



LOWERING THE BAR:

LAWYERS KEEP
TEXAS APPEALS
JUDGES ON
RETAINER

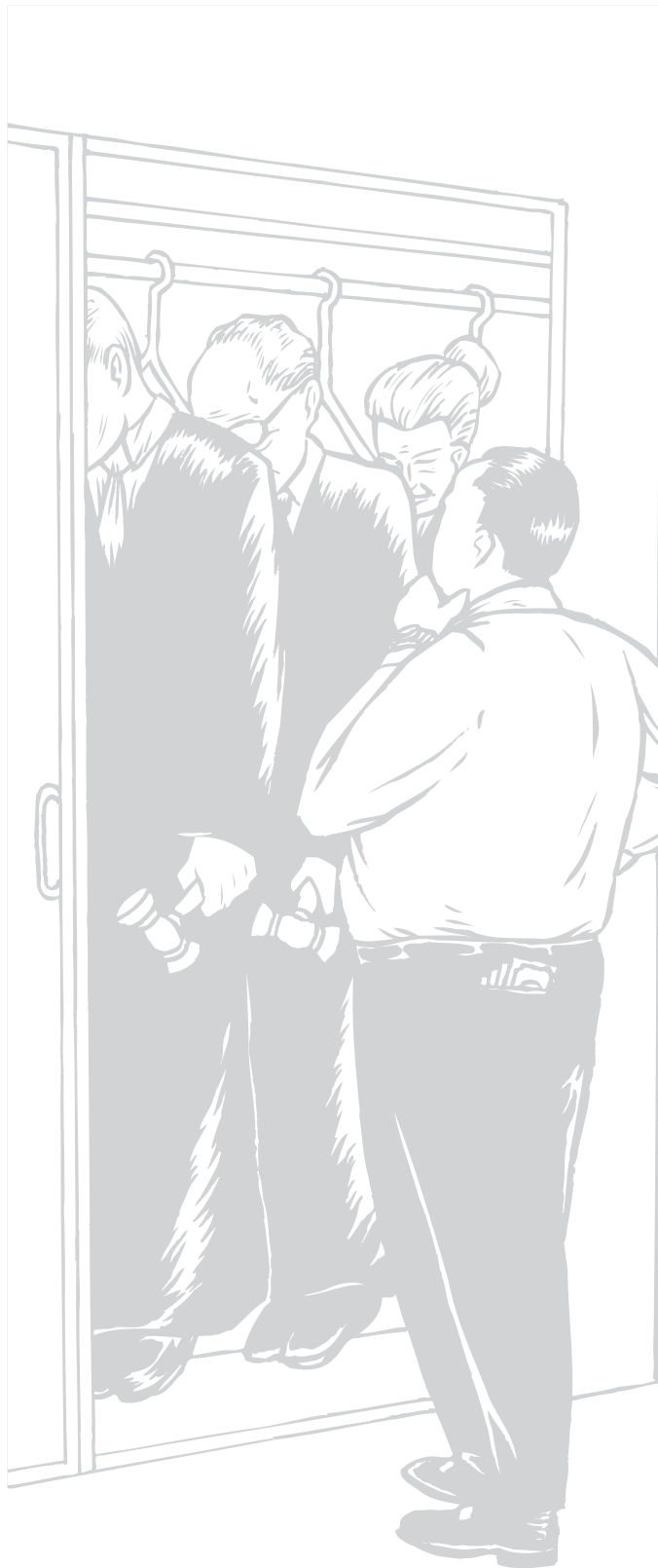
Lowering the Bar: Lawyers Keep Texas Appeals Judges on Retainer

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I. Summary

The Elected Justices

- Republicans—who had 44 of Texas’ 80 intermediate appeals court judges in 1997—held 61 of these posts by January 2003. Republicans benefited from: a conservative swing among Texas voters; having GOP governors appointing justices to fill uncompleted electoral terms; and having a Texas home boy lead the Republican presidential ticket in 2000.
- Texas spreads its 80 intermediate appeals court justices across 14 districts that have from three to 13 justices apiece. Ordinarily these justices run partisan campaigns to win six-year terms.
- 73 justices still sitting on these courts in January 2003 raised \$6,824,458 to win a total of 87 elections between 1996 and 2002 (14 of the justices were elected twice in this period).
- Hammered by a Republican tide among Texas voters, winning Democratic justices had to raise an average of \$114,739—or 78 percent more than the \$64,614 average for winning Republicans.
- Three Democratic women justices raised the biggest war chests, led by Fourth District Justice Alma Lopez in San Antonio (who raised \$343,889 in 2000). Democratic justices raised eight of the 10 largest winning war chests.

