

News Release

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For Immediate Release: January 7, 2009

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Texans For Public Justice Joins Jurists, Business Leaders, Reform Groups in “Justice for Sale” Case at U.S. Supreme Court

TPJ Urges High Court To Require Judge’s Recusal From Big Contributor’s Case

Austin, TX: Texans for Public Justice (TPJ) has joined an unprecedented array of former state Supreme Court justices, business leaders and reform groups in urging the U.S. Supreme Court to affirm one of the most basic legal rights: the right to a fair hearing before a neutral arbiter.

TPJ and the groups filed briefs with the U.S. Supreme Court Tuesday in *Caperton v. Massey*, a landmark case over the spiraling role of special-interest spending in judicial elections. The trend has troubled many, including former U.S. Supreme Court Justice Sandra Day O’Connor, and caused some to question whether American justice is “for sale.” The case will be heard March 3, 2009.

“*Caperton* poses to the U.S. Supreme Court the very issue that haunts Texas courts every day. Can citizens get a fair hearing from judges who take campaign money from other parties to a case in their court?” said Texans for Public Justice Director Craig McDonald. “We’re urging the Supreme Court to set a standard that will clean up these conflicts of interest nationwide.”

Separate briefs supporting the Petitioners were filed by:

- a group of 27 former state Supreme Court chief justices and justices;
- the Committee for Economic Development, Intel Corp., Lockheed Martin Corp., Pepsico, Wal-Mart Stores Inc., Transparency International, and others.
- the American Bar Association;
- the Center for Public Accountability and Zicklin Center for Business Ethics Research at the Wharton School;
- the Brennan Center for Justice, Campaign Legal Center and Reform Institute
- the American Association for Justice;
- the American Academy of Appellate Lawyers;

- the National Association of Criminal Defense Lawyers;
- the Justice at Stake Campaign (in a brief on behalf of 27 reform groups).

Theodore B. Olson, former Solicitor General of the United States and counsel for the petitioners, argues that the Constitution's due-process requirement requires West Virginia Chief Justice Brent D. Benjamin to recuse himself from a lawsuit involving Don Blankenship, a coal executive who invested \$3 million in Justice Benjamin's election campaign.

"The improper appearance created by money in judicial elections is one of the most important issues facing our judicial system today," Olson said of the case. "A line needs to be drawn somewhere to prevent a judge from hearing cases involving a person who has made massive campaign contributions to benefit the judge."

For further background and case briefs visit the [Brennan Center for Justice](#).

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[Texans for Public Justice](#) is a non-profit, non-partisan research and advocacy organization that tracks the role of money in Texas politics.