



COURTROOM CONTRIBUTIONS
STAIN SUPREME COURT CAMPAIGNS



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Texans for Public Justice is a non-profit, non-partisan research and advocacy organization that monitors money in Texas politics and promotes campaign finance and judicial-selection reforms.

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I. Introduction

Three of the nine justices sitting on the all-Republican Texas Supreme Court face reelection in November 2008, when voters are likely to hand fresh six-year terms to them or to Democratic challengers.¹ Texas judges run for office in partisan campaigns heavily bankrolled by lawyers and litigants who have cases before state courts. This conflict of interest destroys public confidence in the courts. In a 1999 Texas Supreme Court poll, 83 percent of Texans said that state judges are influenced by campaign contributions.

This report scours the \$2.3 million that these three incumbents and their Democratic challengers raised from January 2007 through June 2008 in order to identify “courtroom contributors” who have had recent business before the Texas Supreme Court.² Researchers ran the names and employers of Supreme Court campaign donors to see if they matched the names of lawyers, law firms, litigants or friends of the court named in motions, appeals and cases before the Texas Supreme Court between January 2005 and July 2008.³

For the three incumbents, researchers ignored courtroom contributions to cases in which the recipient justice did not participate.⁴ As such, a given justice’s “courtroom contributors” had one or more appellate cases before that justice. For the challengers, who have never served on the Supreme Court, researchers tagged every contribution from a lawyer or litigant who had business before that Supreme Court from January 2005 until July 2008. During this period, 4,295 different case filings were active before the Supreme Court. Forty percent of these cases were tainted by the fact that the three now-campaigning justices handling them received at least one contribution from a lawyer or litigant involved in that case. Despite differences between the top contributors to the Republican incumbents (led by corporate defense firms) and their Democratic challengers (featuring plaintiff attorneys), both sides took approximately two-thirds of their political funds from contributors with business before the court.

Texans For Public Justice’s 1998 report “Payola Justice” found that courtroom contributors accounted for 40 percent of the money raised by the seven incumbent justices elected in 1994 or 1996.⁵ Yet that study just linked campaign contributors to 530 opinions issued by the court. This new study links contributors to a much larger universe of appellate matters before the court, including the numerous appeals that the court declines to review (with these denials typically benefiting just one side of a dispute).

Most of the courtroom contributors identified in this report are lawyers and law firms that frequently litigate matters before the Supreme Court.⁶ For simplicity, researchers tracked a single total for all the contributions that candidates received from a given law firm, its attorneys and its political committee. Corporations are prohibited from contributing directly to a campaign so the contributions attributed to these companies came from their PACs and executives. This study does not track the outcomes of courtroom-contributor cases.⁷ Its narrower focus is on the degree to which courtroom contributors bankroll Supreme Court campaigns.

Top Courtroom Contributors To Supreme Court Candidates

Total To Six Candidates	Courtroom Contributor	No. of High-Court Cases	Interest
\$65,250	Haynes & Boone LLP	77	Law Firm
\$63,042	Vinson & Elkins LLP	79	Law Firm
\$52,400	Fulbright & Jaworski LLP	116	Law Firm
\$38,000	Cruse Scott Henderson & Allen LLP	9	Law Firm
\$36,000	United Services Automobile Assn.	11	Insurance
\$34,000	Fibich Hampton Leebron & Garth	5	Law Firm
\$30,000	Andrews & Kurth LLP	66	Law Firm
\$29,000	Thompson & Knight LLP	73	Law Firm
\$28,200	Bracewell & Giuliani LLP	70	Law Firm
\$27,850	Jackson Walker LLP	74	Law Firm
\$26,000	Baker Botts LLP	91	Law Firm
\$25,000	Feazell Rosenthal & Watson	3	Law Firm
\$24,500	Bickel & Brewer	3	Law Firm
\$24,000	King & Spalding LLP	37	Law Firm
\$22,500	Texans For Lawsuit Reform ⁸	7	Anti-liability business group
\$21,500	Cantey Hanger Roan & Autrey LLP	36	Law Firm
\$20,000	Barker Leon Fancher & Matthys	13	Law Firm
\$20,000	Frank L. Branson PC	2	Law Firm
\$20,000	Jamail & Kolius	3	Law Firm
\$19,000	McGinnis Lochridge & Kilgore LLP	38	Law Firm
\$18,500	Beirne Maynard & Parsons	40	Law Firm
\$18,250	Strasburger & Price	66	Law Firm
\$18,000	Kirkpatrick & Lockhart Preston	32	Law Firm
\$17,000	Mithoff & Jacks LLP	4	Law Firm
\$17,000	Winstead PC	101	Law Firm
\$16,500	Zachry Construction Corp.	5	Construction
\$16,000	Brock Person Guerra Reyna	25	Law Firm
\$15,750	AT&T, Inc.	4	Communications
\$15,000	Beck Redden & Sechrest LLP	60	Law Firm
\$15,000	Hughes & Luce LLP	16	Law Firm
\$15,000	O'Quinn Laminack & Pirtle	1	Law Firm
\$14,500	Locke Liddell & Sapp LLP	115	Law Firm
\$14,000	ExxonMobil Corp.	21	Energy/Natural Resources
\$13,750	Akin Gump Strauss Hauer & Feld	43	Law Firm
\$13,500	Texas Civil Justice League ⁹	11	Anti-liability business group
\$12,500	Davis Cedillo & Mendoza, Inc.	16	Law Firm
\$12,500	Fisher Boyd Brown Boudreaux...	5	Law Firm
\$10,700	Gardere Wynne Sewell & Riggs	49	Law Firm
\$10,250	Graves Dougherty Hearon & Moody	45	Law Firm
\$10,000	Thompson Coe Cousins & Irons	95	Law Firm
\$10,000	Williams Bailey Law Firm LLP	7	Law Firm