The Justices’ Donors

- Mega-donors of \$10,000 or more accounted for 24 percent of the justices’ money, while donors of \$1,000 or more accounted for 73 percent of the total.
- Lawyers and law firms supplied 72 percent (\$4.9 million) of the justices’ money, with dependency on lawyer money jumping from 61 percent of all money raised in the 1996 election cycle to 76 percent in 2002. Justices in Dallas’ Fifth District and El Paso’s Eighth District raised the largest share of their war chests from attorneys (89 percent). Five incumbent justices with relatively small war chests got all of their money from lawyers.
- Attorneys contributed 82 percent of the money raised by Democratic justices, much more than the 65 percent share that they supplied to Republicans.
- Led by Vinson & Elkins (\$172,356), the top 50 law firms supplied \$1.8 million, or 26 percent of all the money that the justices raised.
- The largest sources of non-lawyer contributions were: The oil-rich Bass family (\$59,500); the Texas Medical Association (\$26,434); Perry Homes (\$24,750); and Texans for Lawsuit Reform (\$19,500). As with the attorneys, most of these other big donors represent interests with cases in Texas courts.
- Texans cannot have faith in the rulings of justices who take money from interests in their courtrooms. The Texas Bar Association should accelerate judicial reform by encouraging its members to cut off the biggest single source of conflicted contributions in Texas courtrooms.

II. Introduction: Appeals Courts Go Republican

When the judges elected in November 1996 took office in January 1997, Texas' 14 intermediate appeals courts (with three to 13 justices apiece) stood at a partisan crossroads. Six courts had a Democratic majority, six had a Republican majority and two were split down the middle. Nonetheless, Republicans already claimed 44 of the seats—eight more than the Democrats.

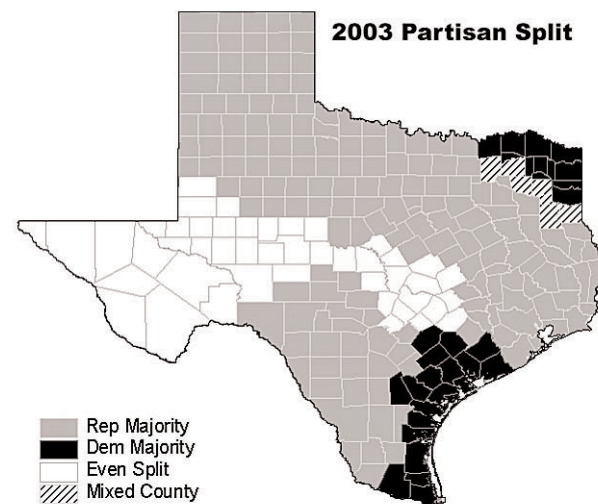
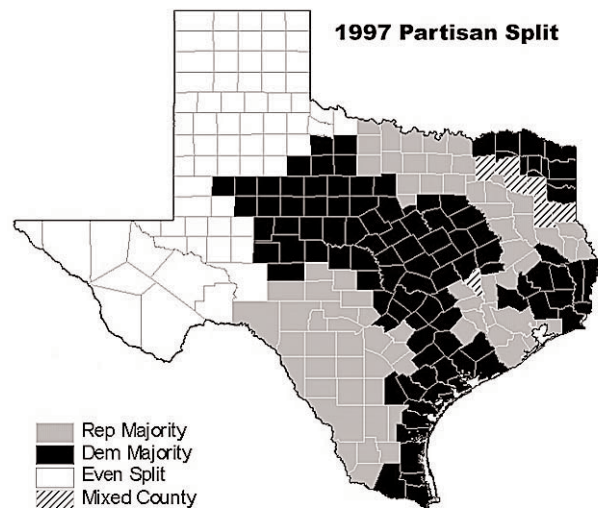
After just three more elections, the Republicans had consolidated control of these courts. When judges elected in 2002 took office in January 2003, there were still two appeals courts split down the middle. Yet just two appeals courts had a Democratic majority, with the GOP controlling the remaining 10 courts. In fact, six Republican courts lacked even a token Democratic justice. Republicans had 61 intermediate appeals justices; Democrats had 18. This partisan shift occurred even faster on the all-Republican Texas Supreme Court, which had five Republicans and four Democrats as recently as 1995.

Republicans Consolidate Control of Appeals Courts

District	No. of Seats On Bench	Dem:Rep Ratio In '97	Dem:Rep Ratio In '03
1-Houston	9	4:5	0:9
2-Fort Worth	7	0:7	0:7
3-Austin	6	6:0	3:3
4-San Antonio	7	3:4	2:5
5-Dallas	13	1:12	0:13
6-Texarkana	3	3:0	2:1
7-Amarillo	4	2:2	0:4
8-El Paso	4	2:2	2:2
9-Beaumont	3	3:0	1:2
10-Waco	3	2:1	1:2
11-Eastland†	3	2:1	1:2
12-Tyler	3	1:2	*0:2
13-Corpus	6	6:0	6:0
14-Houston	9	1:8	0:9
TOTAL	80	36:44	*18:61

† District 11 also uses two retired Democratic "senior justices" to relieve case load as needed.

* District 12 had a vacant seat in January 2003.



One major Republican Party advantage during this period was its control of the Governor's Mansion. For the past eight years, Republican Governors George W. Bush and Rick Perry have appointed judges to fill uncompleted judicial terms. These GOP appointees then faced their next election with an incumbent's advantage. Down-ballot Republicans also got a boost in the 2000 election, when Texan George W. Bush got out the vote by headlining the presidential ballot.

