

What are the facts in the relationship between political contributions to Justice Priscilla Owen and the case of *Enron Corp. v. Spring I.S.D.*, 922 S.W.2d 931 (Tex. 1996)?

- All court justices, Democrats and Republicans alike, signed the *unanimous and bipartisan* 1996 Texas Supreme Court opinion which relied upon two analogous United States Supreme Court decisions, *Nordlinger v. Hahn*, 505 U.S. 1 (1992) and *Thomas v. Gay*, 169 U.S. 264 (1898).
- In *Enron*, the Texas Supreme Court agreed with the rulings of both the Harris County Appraisal District and the trial court in upholding the constitutionality of a state law that allows owners of inventory to select between two dates for the date of tax appraisal. *Enron Corp. v. Spring I.S.D.*, 922 S.W.2d 931, 933 - 934 (Tex. 1996).
- If anything, the comments by opponents to Owen's nomination bring up the issue of judicial selection reform and Justice Owen has a long-held record supporting reform:
 - ✓ The media says: "She has limited her campaign contributions and supported proposals to remove politics from the judicial process." (*Dallas Morning News, editorial, October 26, 2000*).
 - ✓ Justice Owen wrote: "We have a strong system, but I nevertheless believe that Texas would be better served with a different method of selecting judges than the current one." (*Denton County Lawyer, p. 5, Op-ed by Owen, February 2000*).
 - ✓ League of Women Voters Guide, November 2000, Owen says: "I have supported several proposed constitutional amendments considered by the Legislature that would change how we select judges in Texas, including plans in which judges would run in non-partisan retention elections."
 - ✓ Witness for Reform: Justice Owen appeared and signed in support of reform legislation in 1995 at the legislative subcommittee on judicial reform. (*Witness Affirmation, Judicial Selection Subcommittee, H.B. 810, April, 10, 1995*).
 - ✓ League of Women Voters Guide, November 1994, Owen says: "I support campaign contribution reform. The judiciary should not be influenced by partisan politics or large contributions from special interest groups."
 - ✓ 1994 Reform Pledge: Priscilla Owen signed a voluntary Pledge holding herself to campaign contribution limits. (*Judicial Reform Pledge, February 9, 1994*).

- Justice Owen received \$8,600 from Enron of the \$134,058 received by all members of the Texas Supreme Court. In the current system of judicial selection, a contribution of \$8,600 is legal, ordinary, and in full compliance with rules of ethics. Even Texans for Public Justice shows that Justice Owen is in the mainstream of Texas contribution laws (*TPJ press release*, December 12, 2001):

<u>Current Justices</u>	<u>Enron Contribution Amount</u>	
✓	Harriet O'Neill	\$33,908
✓	Nathan Hecht	\$25,000
✓	Tom Phillips	\$12,250
✓	Priscilla Owen	\$8,600
✓	Deborah Hankinson	\$7,000
✓	Craig Enoch	\$6,000
✓	James Baker	\$4,600