

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE SANDRA DAY O'CONNOR (RET.)

August 2010

Dear Reader:

I am pleased to introduce *The New Politics of Judicial Elections, 2000-2009: Decade of Change*. This report, the latest in a series begun in 2000, provides a comprehensive review of the threat posed by money and special interest pressure on fair and impartial courts.

We all expect judges to be accountable to the law rather than political supporters or special interests. But elected judges in many states are compelled to solicit money for their election campaigns, sometimes from lawyers and parties appearing before them. Whether or not these contributions actually tilt the scales of justice, three out of every four Americans believe that campaign contributions affect courtroom decisions.

This crisis of confidence in the impartiality of the judiciary is real and growing. Left unaddressed, the perception that justice is for sale will undermine the rule of law that the courts are supposed to uphold.

To avoid this outcome, states should look to reforms that take political pressure out of the judicial selection process. In recent years, I have advocated the system used in my home state of Arizona, where a bipartisan nominating committee recommends a pool of qualified candidates from which the governor appoints judges to fill vacancies. Voters then hold judges accountable in retention elections. Other promising state initiatives have included public financing of judicial elections, campaign disclosure laws, and recusal reforms.

We all have a stake in ensuring that courts remain fair, impartial, and independent. If we fail to remember this, partisan infighting and hardball politics will erode the essential function of our judicial system as a safe place where every citizen stands equal before the law.

For 10 years, the *New Politics* reports have played a leading role in documenting the growing threat to the credibility of our courts. I applaud the authors—Justice at Stake, the Brennan Center for Justice, the National Institute on Money in State Politics, and the Hofstra Law School—for working to protect the courts that safeguard our rights.

Sincerely,



Sandra Day O'Connor