This study looks behind the scenes of Texas' partisan court battle to reveal who financed 87 recent election campaigns of Texas appeals court justices who still sat on the bench in January 2003.¹ The campaigns analyzed here involved still-sitting justices who raised a total of more than \$6.8 million to win intermediate appeals court campaigns in the 1996, 1998, 2000 or 2002 election cycles.²

The main findings of this study are that:

- To win an appeals judge race in the age of George W. Bush, Democratic candidates had to raise an average of 78 percent more money than their Republican counterparts; and
- Lawyers—the very donors who have the greatest recurring interest in the justices' rulings—accounted for a staggering 72 percent of the money that district appeals court justices raised to get elected.

By comparison, a recent study found that lawyers and law firms supplied 48 percent of all the campaign money raised by Texas Supreme Court justices.³ Significantly, appeals court judges are increasing their financial dependence on attorneys, who supplied 76 percent of these justices' campaign money in 2002—up from 61 percent in 1996. Regardless of whether Democrats or Republicans wield a judicial majority, the popular perception that justice is for sale in Texas will persist until Texas judges stop taking campaign money from donors with cases in their courts. Members of the Texas Bar could hasten such reforms by zipping up the main source of conflicted campaign money: their own pockets.

¹ In a method error discovered at press time, this study erroneously includes the 1996 campaign of former Fourth District Chief Justice Phil Hardberger (D), who was not a sitting justice in January 2003. New Chief Justice Alma Lopez (who is properly included in this study) replaced Justice Hardberger when he did not seek reelection in 2002. This error—based on the 2003 edition of the Texas State Directory—has a negligible effect on trends reported in this study.

² This method excludes nine campaigns in which the winning justice raised no money to get elected, as well as those justices whom governors appointed to finish uncompleted terms.

³ "Checks & Imbalances: How Texas Supreme Court Justices Raised \$11 Million," Texans for Public Justice, April 2000.

III. Appeals Court Contributions At A Glance

A. Contributions By Election Cycle

This study analyzes 87 winning campaigns by justices who still sat on the appellate bench in January 2003. Due to attrition by justices who did not seek reelection or whom voters rejected, just 11 justices elected in 1996 and 11 more elected in 1998 still sat on the court in January 2003.⁴ Predictably, more of the justices who prevailed in more recent elections still sat on the court in January 2003, although the 2000 election produced more surviving justices than 2002 due to an unusually large number of appeals judge races that year (48 races).

Contributions By Election Cycle

Election Cycle	Appeals Judges Elected	No. of Elections Won By Justices Still Serving in '03*	Total Amount Those Justices Raised	Average War Chest	Share of All Money
1996	26	11 ⁴	\$494,390	\$44,945	7%
1998	21	11	\$1,259,211	\$114,474	18%
2000	48	41	\$3,394,998	\$82,805	50%
2002	26	24	\$1,675,859	\$69,827	25%
TOTALS	121	*87	\$6,824,458	\$78,442	100%

* 73 individual justices serving in January 2003 won these 87 elections, with 14 judges winning two elections apiece since 1996.

⁴ The number of still-serving justices elected in 1996 was actually 10. In a method error discovered at press time, this study erroneously includes the 1996 campaign of former Fourth District Chief Justice Phil Hardberger (D), who was not a sitting justice in January 2003. New Chief Justice Alma Lopez (who is properly included in this study) replaced Justice Hardberger when he did not seek reelection in 2002. This error—based on the 2003 edition of the Texas State Directory—has a negligible effect on trends reported in this study.

Contributions By District

Each of Texas' 14 district appeals courts have from three to 13 justices apiece. With elections occurring every two years and justices serving six-year, staggered terms, it ordinarily would take six years to replace all the justices in a given appeals district. The table below shows considerable court reshuffling over the four elections dating back to 1996. Since then, still-sitting justices on just five district appeals courts won more elections than their districts have seats (Districts 2, 4, 5, 8 and 10). The other nine districts experienced greater attrition, as justices did not attempt to retain their seats or were knocked out by challengers.

Contributions By District (1996-2002)

District	No. of Court Seats	No. of Elections Won By Justices Still Serving in '03*	Total Amount Those Justices Raised	Average War Chest	Share of All Money
1-Houston	9	9	\$679,126	\$75,458	10%
2-Fort Worth	7	9	\$567,346	\$63,038	8%
3-Austin	6	6	\$558,066	\$93,011	8%
4-San Antonio	7	9	\$1,401,479	\$155,720	21%
5-Dallas	13	15	\$652,283	\$43,485	10%
6-Texarkana	3	3	\$269,961	\$89,987	4%
7-Amarillo	4	2	\$90,901	\$45,451	1%
8-El Paso	4	5	\$95,158	\$19,032	1%
9-Beaumont	3	3	\$452,104	\$150,701	7%
10-Waco	3	5	\$279,152	\$55,830	4%
11-Eastland	3	3	\$95,581	\$31,860	1%
12-Tyler	3	3	\$158,857	\$52,952	2%
13-Corpus	6	6	\$874,059	\$145,676	13%
14-Houston	9	9	\$650,386	\$72,265	10%
TOTAL:		*87	\$6,824,458	\$78,442	100%

* 73 individual justices serving in January 2003 won these 87 elections, with 14 judges winning two elections apiece since 1996.