Cases Yielding the Most Courtroom Contributions

Case-Related Contributions To 6 Candidates	Case Number	Case Name or 'Style'
\$247,950	05-0010	<i>COC Services, Ltd. v. Grupo Carso, S.A. De C.V., et al.</i>
\$211,900	02-0557	<i>Volkswagen of America, Inc. v. Andrew Ramirez, Sr., et al.</i>
\$193,700	07-0987	<i>In Re Union Carbide Corp.</i>
*\$190,000	04-0271	<i>In Re Badger Mining Corp. (five consolidated cases)</i>
\$187,750	02-0730	<i>Excess Underwriters at Lloyd's et al. v. Frank's Casing Crew & Rental Tools</i>
\$187,650	06-0196	<i>Jim Wells Co. & Premont ISD v. El Paso Production Oil And Gas Co., et al.</i>
\$174,350	08-0033	<i>James Anderson et al. v. Crown Central LLC, et al.</i>
\$170,242	05-0179	<i>RGM Constructors, L.P. v. Tribble & Stephens Co.</i>
\$160,892	07-0808	<i>In Re CNA Lloyds of Texas, et al.</i>
\$157,242	07-0871	<i>In Re United Services Automobile Association</i>
\$157,042	05-0132	<i>United Services Automobile Association v. James Steven Brite</i>
\$156,742	03-0784	<i>Peter C. Browning, et al. v. Jeff P. Prostok, et al.</i>
\$155,392	04-0138	<i>Unauthorized Practice of Law Committee v. American Home Assurance Co.</i>
\$155,292	08-0337	<i>First Source Texas, Inc., et al. v. Navasota Resources, L.P.</i>
\$153,450	07-0123	<i>Dennis L. Miga v. Ronald L. Jensen</i>
\$148,350	08-0198	<i>In Re James Anderson et al.</i>
\$148,100	05-0043	<i>In Re Centerpoint Energy Houston Electric, LLC</i>
\$145,850	07-0333	<i>John Daniel Jacobson v. Rebecca L. Broesche</i>
\$144,000	08-0289	<i>In Re Citigroup Global Markets, Inc., et al.</i>
\$143,642	08-0079	<i>In Re Waller Independent School District</i>
\$141,550	07-0119	<i>In Re BP Products North America, Inc.</i>

Note: A given law firm may have worked on several of these cases (adding contribution totals for multiple cases could count the same contribution dollar more than once).

*The court closed this matter before Justice Johnson joined the court; this total does not include donations to Johnson.

II. Three Incumbents: \$1 Million in 'Courtroom Contributions'

The three Republican incumbent justices on the November 2008 ballot raised a total of almost \$1.6 million for their reelection campaigns through the end of June 2008. The justices took 65 percent of this money from courtroom contributors who had recent business before the same justices. The justices' dependence on courtroom contributions ranged from a low of 60 percent for Chief Justice Wallace Jefferson to a high of 71 percent for Justice Dale Wainwright. The Democrats challenging these justices (see the next section) raised a total of \$722,167, taking 69 percent of it from lawyers and litigants who had recent business before the Texas Supreme Court.

