

Justice should never be for sale !

Enact the Supreme Court Fair Elections bill

Public Campaign Financing for Supreme Court races

Washington Public Campaigns is supporting legislation to create a program of optional public financing for state supreme court races. WPC supporters in every district should ask legislators to endorse and support the **Supreme Court Fair Elections bill** – public financing for supreme court races.

Justice through our courts must be blind and impartial – and never even *appear* to be influenced by campaign contributions from any private special interest.

So long as judges are elected, funding for their campaigns should be blind or available through a public program as an option. It's time to eliminate private campaign contributions as a predominant method to fund judicial campaigns.

Justice for sale?

What if...in a major lawsuit involving \$50 million, a supreme court justice ruled in favor of the energy company, whose CEO had spent \$3 million to get the judge elected?

What if...a review of court rulings revealed that, in cases where litigants made campaign contributions, judges ruled in their favor significantly more often than when no campaign contributions were involved? – and the higher the contribution, the greater the frequency of ruling in their favor!

Blind justice? Independent courts? Or justice, skewed by campaign contributions?

Both of these "what ifs" are true. It's not John Grisham fiction. In West Virginia, a supreme court justice was elected with the aid of \$3 million in campaign support from the CEO of Massey Energy, a large coal mining company. The judge, refusing to recuse himself, then voted to throw out a \$50 million damage award imposed by a lower court for illegal corporate activity by Massey. The U.S. Supreme Court has agreed to review the matter – to clarify when judges must recuse themselves due to perceived (and perhaps real) influence by private campaign contributions.

A study of case rulings by the Louisiana Supreme Court over a 14-year period showed justices voted in favor of campaign contributors – plaintiffs or defendants – significantly more often than when no contributions were involved. And among some justices, higher contributions correlated with even more frequent favorable rulings.

Washington State – Outrageous Campaign Spending!

In Washington State in 2006, over \$4 million was spent by special interests - contributions directly to candidates' campaigns (\$1.46 million) and contributions to independent ads and voter persuasion activities (\$2.73 million) – in attempt to influence the outcome of that year's supreme court races.

In campaigns for supreme court seats this year (2008), contributions are lower – but it's probably temporary and due to other statewide campaigns that are tapping the bank

accounts of special interest donors. Because of the power and influence of the supreme court, we can expect record-setting special-interest campaign contributions and heated races to come roaring back in 2010 – unless we take action.

Courts do matter!

Independence and impartiality of our state supreme court is a serious matter that should concern every Washington State resident. Think of the issues that arise before the court: citizen initiatives that are ruled in or out; water policy; land-use and growth management; worker rights and safety; tax policy; and much more. Indeed, the court can approve or strike down laws that are enacted, and decide lawsuits involving millions of dollars of public as well as private funds.

On these important issues that reach the court, the public needs assurance that justice is blind, independent and impartial – and never influenced by special interest campaign contributions.

It's working in other states

North Carolina – In 2002, the legislature passed full public financing for statewide judicial elections, to take effect in 2004. In its first cycle the program applied to five appellate court seats; 4 of 16 appellate court candidates enrolled in the public financing program; 14 achieved the minimum qualifying contributions. Four of five winners used public financing. In 2006, 8 of 12 candidates for six seats used the program, including five of six winners. To qualify, candidates must collect at least 350 contributions in limited amounts from registered voters, and reach a minimum total. In 2006, all eight candidates reported at least 500 donors.

New Mexico – In 2007, the legislature added public financing for judicial campaigns to the state's existing program, previously enacted for Corporation Commission races. 2008 is the first cycle, testing the program for judicial candidates.

Public financing is always voluntary for candidates – they can still run with traditional private financing – but it is increasingly popular among candidates and voters alike.

More Information

Visit WPC's website on the Supreme Court Fair Elections bill. There are links to articles, reports and data: www.washclean.org/2009judicial-campaign.htm.

The bill will be filed on Monday, Jan. 26th. Meanwhile, here is the proposed bill: www.washclean.org/Library/Summary-1-page-Proposed-Judicial-Bill-12-13-08.pdf

Let's achieve public financing for campaigns to our state's highest court, in 2009. With an informed, focused effort – an educational campaign for the public, and a citizens' lobbying campaign directed at our legislators – we can make history in Washington state to guarantee that justice truly is blind – and never for sale.

Please join us in this effort. Become informed, spread the word, join the grassroots movement and let your voice be heard among lawmakers.

For more information: www.washclean.org • wpc@washclean.org • 206-784-2522