

Responsibility with Errors of Judgement

Ref: *Sefer Shoftim, Hilchot Sanhedrin, Chapter 6*

	Judge responsible	Ruling reversed	Explanation
Financial matter which was explicit in <i>Mishneh or Gemara</i>	×	✓	He did not intend to do damage
A matter of dispute and he ruled one way while the accepted approach is the other way, and he is an expert	×	✓	Because he is known to be an expert and received permission to adjudicate in <i>Eretz Yisrael</i> , and adjudicated there (but not in the Diaspora) or received permission from Exilarch to adjudicate.
Judge was an expert but does not have permission to adjudicate, and was not accepted by litigants as an authority. Or was not an expert. However he received permission to adjudicate or was accepted by litigants as an authority	<p>If the law is explicit (it is not a matter of dispute), the judge is exempt if the money isn't retrievable.</p> <p>If it's a matter of dispute and he ruled one way while the accepted approach is the other way, then:</p> <p>If the money isn't retrievable and the judge actively took the money from the defendant and gave it to the plaintiff, he must pay. Otherwise he is exempt.</p>	✓	
Judge not expert, and not accepted by litigants	✓	✓	Judge rulings are unacceptable even if he rules correctly. He would be responsible for financial loss