Three Incumbents Took 65 Percent of Their Campaign Funds From Courtroom Contributors

Justice Seeking Reelection In Nov. 2008	Total Raised Jan. '07 To July '08	Total Courtroom Contributions	Courtroom Funds As Share of Total	Democratic Challenger
Wallace Jefferson* (R)	\$661,219	\$396,420	60%	Jim Jordan
Phil Johnson (R)	\$473,683	\$306,371	65%	Linda Yañez
Dale Wainwright (R)	\$450,718	\$320,450	71%	Sam Houston
TOTALS:	\$1,585,620	\$1,023,241	65%	

*Chief Justice.

The justices' heavy reliance on courtroom contributors is all the more troubling given the court's record of favoring the corporate defense interests that bankroll the justices' campaigns. A recent law review article found that defendants prevailed in 87 percent of the 69 opinions that the Texas Supreme Court issued in tort cases in 2004 and 2005.¹⁰ That study also analyzed who benefited and who lost when the Supreme Court rejected petitions to review tort cases in 2004. These rejections benefited defendants 75 percent of the time.

Chief Justice Wallace Jefferson



Governor Rick Perry first appointed Wallace Jefferson to a Supreme Court vacancy in 2001. Governor Perry then picked Justice Jefferson for yet another vacancy in 2004, when Chief Justice Tom Phillips retired mid-term. Voters elected Chief Justice Jefferson to finish the last two years of that term in 2006. Jefferson worked at Groce Locke & Hebdon until 1991, when he helped found Crofts Callaway & Jefferson. That firm, now Crofts & Callaway, has given \$2,750 to the reelection campaigns of the three incumbent justices. Crofts & Callaway attorneys have had 47 matters before their former partner's court since 2005.

Chief Justice Wallace Jefferson's Top Courtroom Contributors

Total Amount	Courtroom Contributor	Interest
\$24,620	Vinson & Elkins LLP	Law Firm
\$21,250	Haynes & Boone LLP	Law Firm
\$17,650	Fulbright & Jaworski LLP	Law Firm
\$16,000	Brock Person Guerra Reyna	Law Firm
\$15,750	AT&T, Inc.	Communications
\$15,500	United Services Automobile Assn.	Insurance
\$15,000	Bickel & Brewer	Law Firm
\$12,500	Davis Cedillo & Mendoza, Inc.	Law Firm
\$11,500	Cantey Hanger Roan & Autrey	Law Firm
\$10,750	Thompson & Knight LLP	Law Firm
\$10,000	Andrews & Kurth LLP	Law Firm
\$10,000	Texans For Lawsuit Reform	Anti-Liability business group
\$9,000	Baker Botts LLP	Law Firm
\$6,500	ExxonMobil Corp.	Energy/Natural Resources
\$6,250	Bracewell & Giuliani LLP	Law Firm
\$6,000	Akin Gump Strauss Hauer & Feld	Law Firm
\$6,000	Beirne Maynard & Parsons	Law Firm
\$6,000	McGinnis Lochridge & Kilgore	Law Firm
\$5,750	Strasburger & Price	Law Firm
\$5,500	Winstead PC	Law Firm
\$5,350	Jackson Walker LLP	Law Firm
\$5,000	Hughes & Luce LLP	Law Firm
\$5,000	King & Spalding LLP	Law Firm
\$5,000	William D. Noel, Attorney at Law	Law Firm
\$5,000	PAJ, Inc.	Jewelry
\$5,000	Pfizer, Inc.	Pharmaceuticals
\$5,000	Thompson Coe Cousins & Irons	Law Firm

Justice Phil Johnson



Governor Rick Perry tapped then-7th Court of Appeals Chief Justice Phil Johnson to fill a Supreme Court vacancy in 2005. The following year voters elected Justice Johnson to finish that now-expiring term. Before his election to the Amarillo-based appeals court in 1998, Johnson was a partner at Lubbock's Crenshaw Dupree & Milan. Attorneys at this firm—which has had nine matters before the Supreme Court since 2005—contributed \$2,250 to Johnson's current reelection campaign. An earlier Texans For Public Justice study found that lawyers and law firms accounted for 68 percent of the money that Justice Johnson raised for his 7th Court of Appeals campaign in 2002.¹¹