This table also shows that just three districts had an average winning war chest exceeding \$100,000. The only district where sitting justices raised a total of more than \$1 million was San Antonio's Fourth District, a partisan battleground that accounted for 21 percent of all the money raised by the sitting justices statewide. The two courts with the next-largest average war chests were all-Democratic after the 1996 election. While the GOP has yet to penetrate Corpus Christi's Thirteenth District, Republicans now hold two of three seats on Beaumont's Ninth District.

C. Contributions By Party

As the momentum among Texas voters swung in favor of Republicans, Democrats had to pay huge premiums to win in many of the state's 14 appeals districts. Republican candidates raised just over \$4 million to win 63 of the 87 successful appeals court races studied in this report. Democrats raised almost \$2.8 million to win the remaining 24 campaigns. The average winning Democrat raised \$114,739—or a remarkable 78 percent more than the \$64,614 raised by the average GOP winner. As this fundraising premium squeezed Democrats, Republican justices poured into many once-Democratic appeals districts and the number of appeals court seats occupied by Democrats plummeted from 36 in 1997 to just 18 in January 2003.

Contributions By Party (1996-2002)

Party	No. of Elections Won By Justices Still Serving in '03*	Total Amount Those Justices Raised	Average War Chest	Share of All Money
Democratic	24	\$2,753,728	\$114,739	40%
Republican	63	\$4,070,729	\$64,614	60%
TOTALS:	87	\$6,824,458	\$78,442	100%

* 73 individual justices serving in January 2003 won these 87 elections, with 14 judges winning two elections apiece since 1996.

D. Candidates With More Money Usually Win

While the rest of this report focuses on the war chests of 87 winning appeals court campaigns, it is important to note that the best-funded judicial candidate usually wins. Because some judges lacked opponents in their primaries, general elections or both, the justices studied here faced a total of just 21 contested primaries and 30 contested general elections. In these contested races, money predicted the winner 76 percent of the time, with the best-funded candidate prevailing in 39 of 51 contested appeals court elections. Meanwhile, most uncontested candidates raised money, which often served to preempt would-be competitors.

Money clearly played an important role in shaping Texas appeals court elections. Yet it was not the only factor. The table below shows that several justices with overwhelming fundraising advantages narrowly prevailed over poorly funded primary or general election opponents. Indeed, the following table reveals that several candidates with huge fundraising advantages even suffered narrow defeats. The best-funded candidate lost in 12 of the 51 contested appeals court elections (24 percent), including eight general elections that involved partisan showdowns. In these eight partisan showdowns it invariably was a lesser-funded Republican who defeated a better-funded Democrat. Put another way, Republicans occasionally defeated better-funded Democrats, but every sitting Democratic appeals justice who had to defeat a Republican opponent did so with a fundraising advantage.

Justices With the Greatest Fundraising Advantage

Winning Judge (Party)	Election	Winner's Funding Superiority	Winner's War Chest	Winner's Share of Vote	Main Opponent
James T. Worthen (R)	1998-P	75X	\$114,846	52%	Charles Holcomb (R)
Kem Thompson Frost (R)	2002-G	50X	\$121,019	54%	Denise Crawford (D)
Scott Brister (R)	2000-G	28X	\$148,068	53%	Mary C. Thompson (D)
Frederico Hinojosa Jr. (D)	2000-P	15X	\$222,458	54%	Ruben R. Pena (D)
Donnie R. Burgess (D)	1998-G	8X	\$227,984	55%	Ralph Harrison (R)
Catherine M. Stone (D)	2000-G	5X	\$180,589	55%	Jay Brandon (R)
Jan P. Patterson (D)	1998-G	3X	\$190,694	51%	David Puryear (R)
Alma L. Lopez (D)	2002-G	2X	\$338,670	52%	Paul W. Green (R)
Alma L. Lopez (D)	2000-G	2X	\$343,889	52%	Rebecca Simmons (R)
Dori Contreras Garza (D)	2002-P	2X	\$266,072	57%	Augustin Rivera Jr. (D)
TOTALS:		3X	\$2,154,289		

Note: These contributions data exclude campaign loans that, in several cases, allowed candidates to spend much more money than they raised.
P = Primary; G = General Election.

In many parts of the state the Republican Party label is another important predictor of judicial candidate success. Indeed, media accounts of several big financial upsets (including those of GOP Justices Terry Jennings, David Puryear and Karen Angelini) suggested that George W. Bush's coattails helped Republicans carry down-ballot judicial races. These data also suggest that Democratic candidates are not viable in many parts of the state without decisive fundraising superiority.

Just 12 Better-Funded Candidates Lost

Loser (Party)	Election	Loser's Funding Superiority	Loser's War Chest	Loser's Share of Vote	Winning Opponent
Frank Enriquez (D)	2000-P	*Infinite	\$141,350	52%	Errlinda Castillo (D)
Lee Yeakel (R)	2002-P	50X	\$117,255	56%	Wallace Ken Law (R)
Eric Andell (D)	2000-G	20X	\$707,456	51%	Terry Jennings (R)
Ronald L. Walker (D)	2002-G	9X	\$159,213	54%	Steve McKeithen (R)
Woodie Jones (D)	2000-G	4X	\$355,311	52%	David Puryear (R)
Jim Branton (D)	1998-G	3X	\$404,567	54%	Karen Angelini (R)
Katherine O'Herren (D)	1998-G	3X	\$162,138	51%	Thomas W. Gray (R)
Roby Hadden (R)	2000-P	2X	\$48,903	61%	Sam Griffith (R)
Ken Cannata (R)	2000-P	1.3X	\$26,212	48%	Terry Jennings (R)
Gerald Bourque (D)	2000-G	1.2X	\$230,917	54%	David B. Gaultney (R)
Jim Lovett (D)	2002-G	1.1X	\$116,030	56%	Josh R. Morriss (R)
George Ellis (D)	1996-G	1.1X	\$81,355	55%	Samuel M. Nuchia (R)
TOTAL:		3X	\$2,550,707		

Note: These contributions data exclude campaign loans that, in several cases, allowed candidates to spend much more money than they raised.
P = Primary; G = General Election.

