

News Release

Texans for Public Justice ** 609 W. 18th Street, Suite E, ** Austin, TX 78701

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Contact: Craig McDonald, Andrew Wheat
PH: (512) 472-9770

Big Donors Enjoy Greater Access To Texas High Court, New Report Finds

Study Shows Big Contributors Are Up to 10 Times More Likely to Get a Hearing Than Non-Contributors

Austin, TX: A new report analyzing appeals filed with the Texas Supreme Court from 1994 through 1998 concludes there is a direct correlation between the amount of money an appellant contributed to the justices and the likelihood that the appellant's case would be heard by the court. Overall, the chances that an appeal filed by a campaign contributor would be heard by the court were four times greater than an appeal filed by a non-contributor.

“The conclusion that money helps open the doors to Texas' highest court is undeniable,” said Craig McDonald, Director of Texans for Public Justice. “The appearance that justice is for sale in Texas becomes clearer with every new look at this court's practices.”

In [*Pay to Play*](#), Texans for Public Justice tracked 3,942 appeals filed with the Supreme Court and campaign contributions to the 10 justices who faced an election during the period studied. (Three of the 10 were originally appointed by Governor Bush.) At every contribution level studied, the more money given by appellants, the better their chances of having their case heard. While the court accepted an average of 11 percent of all the appeals it received, it accepted a remarkable 56 percent of the appeals filed by its top contributors, who gave the justices at least \$250,000.

Key findings of the study include:

- The 10 justices who faced an election during the period studied raised \$12.8 million. More than half of this money (\$6.7 million) came from lawyers, law firms and litigants who filed appeals with the court during the same period.
- The justices were four times more likely to accept an appeal filed by a campaign contributor than they were to accept an appeal filed by a non-contributor.

- The justices were 7.5 times more likely to accept petitions filed by contributors of at least \$100,000 than petitions filed by non-contributors; and
- The justices were 10 times more likely to accept petitions filed by contributors of more than \$250,000 than petitions filed by non-contributors.

“Ready cash equals a steady pass into the Texas Supreme Court.” said Cristen Feldman, staff attorney for Texans for Public Justice. “Until we reform the judicial selection system the highest bidders will control the doors of the high court.”

[Pay to Play](#) also found that the court was much more receptive to petitions filed by Chief Justice Tom Phillips’ old firm than any other major appellate firm. Baker Botts—one of just two firms that contributed more than \$250,000 to the justices—enjoyed an astonishing petition-acceptance rate of 74 percent.

“Over the past decade, special interests have aggressively sought to influence courts in those states that allow judges to take campaign money,” said Craig Holman, Senior Policy Analyst for New York University’s Brennan Center for Justice. “[Pay to Play](#) further documents the dangers of this trend in Texas, the largest and wealthiest state that is still saddled with such a discredited judicial-selection system.”

The Pay to Play report is available at Texans for Public Justice’s website:
<http://www.tpj.org>

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[Texans for Public Justice](#) is a non-profit, non-partisan research and advocacy organization that tracks the role of money in Texas politics.