

**Subject: Presidential Immunity****Text:**

*“Neither the President nor the Vice President are immune from criminal prosecution or civil suit. To forestall frivolous and harassing actions, the President or Vice President may, if prosecuted or sued while in office, appeal to the Supreme Court and the Court shall decide within one month whether to stay such actions during the President’s or Vice-President’s tenure in office.”*

**Reform Category(ies):**

- ☐ Anti-Corruption, Transparency, Accountability
- ☐ Counter-Majoritarian Requirements
- ☐ Democratic Processes
- ☐ Enhanced Rights/Protections
- ☒ Limits to Political Power/Immunities
- ☒ Necessary Clarifications
- ☐ Responsible Government
- ☒ Separation of Powers/Check and balances

**Branch(es) targeted:**

- ☐ Legislative      ☒ Executive      ☒ Judicial

**Justification:**

Many claim the 1973 memo by the White House’s Office of Legal Counsel (which asserts complete criminal and civil immunity while in office) is controlling, though that has never been affirmed by the Supreme Court.

**Alternatives to Amendment?** None, so long as White House position does not change and Supreme Court does not declare OLC memo unconstitutional.

**Similar proposals:**

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