

# The Dallas Morning News

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Monday, November 13, 2006

## EDITORIALS

# Oil, Meet Water

## Partisan politics, judicial elections don't mix

Things changed overnight in the Dallas County judicial system. But one thing remains consistent: this editorial board's support for ending partisan judicial elections.

In 2001, an editorial on this page said, "The ideal system would provide for the nonpartisan selection and appointment of judges with subsequent retention elections."

In 2003, the last time sensible reform was discussed, we derided Republicans in the Texas House for blocking a new system. We wrote: "There's a better way. Most states use it. It starts with the governor appointing judges. The Senate then confirms them. And voters later keep them or dismiss them in nonpartisan retention elections. In those states, justice is not partisan."

We have stood by this position no matter which way the political winds were blowing. We've even discussed what sort of committee ought to be charged with sifting through judicial applicants and forwarding a handful of names for the governor to choose from. And this year, we opened our minds to yet another reform alternative. In recommending Democrat Emily Tobolowsky over Republican Karen Willcutts, we cited as a key difference between the two Ms. Tobolowsky's support for nonpartisan judicial elections.

Viewpoints column, 13A

Interviewing in 41 of the local contested judicial races this year, we had the opportunity to talk with a lot of candidates. We asked them about the awkward infusion of party politics in the judicial election process, and the vast majority — Republicans and Democrats alike — said that justice is not partisan, that a good judge just interprets the law. They said party didn't matter.

Unfortunately, voters — who this time elected all Democrats and no Republicans in contested races — indicated that party does matter. And for those who knew little about judicial races, it was the only thing that mattered.

More than 60 percent of the vote in each judicial race came from straight-party ballots. Among those who looked beyond party label, more still favored Democrats, but certainly not all. At least 11 Republicans had strong support among those voters who chose not to cast straight-party ballots, but they could not overcome the partisan wave.

We saw excellent candidates from both parties; neither had a monopoly on potential talent or potential trouble.

That's why we've said it before and we say it again: "There's a better way."

### Other sources of information:

DMN editorial recommendations (<http://www.dallasnews.com/opinion/>)

Committee for Qualified Judiciary ([www.cqjdallas.org](http://www.cqjdallas.org))

Dallas Bar Association ([www.dallasbar.org/judiciary/poll](http://www.dallasbar.org/judiciary/poll))

Dallas County website (<http://www.dallascounty.org/>)

Texas Bar Association ([www.texasbar.com/](http://www.texasbar.com/))

Legal blogs, i.e. <http://gritsforbreakfast.blogspot.com/>