* Winner Errlinda Castillo raised no money.

E. Competition Drives Contributions

Not surprisingly, the most aggressive fundraising tends to occur in the closest races, where outcomes can potentially turn on relatively few dollars and votes. The winners of half of the 87 elections studied in this report faced absolutely no major-party opposition in either the primary or general election. To discourage opposition, the winners of these 44 races raised an average war chest of \$42,163. The winners of 34 other elections raised an average of \$113,671 to defeat a major-party opponent in either their primary or their general election. Finally, the winners of nine elections raised an average of \$122,475 to defeat major-party opponents in both their primary and general elections.⁵

Contributions By Amount of Opposition

Major-Party Opposition?	No. of Elections Won By Justices Still Serving in '03	Total Amount Those Justices Raised	Average War Chest	Share of All Money
No Primary or Gen'l Opponent	44	\$1,857,358	\$42,213	27%
One Primary or Gen'l Opponent	34	\$3,864,824	\$113,671	57%
Opponents in Both Races	9	\$1,102,276	\$122,475	16%
TOTALS:	*87	\$6,824,458	\$78,442	100%

Fundraising is fueled by the degree as well as the quantity of opposition faced. The winners of 60 of the 87 races studied here won both their primary and general election by 56 percent of the vote or more. These winners with light-weight competition raised an average of \$52,289 each. The winners of another 25 races faced serious competition in either their primary or general election, winning it with no more than 55 percent of the vote. These justices who prevailed over tough competition raised an average of \$144,107 each.

Contributions By Competitiveness of Race

No. of Competitive Races	No. of Elections Won By Justices Still Serving in '03	Total Amount Those Justices Raised	Average War Chest	Share of All Money
0	60	\$3,139,511	\$52,325	46%
1	25	\$3,602,665	\$144,107	53%
2	2	\$82,283	\$41,141	1%
TOTALS:	*87	\$6,824,458	\$78,442	100%

** Competitive races" were won with less than 56 percent of the vote.

⁵ These two-opponent victors were: Justices Terry Jennings and Scott Brister (District 1); Terrie Livingston (2); Jan Patterson (3); Steve McKeithen (9); Thomas Gray (10); Terry McCall (11); and Dori Contreras Garza and Errlinda Castillo(13).

Finally, two Republican justices prevailed over tough competition in both their primary and general election. Departing from the trend, however, these two justices amassed relatively small war chests that seemingly benefit candidates who faced little to no competition. In Beaumont's Ninth District, Steve McKeithen won a 2002 primary and then defeated Democratic Chief Justice Ronald Walker (who raised \$159,213)—all with a total war chest of \$26,069. With just \$56,213, Justice Terry Jennings in Houston's First District survived a 2000 primary and primary runoff, before defeating well-funded Democratic incumbent Justice Eric Andell (who raised \$707,456).

It is extraordinary for such poorly funded challengers to defeat incumbents. The table below shows that incumbents accounted for 58 of the 87 winning campaigns studied in this report and these incumbents raised an average war chest of \$62,942. Although incumbents typically have greater fundraising advantages because they already wield power and usually are favored to win, many of them have little need for large war chests since they draw relatively few serious challenges.

Contributions and Incumbency

Incumbency Status	No. of Elections Won By Justices Still Serving in 03*	Total Amount Those Justices Raised	Average War Chest	Share of All Money
Incumbent	58	\$3,650,635	\$62,942	53%
Challenger	7	\$538,046	\$76,864	8%
Open Seat	22	\$2,635,777	\$119,808	39%
TOTALS:	*87	\$6,824,458	\$78,442	100%

* 73 individual justices serving in January 2003 won these 87 elections, with 14 judges winning two elections apiece since 1996.

In contrast, just seven challengers prevailed over incumbent advantage, with an average war chest of \$76,864 (this average was sandbagged by the extraordinary victories of modestly funded challengers McKeithen, Jennings and Tyler's Sam Griffith, who raised just \$26,324).⁶ Three of the four other successful challengers raised more than \$100,000 each, though just two challengers raised more money than the incumbent whom they defeated.⁷ Significantly, all seven challengers were Republicans (although four of them defeated GOP incumbents in the primary). Five of these successful challengers ran down ballot from George W. Bush's presidential coat-tails in 2000, including all three who defeated Democratic incumbents (McKeithen, Jennings and David Puryear in Austin's Third District).

Finally, candidates seeking open seats with no incumbents generally raised the biggest war chests. Winners of open seats accounted for 22 elections, raising an average war chest of \$119,808.

