Two-Timer Courtship

Spring is in the air and some romantic donors are choosing between two candidates for the only Supreme Court seat being contested in Tuesday’s Republican primary. Other contributors are playing it safe by showering money on both candidates.

Incumbent Justice Steven Smith raised $95,080, according to disclosures covering through March 1, and lent himself $20,000. Smith’s challenger, San Antonio Appeals Court Judge Paul Green, raised five times as much: $445,280.

Incumbents generally have the financial edge. But the Republican establishment has distanced itself from Smith over concerns that he is racially divisive. Smith litigated against University of Texas affirmative-action policies in the Hopwood case. He also ousted incumbent Justice Xavier Rodriguez in the 2002 primary—a result often attributed to GOP voters eschewing an ethnic name. Such voters face a tough choice Tuesday, when they must pick from the Anglo-Saxon-sounding names Paul Green or Steven Smith.

Some wealthy donors simply bankroll both candidates. Five of the eight donors who gave Justice Smith at least $5,000 also bankrolled his opponent. The craftiest two-timer was the oil-rich Bass family. One of its PACs gave to Green, its other two PACs backed Smith.

Smith’s top donor, new PAC Texans for Family Values, is due to disclose its donors today. It appears to be run by asbestos attorney Mark Lanier, who gave Smith $5,000.