Justice Phil Johnson's Top Courtroom Contributors

Total Amount	Courtroom Contributor	Interest
\$22,422	Vinson & Elkins LLP	Law Firm
\$20,450	Haynes & Boone LLP	Law Firm
\$16,250	Fulbright & Jaworski LLP	Law Firm
\$11,000	Thompson & Knight LLP	Law Firm
\$10,500	United Services Automobile Assn.	Insurance
\$10,350	Bracewell & Giuliani LLP	Law Firm
\$10,000	Andrews & Kurth LLP	Law Firm
\$10,000	Jackson Walker LLP	Law Firm
\$9,500	King & Spalding LLP	Law Firm
\$8,000	Locke Liddell & Sapp LLP	Law Firm
\$7,500	Baker Botts LLP	Law Firm
\$6,000	Cantey Hanger Roan & Autrey	Law Firm
\$5,500	Winstead PC	Law Firm
\$5,250	McGinnis Lochridge & Kilgore	Law Firm
\$5,000	Beirne Maynard & Parsons	Law Firm
\$5,000	Bickel & Brewer	Law Firm
\$5,000	BP Capital	Energy/Investments
\$5,000	ExxonMobil Corp.	Energy/Natural Resources
\$5,000	Hughes & Luce LLP	Law Firm
\$5,000	Strasburger & Price	Law Firm
\$5,000	TX Assn. of Defense Counsel	Attorney trade group
\$5,000	Thompson Coe Cousins & Irons	Law Firm
\$5,000	TRT Holdings, Inc.	Energy/Investments
\$4,500	Texas Civil Justice League	Anti-Liability business group

Justice Dale Wainwright



Justice Wainwright is facing his first reelection campaign after voters elected him to his first high-court term in 2002. Then-Governor George Bush appointed Wainwright to a vacant Harris County district judge seat in 1999. Wainwright's former employers—Haynes & Boone and Andrews & Kurth—rank among the top courtroom contributors to his reelection campaign. Haynes & Boone has had 77 matters before the Supreme Court since 2005 and Andrews Kurth had 66.

The *Houston Chronicle* recently reported on a campaign fundraiser that Justice Wainwright held in September 2008—after the period covered in this report.¹² Yet some of the sponsors of that event already had established themselves as courtroom contributors. These sponsors—who do business before the court and finance its political campaigns—include: AT&T, Inc. (\$15,750 to current Supreme Court campaigns); the Texas Civil Justice League (\$13,500); Pfizer, Inc. (\$6,000); Koch Industries (\$5,500); and American Electric Power (\$1,000). George Christian, who heads the Texas Civil Justice League, an anti-liability business group, said his group is constantly sending checks and briefs to the justices. Referring to the tawdry nature of Texas' judicial-selection system, Christian told the *Chronicle*, "It ain't pretty."

Justice Dale Wainwright's Top Courtroom Contributors

Total Amount	Courtroom Contributor	Interest
\$23,450	Haynes & Boone LLP	Law Firm
\$16,450	Fulbright & Jaworski LLP	Law Firm
\$12,500	Vinson & Elkins LLP	Law Firm
\$10,600	Bracewell & Giuliani LLP	Law Firm
\$10,500	Jackson Walker LLP	Law Firm
\$10,000	Andrews & Kurth LLP	Law Firm
\$10,000	Texans For Lawsuit Reform	Anti-Liability business group
\$10,000	United Services Automobile Assn.	Insurance
\$10,000	Zachry Construction Corp.	Construction
\$9,500	King & Spalding LLP	Law Firm
\$9,000	Baker Botts LLP	Law Firm
\$7,750	McGinnis Lochridge & Kilgore	Law Firm
\$7,500	Fisher Boyd Brown Boudreaux...	Law Firm
\$6,750	Akin Gump Strauss Hauer & Feld	Law Firm
\$6,250	Thompson & Knight LLP	Law Firm
\$6,250	Graves Dougherty Hearon & Moody	Law Firm
\$6,000	Abraham Watkins Nichols Sorrells...	Law Firm
\$5,500	Locke Liddell & Sapp LLP	Law Firm
\$5,200	Gardere Wynne Sewell & Riggs	Law Firm
\$5,000	Beirne Maynard & Parsons	Law Firm
\$5,000	Hughes & Luce LLP	Law Firm