⁶ The other successful challengers were District 2's Sue Walker, District 3's David Puryear, District 12's James Worthen and District 14's Charles Seymore.

⁷ District 2's Sue Walker and District 12's James Worthen.

F. Biggest War Chests

Twenty-one of the 87 appeals court campaigns studied in this report brandished war chests exceeding \$100,000. Collectively, these war chests contained \$3.9 million, or 57 percent of all the money analyzed in this study. For some reason, women—particularly Democratic women—raised the biggest war chests.

The best-funded judge single-handedly inflated the average war chest on San Antonio’s Fourth District. Chief Justice Alma Lopez is the only sitting justice to raise more than \$300,000, which she did two elections in a row. While Justice Lopez raised twice the money of her respective Republican opponents, she narrowly prevailed in both elections with 52 percent of the vote.

The justices with the next-largest war chests, Austin-based Jan Patterson and Corpus-based Dori Contreras Garza, also are Democrats. In fact, Democrats accounted for eight of the 10 largest war chests. While Justice Lopez lacked primary opponents, Justices Patterson and Contreras Garza were two of just nine justices in this study who had to defeat major-party opponents in both their primary and their general elections.

Biggest War Chests

Justice (Party)	Election Cycle	Dist.	Running Status	Primary Election Vote (%)	General Election Vote (%)	Money Raised
Alma L. Lopez (D)	2000	4	Incumbent	100%	52%	\$343,889
Alma L. Lopez (D)	2002	4	Open	100%	52%	\$338,670
Jan P. Patterson (D)	1998	3	Open	74%	51%	\$296,684
Dori Contreras Garza (D)	2002	13	Open	57%	58%	\$266,072
Scott Brister (R)	2000	1	Open	64%	53%	\$243,708
Rogelio ‘Roy’ Valdez (D)	2000	13	Open	56%	100%	\$233,644
Donnie ‘Don’ Burgess (D)	1998	9	Incumbent	100%	55%	\$227,984
Frederico Hinojosa Jr. (D)	2000	13	Incumbent	54%	100%	\$222,458
David B. Gaultney (R)	2000	9	Open	100%	54%	\$198,050
Catherine M. Stone (D)	2000	4	Incumbent	100%	55%	\$180,589
Anne L. Gardner (R)	2000	2	Open	55%	100%	\$158,535
Karen A. Angelini (R)	1998	4	Incumbent	100%	54%	\$157,255
Lee Ann Dauphinot (R)	2000	2	Incumbent	55%	100%	\$133,745
Sue Walker (R)	2000	2	Challenger	59%	100%	\$123,066
Laura C. Higley (R)	2002	1	Open	100%	100%	\$121,245
Kem Thompson Frost (R)	2002	14	Incumbent	100%	54%	\$121,019
James T. Worthen (R)	1998	12	Challenger	53%	100%	\$114,846
Jack E. Carter (D)	2002	6	Open	63%	100%	\$107,184
Charles W. Seymore (R)	2000	14	Challenger	†32%	100%	\$104,060
Josh R. Morriss (R)	2002	6	Incumbent	100%	55%	\$101,491
Martin E. Richter (R)	2000	5	Open	100%	100%	\$100,150
TOTAL:						\$3,894,344

* I = Incumbent; C = Challenger; O = Open Seat

†Justice Seymore got 73 percent of the vote in his primary runoff.

IV. Who Bankrolls the Justices?

A. Contributions By Donor Size

Major donors of \$1,000 or more accounted for 73 percent of the \$6.8 million in appeals court contributions studied in this report; mega-donors of \$10,000 or more accounted for 24 percent of the total. Most Texas households could not afford to contribute \$1,000 to a judicial candidate—even if they wanted to. These large donations fuel perceptions that justice is for sale in Texas.

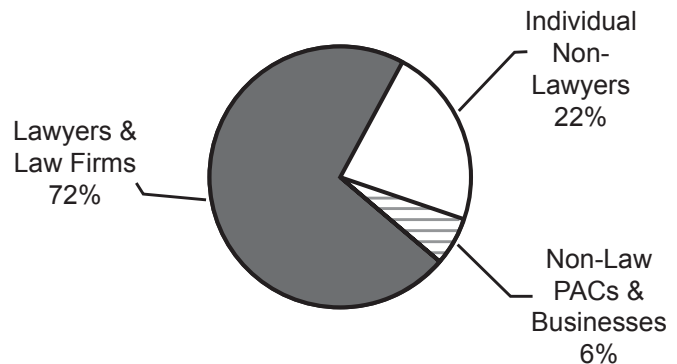
Contributions By Donor Size

Donors Who Gave Justices:	Total Contributions	Donor Count	Percent of Total
Less than \$500	\$1,133,311	7,735	17%
\$500 - \$999	\$723,355	1,284	11%
\$1,000 - \$4,999	\$2,303,025	1,370	34%
\$5,000 - \$9,999	\$1,051,587	174	15%
\$10,000 or more	\$1,613,180	71	24%
TOTALS:	\$6,824,458	10,634	100%

B. Lawyer Money Dominates

The perceived inequities of this system are compounded further by the fact that donors in the Lawyers & Lobbyists sector gave district appeals justices \$4.9 million, or 72 percent of their total campaign funds. With lobbyists and related interests accounting for a negligible \$11,682 of this sector’s total, the justices took close to three-fourths of their campaign money from lawyers and law firms—the very donors who have the most recurring interest in the rulings of these courts. The remaining 28 percent of the justices’ money came from non-lawyer individuals (22 percent) and institutional PACs and businesses other than law firms (6 percent).

