

Supreme Court Fair Elections bill

Public financing of campaigns for Washington State Supreme Court

In West Virginia, a Supreme Court justice was elected with \$3 million in campaign aid from the CEO of Massey Energy, a coal mining company. A year later, that judge provided the deciding vote in a lawsuit to absolve the company of a \$50 million fine, imposed by a jury following illegal corporate behavior. Because of this outrageous case, the U.S. Supreme Court has decided that judges must recuse themselves in such egregious cases.

Justice must never be for sale! - and judges should not have to raise large private sums to run for office. Integrity of our state's highest court is paramount. Equally important is *public confidence* in the fairness of the court - that decisions will never be made based on campaign financiers.

Recent judicial elections nationwide show lavish spending by special interests on upper level judicial campaigns, with an increase in negative ads and campaign tactics. Meanwhile, polls reveal a concerned public, wanting assurance that courts won't be subject to influence by partisan or special-interest campaign contributions.

Public financing achieves the desired result. It's time to eliminate private campaign contributions as a predominant method to fund upper level judicial campaigns.

Let's enact the **Supreme Court Fair Elections bill**, to create a program of optional public financing of campaigns for seats on the Washington State Supreme Court.

Washington State: Record-setting Campaign Spending in 2006

In Washington State in 2006, over \$4 million was spent by special interests - in contributions directly to candidates' campaigns (\$1.46 million) and in contributions buying independent ads and voter persuasion activities (\$2.73 million) - in attempt to influence the outcome of that year's supreme court races. In 2010, let's rise above this special influence!

It's working in other states

North Carolina - In 2002, the legislature passed full optional public financing for statewide judicial elections, beginning in 2004. In its first cycle the program applied to five appellate court seats; 14 of 16 appellate court candidates sought to qualify, and 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.

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.

Legislative Proposal: Supreme Court Fair Elections bill (HB 1738 / SB 5912)

The Supreme Court Fair Elections bill will create a public financing program, optional for candidates seeking election to the **supreme court only**. Candidates would qualify for public funds by raising at least \$41,055 in contributions of \$10-\$400, from at least 500 citizens. This qualifies them for a set sum for a primary race, and if they win, an additional sum for the general election - amounts sufficient to run a competitive, robust campaign.

If a candidate is outspent by a traditionally-funded opponent or faces opposition from independent PACs, they receive matching "rescue funds" - up to capped limits set in the bill.

The program would begin once \$3 million (per biennium) has been generated by a small surcharge of \$1 on court filing fees - **paid by users of the court, not by taxpayers.**

Information: www.washclean.org / wpc@washclean.org / 206-784-2522