

**THE RELEVANCE OF THE JUDGE'S ATTITUDE REGARDING  
THE EXERCISE OF THE RIGHT TO A DEFENSE IN RELATION  
TO THE INSTITUTION OF IMPARTIALITY**

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**ABSTRACT:** *The article is set to debate the interference between the attitude of the judge in respect to the proper and effective exercise of the defense and the possible lack of impartiality. As the subjective impartiality is difficult to be established, there is a pressing need to identify conducts that might be qualified as proper appearances out of which a lack of impartiality may be deduced, and a situation encountered in practice will be analyzed to establish if we are in the presence of an improper conduct.*

**KEYWORDS:** *defense; impartiality; appearances; attitude; consequences*  
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