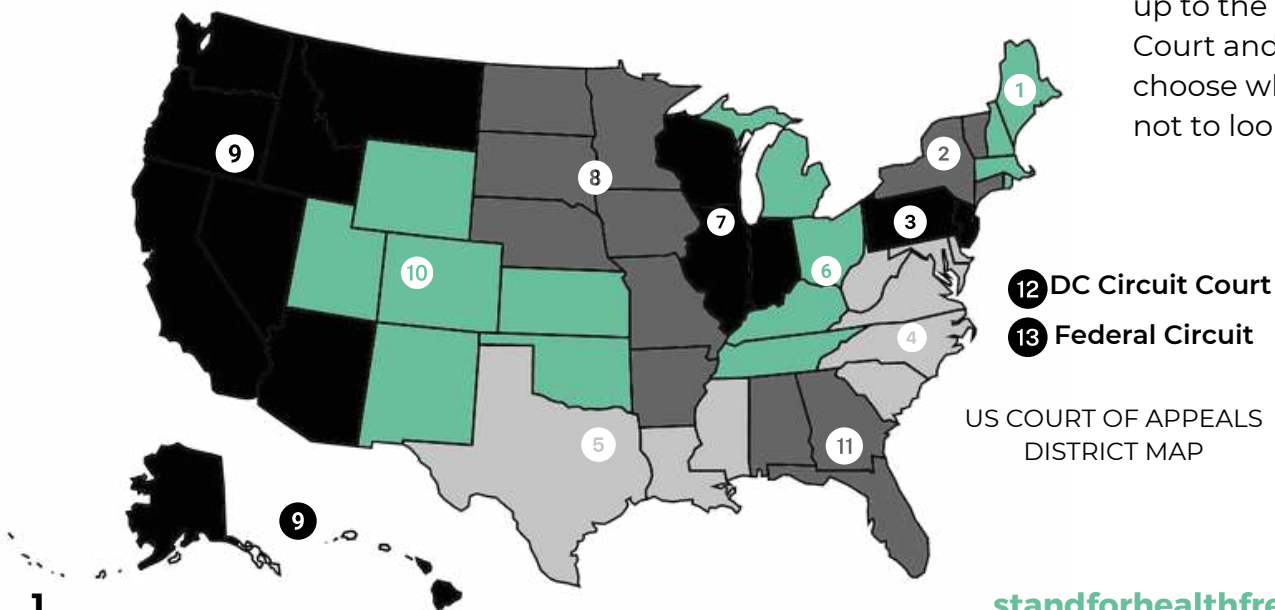
The U.S. is a **dual court system** where state and federal matters are handled separately.

There are two types of courts in the United States — state and federal. You can think about them as parallel tracks that can (though rarely) end up in the U.S. Supreme Court.

Within the two respective tracks, there are three main levels: trial courts, appellate courts and the highest court for that respective track.

When you go to federal court, you start at the district court level in the relevant state. Appeals are made to the circuit court, which is a regional court system. After that, parties may appeal

up to the Supreme Court and they can choose whether or not to look at a case.



## Legal Definitions

Below are some common definitions worth knowing when listening or reading about a case.

**Preliminary Injunctions** - A court order that is made during the early stages of a lawsuit. Its purpose is to prevent one or both of the parties from doing anything to upset the status quo until the court can give the parties proper direction.

**Adjudicate** - to make an official decision about who is right in a dispute; to settle judicially

**Moot** - an issue which has become non-disputable or irrelevant; a court decision would have no effect

**Opine** - to express opinions

**Jurisprudence** - The philosophy or science of law

**Codify** - To turn a common law requirement or practice into law

**Appeal** - A higher court's review of the correctness of a decision by a lower court.

**Perpetuity** - Time without end; eternity

**Oral Argument** - spoken presentations to a judge or appellate court by a lawyer of the legal reasons why they should prevail

**Motion to Dismiss** - A document filed with the court asking the judge to throw out certain claims in a civil or criminal case, or to throw out the case altogether

**Judicial Review** - A court's authority to examine an executive or legislative act and to invalidate that act if it is contrary to constitutional principles

**Constitutional Republic** - A constitutional republic is a form of government in which a representative is elected by the people to govern over them, according to the rules established in the law of the land.

## Supreme court cases worth being aware of for health freedom:

**Jacobson v. Massachusetts** - The state asserted that in an outbreak they could mandate a vaccine for smallpox or impose a fine (\$5 in 1905 which would be about \$150 fine today).

*Conclusion:* There is a big misconception about this case as the Supreme Court didn't rule on the mandate, but the fine itself, and in the end the family had to pay the fine (not get the vaccine). [We wrote a great article on this case, "The power of one voice."](#)

**Grizwold v. Connecticut** - Looked at whether the Constitution protects the liberty of married couples to use contraceptives without government restriction. *Conclusion:* There was a ruling of a "zone of privacy," into which the state cannot intrude.

**Washington v. Harper** - Inmates were forced to take psychiatric medications against their will. *Conclusion:* The Supreme Court ruled that you cannot force anyone to take any medication against their will.

**Cruzan v. Director, Missouri Department of Health** - The first "right to die" case heard by the Court. *Conclusion:* Not only does a person have the right to refuse a medical treatment, but a person can choose not to accept a medical treatment that would save their life.