\$5,000	Kinetic Concepts, Inc.	Hospital bed manufacturer
\$5,000	Kirkpatrick & Lockhart Preston Gates	Law Firm
\$5,000	Strasburger & Price	Law Firm
\$5,000	Valero Energy Corp.	Energy/Natural Resources
\$5,000	Winstead PC	Law Firm

III. Three Challengers: \$500,000 in 'Courtroom Contributions'

Democratic challengers collectively raised a total of \$722,167 by the end of June 2008 to unseat the three Republican justices who raised almost \$1.6 million in the same period. The Democrats took 69 percent of their money from lawyers and litigants who had recent business before the Supreme Court, surpassing the incumbents (who got 65 percent of their funds from courtroom contributors). The challengers' reliance on courtroom contributions ranged from a low of 64 percent for Chief Justice candidate Jim Jordan to a high of 74 percent for Sam Houston. A comparison of the top courtroom contributors to the Republican incumbents versus their Democratic challengers reveals that corporate defense firms favor the incumbents while plaintiff firms favor the challengers.

Three Challengers Took 69 Percent of Their Campaign Funds From Courtroom Contributors

Challenger Seeking Election In Nov. 2008	Total Raised Jan. '07 To July '08	Total Courtroom Contributions	Courtroom Funds As Share of Total	Incumbent He/She Is Challenging
Linda Yañez (D)	\$306,571	\$207,421	68%	Johnson
Sam Houston (D)	\$254,116	\$187,902	74%	Wainwright
Jim Jordan* (D)	\$161,480	\$103,134	64%	Jefferson
TOTALS:	\$722,167	\$498,457	69%	

*Chief Justice candidate.

Exacerbating the challengers' uphill financial fight is the fact that the three incumbent justices ran unopposed in the Republican Primary while two of the Democratic challengers had to spend money to defeat serious primary opposition. Recalling the [Battle of San Jacinto](#), Sam Houston took his licks in the Democratic Primary but prevailed with 56 percent of the vote. Linda Yañez won her primary squeaker with just 51 percent.

Supreme Court Candidates' Cash On Hand

Court Seat	Candidate	March 2008 Primary Vote	Campaign Cash On Hand June 30, 2008
Chief	Wallace Jefferson	100%	\$742,011
	Jim Jordan	100%	\$96,713
7	Dale Wainwright	100%	\$260,067
	Sam Houston	56%	\$39,427
8	Phil Johnson	100%	\$605,582
	Linda Yañez	51%	\$111,089

Linda Reyna Yañez

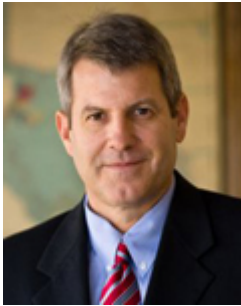


Then-Governor Ann Richards appointed Linda Yañez to the 13th Court of Appeals in Corpus Christi in 1993. Justice Yañez previously served as a clinical instructor at Harvard Law School and as a regional counsel to the Mexican American Legal Defense Fund. An earlier Texans For Public Justice study found that lawyers and law firms accounted for 95 percent of the money that Justice Yañez raised for her 13th Court of Appeals reelection campaign in 1998.¹³

Linda Yañez's Top Courtroom Contributors

Total Amount	Courtroom Contributor	Interest
\$25,000	Fezell Rosenthal & Watson	Law Firm
\$20,000	Barker Leon Fancher & Matthys	Law Firm
\$10,000	Frank L. Branson PC	Law Firm
\$7,500	Atlas & Hall Law Firm	Law Firm
\$6,000	Roerig Oliveira & Fisher LLP	Law Firm
\$5,500	Jones Galligan Key & Lozano LLP	Law Firm
\$5,500	Law Office of Douglas Allison	Law Firm
\$5,000	Dehay & Elliston LLP	Law Firm
\$5,000	International Bank of Commerce	Bank
\$5,000	Jamail & Kolius	Law Firm
\$5,000	Kittleman Thomas Ramirez...	Law Firm
\$5,000	L&F Distributors	Alcohol/Gambling
\$5,000	Mithoff & Jacks LLP	Law Firm
\$5,000	Provost & Umphrey Law Firm	Law Firm
\$5,000	Sutton & Jacobs LLP	Law Firm
\$4,500	Rhodes & Vela LLP	Law Firm
\$4,175	Fleming & Associates LLP	Law Firm
\$4,000	Fibich Hampton Leebron & Garth	Law Firm
\$4,000	Hockema Tippit & Escobedo LLP	Law Firm
\$3,750	Law Office of Susan Hays PC	Law Firm
\$3,000	Sico White & Braugh LLP	Law Firm

