

What is **DUE PROCESS**



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What Is Due Process?



Due process is a basic right in the United States Constitution that protects everyone from being treated unfairly by the government. It means that before the government can take away a person's freedom related to life, liberty, and property, that person must be given a fair chance to speak, be heard, and defend their rights. This protection applies to both citizens and non-citizens of the United States. On April 7, 2025, the Supreme Court discussed if non-citizens have access to due process. The justices disagreed on some details, but they all agreed that due process applies to everyone in the United States.

Due process comes from two parts of the Constitution. The 5th Amendment requires the federal government to follow fair procedure, while the 14th Amendment extends this same requirement to state governments.

Sources:

constitution.congress.gov/browse/essay/amdt14-S1-3/ALDE_00013743
constitution.congress.gov/constitution/amendment-14/ ganlibrary.gov
www.law.cornell.edu/wex/due_process

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