

Panel To Monitor Judicial Elections



BOSSON: Wants to stop verbal attacks on judiciary

Goal: Improve Election Tenor

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New Mexico Chief Justice Richard Bosson on Tuesday

announced formation of the Fair Judicial Elections Committee to respond to attacks on an independent judiciary.

Bosson said the committee will be private, bipartisan and voluntary, and will at least initially be focused in Albuquerque. Its aim is to educate candidates and voters alike.

Bosson made the announcement to a packed room of lawyers and judges at a luncheon of the Abu-

querque Bar Association.

The committee is being launched in large part in response to verbal attacks on the judiciary to which judges are ethically barred from responding.

Bosson said that during his last appearance before the group two years ago, "we had just finished a difficult summer. Certain events had sparked a firestorm of rumor and innuendo that cast suspicion over the entire judiciary ... It was

election season, and some candidates were using slogans like 'Take Back Our Courts' and 'Rescue Our Courts.' We were taking hits from all sides."

Bosson's apparent reference was to the high-profile arrest at a DWI checkpoint of then-Chief Bernalillo County District Judge John Brennan, who subsequently pleaded guilty and resigned from office.

The sensational headlines passed with the election season,

Bosson said, but a lingering question remained about potential damage done by negative campaigning.

He said he also was inspired in part by retired Supreme Court Justice Sandra Day O'Connor's comments urging lawyers to be attuned to political attacks against the judiciary and to respond to them.

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"All of us have an obligation to speak up — for the safety of judges, for our constitutional freedoms, for judicial independence," he said.

Bosson said he concluded that, as an experiment, a structure was needed to provide "a countervailing voice."

He envisions that the fair elections committee, to be operated through the State Bar of New Mexico, will educate candidates about the Code of Judicial Conduct and voters about the importance of maintaining ethical standards in judicial campaigns.

Candidates will be asked to sign a pledge committing to ethical campaigns that uphold

the integrity of the judiciary. They also will be asked to aggressively curtail actions — including those by outside political action committees supporting a particular candidate — "that send a confusing message about the independence and integrity of the judiciary."

Judges are not politicians, and shouldn't be expected to act like them, he said.

"We need to communicate the message that judges are not simply pawns of special political interests," Bosson said. "We do not vote for or against crime or for or against the prosecution. We do not vote for or against an injured plaintiff in a personal injury action. We do not vote for or against the business community."