Sam Houston



Like his opponent, Justice Dale Wainwright, Sam Houston previously worked for Andrews & Kurth in the city named after Houston's presumptive namesake. Houston and other members of that firm left in 1992 to start Cruse Scott Henderson & Allen, which represents both plaintiffs and defendants in civil lawsuits. This firm, which has had nine matters before the Supreme Court since 2005, is Sam Houston's top courtroom contributor. One of Houston's partners, Stephen R. Bailey, also gave Wainwright \$500 several months before Houston established his campaign committee in October 2007. Andrews & Kurth's political committee exclusively supported the incumbent justices this round, though two of its attorneys gave Houston a total of \$750.

Sam Houston's Top Courtroom Contributors

Total Amount	Courtroom Contributor	Interest
\$37,500	Cruse Scott Henderson & Allen LLP	Law Firm
\$30,000	Fibich Hampton Leebron & Garth LLP	Law Firm
\$15,000	Jamail & Kolius	Law Firm
\$15,000	O'Quinn Laminack & Pirtle	Law Firm
\$7,500	Ware Snow Fogel & Jackson LLP	Law Firm
\$5,000	Beck Redden & Sechrest LLP	Law Firm
\$5,000	Berg & Androphy	Law Firm
\$5,000	Frank L. Branson PC	Law Firm
\$5,000	Jones & Granger	Law Firm
\$5,000	Kirkpatrick & Lockhart Preston Gates	Law Firm
\$5,000	Mithoff & Jacks LLP	Law Firm
\$5,000	Tracey Law Firm	Law Firm
\$3,000	Ammons Law Firm LLP	Law Firm
\$2,500	Fisher Boyd Brown Boudreaux...	Law Firm
\$2,500	John W. Stevenson Jr. & Associates	Law Firm
\$2,500	Matthews & Associates	Law Firm
\$2,000	Freeman Law Firm	Law Firm
\$2,000	Jackson Walker LLP	Law Firm
\$2,000	Matthiesen & Associates	Law Firm
\$1,752	Griffith Nixon Davison PC	Law Firm

Jim Jordan



Then-Governor Mark White appointed Jim Jordan to a Dallas County state district court vacancy in 1986 but Jordan lost that post to a Republican challenger in his first election. Jordan then practiced law with Riddle & Brown and joined Shannon Gracey Ratliff & Miller in 2000. That firm, which has had 35 matters before the Supreme Court since 2005, gave \$1,200 to Jordan and a total of \$1,500 to Justices Wainwright and Johnson. Dallas voters elected Jordan to his current post as judge of the 160th District Court in 2006.

Jim Jordan's Top Courtroom Contributors

Total Amount	Courtroom Contributor	Interest
\$10,000	Williams Bailey Law Firm LLP	Law Firm
\$6,916	Baron & Budd PC	Law Firm
\$5,968	Michael E. Schmidt PC	Law Firm
\$5,000	Frank L. Branson PC	Law Firm
\$5,000	Friedman & Feiger LLP	Law Firm
\$5,000	Kirkpatrick & Lockhart Preston Gates	Law Firm
\$5,000	Law Office of Stephen F. Malouf	Law Firm
\$5,000	Mithoff & Jacks LLP	Law Firm
\$3,500	Waters & Kraus LLP	Law Firm
\$3,000	Redwine Law Offices	Law Firm
\$2,500	McKool & Smith LLP	Law Firm
\$2,500	Provost & Umphrey Law Firm	Law Firm
\$2,500	Strasburger & Price	Law Firm
\$2,000	Eberstein & Witherite LLP	Law Firm
\$2,000	Stanley Mandel & Iola LLP	Law Firm
\$2,000	Vinson & Elkins LLP	Law Firm
\$1,500	Freeman Law Firm	Law Firm
\$1,500	Sayles Lidji & Werbner	Law Firm
\$1,450	Fulbright & Jaworski LLP	Law Firm
\$1,300	Stradley & Wright	Law Firm
\$1,200	Shannon Gracey Ratliff & Miller	Law Firm

Notes

¹ There also are three Libertarian challengers: Tom Oxford is running for chief justice; David G. Smith is challenging Justice Wainwright; and Drew Shirley is challenging Justice Johnson.