Legal Interests Give 72% of All Money



Lawyer Money Dominates

Donor	Contributions	Percent
Lawyers & Law Firms	\$4,901,913	72%
Individual Non-Lawyer Donors	\$1,501,179	22%
Institutional Non-Law Donors	\$421,366	6%
TOTALS:	\$6,824,458	100%

1. Dependency On Lawyer Money Is Increasing

Election Cycle	Lawyer & Law Firm Contributions	Lawyers & Law Firms Share of Total
1996	\$300,160	61%
1998	\$835,021	66%
2000	\$2,499,361	74%
2002	\$1,267,370	76%
TOTALS:	\$4,901,913	72%

Texas' district appeals justices increased their dependence on attorney contributions steadily over the four election cycles analyzed in this report. Sitting justices who won office in 1996 obtained 61 percent of their money from lawyers and law firms, while justices just elected in 2002 obtained 76 percent of their campaign money from attorney interests.

2. Lawyer Dependency By District

District	Share of Money Raised From Lawyers
1-Houston	73%
2-Fort Worth	68%
3-Austin	67%
4-San Antonio	69%
5-Dallas	89%
6-Texarkana	48%
7-Amarillo	70%
8-El Paso	89%
9-Beaumont	67%
10-Waco	41%
11-Eastland	33%
12-Tyler	23%
13-Corpus	88%
14-Houston	87%
TOTAL:	72%

The dependency of the justices on lawyer contributions varied by district, ranging from a high of 89 percent of all money raised in Dallas' Fifth District and El Paso's Eighth District to a low of 23 percent in Tyler's Twelfth District. Generally, larger courts in major metropolitan areas had larger war chests and a greater dependency on lawyer contributions.

3. Lawyer Dependency By Party

Party	No. of Races Won	Total Money Raised	Amount of Money From Attorneys	Share of Money Raised From Lawyers
Dem.	24	\$2,753,729	\$2,248,321	82%
Rep.	63	\$4,070,729	\$2,653,591	65%
TOTAL:	87	\$6,824,458	\$4,901,912	72%

Democratic justices generally took a much larger share of their campaign money from lawyers than their Republican counterparts. Attorneys accounted for an average of 82 percent of winning Democratic war chests and 65 percent of winning GOP war chests. This may reflect a narrower fundraising base among Democratic judicial candidates as well as the electoral shift that has forced winning Democratic judicial candidates to raise an average of 78 percent more money than their Republican counterparts.

4. Lawyer-Dependency Rankings of Justices

While the justices took an average of 72 percent of their money from lawyers and law firms, 19 of the 87 campaigns turned to lawyers for at least 90 percent of their money and five incumbent justices with small war chests took all of their money from lawyers.⁸ Corpus Christi Justice Dori Contreras Garza took 96 percent of her \$266,072 from attorneys (with 19 percent coming from the Law offices of Michael Garza and Dori Contreras Garza). Houston Justices Charles Seymore and Scott Brister raised more than \$100,000, with attorneys supplying 90 percent of their money.

Most Lawyer-Dependent Justices

Justice	Election Year	Dist.	Running Status	Amount Raised	Share From Lawyers
Richard Barajas (D)	1996	8	Incumbent	\$4,800	100%
Joseph B. Morris (R)	2000	5	Incumbent	\$16,550	100%
James 'Ed' Kinkeade (R)	2000	5	Incumbent	\$11,000	100%
Linda B. Thomas (R)	2000	5	Incumbent	\$3,500	100%
Mark Whittington (R)	2002	5	Incumbent	\$24,500	100%
Molly M. Francis (R)	2002	5	Incumbent	\$39,500	99%
Kerry P. Fitzgerald (R)	2002	5	Incumbent	\$31,570	99%
Richard H. Edelman (R)	2000	14	Incumbent	\$35,475	98%
David L. Bridges (R)	2002	5	Incumbent	\$37,600	97%
Carolyn Wright (R)	1998	5	Incumbent	\$35,800	97%
Dori Contreras Garza (D)	2002	13	Open	\$266,072	96%
Linda Reyna Yanez (D)	1998	13	Incumbent	\$64,760	95%
Kerry P. Fitzgerald (R)	2000	5	Open	\$36,645	95%
Michael J. O'Neill (R)	1998	5	Open	\$89,865	95%
William G. 'Bud' Arnot (D)	2000	11	Incumbent	\$12,125	91%
Carolyn Wright (R)	1996	5	Incumbent	\$32,500	91%
Charles W. Seymore (R)	2000	14	Challenger	\$104,060	90%
Scott Brister (R)	2000	1	Open	\$243,708	90%
Richard Barajas (D)	2002	8	Incumbent	\$31,133	90%

⁸ This report analyzes donations of \$100 or more when candidates did not file electronically.

