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ROBERT DUNCAN
STATE SENATOR
DISTRICT 28

Contact: Deon Daugherty Allen
512-463-0128, office

Senator Duncan files bill to restore trust in Texas judiciary

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AUSTIN - Sen. Robert Duncan today filed Senate Bill 782 and Senate Joint Resolution 23 to allow Texas voters to determine whether our judges should continue to labor under the perception that the litigant with the most money will win in court most of the time.

This legislation sets up a system of appointment, followed by a retention election to put appellate judges on Texas benches. All current justices would be grandfathered into the new system and subject to a retention election when their current terms expire.

“We need to take the money and politics out of our judicial system,” Senator Duncan said. “For too long, Texas has been an easy target for anyone who disagrees with a judge’s findings. Most people believe that if someone contributes big money to a campaign, they will benefit. No one should have to fear the justice system based on campaigns or contributions.”

Also today, Texas Supreme Court Chief Justice Wallace Jefferson endorsed a merit selection plan during his biennial State of the Judiciary.

“I am concerned by the public’s perception that money in judicial races influences outcomes. This is an area where perception itself destroys public confidence,” Justice Jefferson said.

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LUBBOCK DISTRICT OFFICE:
1500 BROADWAY
SUITE 902
LUBBOCK, TEXAS 79401
(806) 762-1122
1-800-546-9928
FAX (806) 749-2828
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CHILDRESS DISTRICT OFFICE:
119 AVENUE B NW
CHILDRESS, TEXAS 79201
(940) 937-0909
(888) 887-7027
FAX (940) 937-6994
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CAPITOL OFFICE:
ROOM 3E.12
P.O. BOX 12068
AUSTIN, TEXAS 78711
(512) 463-0128
(800) 322-9538
FAX (512) 463-2424
DIAL 711 FOR RELAY CALLS

SAN ANGELO DISTRICT OFFICE:
36 WEST BEAUREGARD
SUITE 510
SAN ANGELO, TEXAS 76903
(915) 481-0028
1-800-558-9928
FAX (915) 655-2541
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He noted a recent poll that showed 80 percent of the participants - four out of five people - believe contributions influence a judge's decision.

“Is our current judicial election system, which fuels the idea that politics and money play into the rule of law, the best way to elect judges in Texas? The status quo is broken. It is time for Texas to set a high standard for judicial selection.”

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