² Researchers looked for any campaign funds that the six candidates raised after December 31, 2006. The first contribution raised in 2007 varied by candidate. For Justices Jefferson and Johnson they occurred in March 2007. Justice Wainwright received his first contribution that year in June. The campaign of District Judge Jim Jordan began raising money in January 2007. Thirteenth Court of Appeals Justice Linda Yañez received her first 2007 contribution in August. Finally, Sam Houston raised his first contribution in October 2007.

³ The Supreme Court agrees to hear approximately 11 percent of the appeals it receives. This study includes both the appeals that the court hears as well as those that it declines.

⁴ For this reason, researchers did not count contributions to Justice Johnson from lawyers and litigants whose cases closed before Justice Johnson joined the court in March 2005. Similarly, contributions from lawyers and litigants involved in a case did not count against any justice who did not participate in that case. Given that much of the docket-linked money came from lawyers and law firms with a steady stream of cases before the court, this often was a theoretical distinction. Even if a justice recused himself from one case litigated by a big firm such as Haynes & Boone, the same justice typically participated in other Haynes & Boone cases that did create a docket link with this donor.

⁵ "Payola Justice: How Texas Supreme Court Justices Raise Money From Court Litigants," February 1998.

<http://www.tpj.org/docs/1998/02/reports/payola/toc.html>

⁶ An earlier TPJ study of campaign contributions to Texas' intermediate appeals court judges found that those judges got 72 percent of their funds from lawyers and law firms. This dependence on lawyers jumped from 61 percent for appeals court judges elected in 1996 to 76 percent for appeals court judges elected in 2002. "Lowering the Bar: Lawyers Keep Texas Appeals Judges on Retainer," Texans For Public Justice, May 2003.

<http://www.tpj.org/docs/2002/05/reports/apcourt/>

⁷ An earlier TPJ report found that the court's campaign contributors enjoy much more success at having the court hear their appeals than do lawyers and litigants who do not give the justices political funds. See "Pay To Play: How Big Money Buys Access to the Texas Supreme Court," TPJ April 2001. <http://www.tpj.org/docs/2001/04/reports/paytoplay/>

⁸ The *Houston Chronicle's* Clay Robison recently reported different amounts this cycle from Texans for Lawsuit Reform ("Here's When Campaigning Feels Shifty," September 28, 2008). Robison reported that Texans for Lawsuit Reform (TLR) gave \$10,000 apiece to Justices Jefferson and Johnson but did not mention the \$10,000 that the group gave to Justice Wainwright (he may have missed this check because Justice Wainwright misidentified the donor as "Texas for Lawsuit Reform"). This study says that TLR gave \$22,500 to the justices (rather than \$30,000) because it just covers contributions that the justices reported receiving by June 30, 2008. Although TLR's PAC reported giving \$7,500 to Justice Johnson on June 26, 2008, his campaign did not report receiving this check in the period ending June 30, 2008.

⁹ The *Houston Chronicle's* Clay Robison recently reported different amounts this cycle from the Texas Civil Justice League ("Here's When Campaigning Feels Shifty," September 28, 2008). Robison reported that the Texas Civil Justice League (TCJL) gave the justices \$6,500 apiece for a total of \$19,500. This study reports that TCJL gave the three justices \$13,500 (4,500 apiece), which is what the justices reported receiving in the studied period ending June 30, 2008. As Robison's reporting reflects, TCJL PAC subsequently reported giving the three justices another \$2,000 apiece. The one oddity here is that TCJL PAC reported giving \$5,000 to Justice Johnson in January 2008, yet Justice Johnson reported receiving \$4,500 from TCJL PAC that month.

¹⁰ "Judicial Tort Reform in Texas," University of Texas School of Law Professor David A. Anderson, *The Review of Litigation*, Winter 2007.

¹¹ "Lowering the Bar: Lawyers Keep Texas Appeals Judges on Retainer," Texans For Public Justice, May 2003. <http://www.tpj.org/docs/2002/05/reports/apcourt/>

¹² "Here's When Campaigning Feels Shifty," *Houston Chronicle*, September 28, 2008.

¹³ "Lowering the Bar: Lawyers Keep Texas Appeals Judges on Retainer," Texans For Public Justice, May 2003. <http://www.tpj.org/docs/2002/05/reports/apcourt/>