Least Lawyer-Dependent Justices

Justice	Election Year	Dist.	Running Status	Amount Raised	Share From Lawyers
Timothy G. Taft (R)	2000	1	Incumbent	\$5,222	0%
James T. Worthen (R)	1998	12	Challenger	\$114,846	3%
David Puryear (R)	2000	3	Challenger	\$87,467	9%
Dixon W. Holman (R)	1996	2	Incumbent	\$5,500	9%
Dixon W. Holman (R)	2002	2	Incumbent	\$3,000	17%
Terry McCall (R)	1998	11	Open	\$75,976	22%
Josh R. Morriss (R)	2002	6	Incumbent	\$101,491	25%
Rex D. Davis (R)	1996	10	Incumbent	\$82,882	31%
Errlinda Castillo (D)	2000	13	Open	\$2,400	38%
Sandee Bryan Marion (R)	2002	4	Incumbent	\$88,141	38%
Rex D. Davis (R)	2000	10	Incumbent	\$79,800	42%
Thomas W. Gray (R)	1998	10	Open	\$93,939	42%
David B. Gaultney (R)	2000	9	Open	\$198,050	43%
Karen A. Angelini (R)	1998	4	Incumbent	\$157,255	45%
Samuel M. Nuchia (R)	1996	1	Open	\$76,921	47%
Terrie Livingston (R)	1996	2	Incumbent	\$41,215	47%

At the other end of the spectrum, attorneys supplied less than half of the money raised by justices in 16 winning campaigns, including none of the modest war chest of Houston Justice Timothy Taft, whose wife supplied one-third of his money. Just two justices who raised more than \$100,000 obtained 25 percent or less from attorneys: Tyler Justice James Worthen (who self-financed 85 percent of his 1998 war chest) and Texarkana Justice Josh Morriss.

Contributions to the justices from the legal profession are concentrated. The top 50 firms supplied more than \$1.7 million (see accompanying table), which accounts for 26 percent of all the money analyzed in this study and 36 percent of all attorney money. Led by \$172,356 from Vinson & Elkins' PAC and attorneys, the top three sources of attorney cash were Houston-based corporate defense firms. Dallas-based plaintiff firm Baron & Budd ranked No. 4, with \$77,018. The justices receive a steady stream of cases from the major defense and plaintiff firms that bankroll their election campaigns.

Top Law Firm Donors

Law Firm (PAC and Attorney donations)	Amount	Texas Base	*Favorite Judge(s)
Vinson & Elkins ^D	\$172,356	Houston	Scott Brister
Fulbright & Jaworski ^D	\$97,580	Houston	Scott Brister
Baker & Botts ^D	\$88,462	Houston	Scott Brister
Baron & Budd ^P	\$77,018	Dallas	James A. Moseley
Haynes & Boone ^D	\$70,050	Dallas	Fitzgerald/James
Locke Liddell & Sapp ^D	\$60,275	Dallas	Kem Thompson Frost
Michael J. Garza & Dori Contreras Garza ^P	\$50,100	McAllen	Dori Contreras Garza
Andrews & Kurth Mayer Day Caldwell... ^D	\$46,650	Houston	Scott Brister
Perry Haas ^P	\$45,000	Corpus	Dori Contreras Garza
Edwards Law Firm ^P	\$43,250	Corpus	Dori Contreras Garza
Gardere Wynne Sewell & Riggs ^D	\$42,900	Dallas	Martin E. Richter
Soules & Wallace ^D	\$42,900	San Antonio	Catherine M. Stone
MehaffyWeber ^D	\$39,658	Beaumont	David B. Gaultney
Winstead Sechrest & Minick ^D	\$38,700	Dallas	Kem Thompson Frost
Jackson Walker ^D	\$37,150	Dallas	Scott Brister
Constant & Vela ^P	\$37,000	Corpus	Garza/Rodriguez/Valdez
Thompson & Knight ^D	\$36,180	Dallas	James A. Moseley
Hughes & Luce ^D	\$33,943	Dallas	Jan P. Patterson
Bracewell & Patterson ^D	\$31,949	Houston	Scott Brister
Jenkins & Gilchrist ^D	\$31,515	Dallas	Anne L. Gardner
Law Offices of Pat Maloney ^P	\$31,500	San Antonio	Alma L. Lopez
Watts Law Firm ^P	\$30,206	Corpus	Frederico Hinojosa Jr.
Dawson & Sodd	\$27,500	Corsicana	Thomas W. Gray
O'Quinn Laminack & Pirtle ^P	\$25,950	Houston	Sarah B. Duncan
Akin Gump Strauss Hauer & Feld ^D	\$25,220	Dallas	Catherine M. Stone
Strasburger & Price ^D	\$24,475	Dallas	Kem Thompson Frost
Susman Godfrey ^D	\$24,000	Houston	Kem Thompson Frost
Cantey & Hanger Roan & Autrey ^D	\$23,625	Fort Worth	Lee Ann Dauphinot
McDonald Clay Crow & McGartland ^P	\$23,489	Dallas	Lee Ann Dauphinot
Gibbs & Bruns ^D	\$23,000	Houston	Scott Brister
Maloney & Maloney ^P	\$22,750	San Antonio	Alma L. Lopez
Kelly Hart & Hallman ^D	\$21,775	Fort Worth	Anne L. Gardner
Huerta & Allison ^P	\$21,700	Corpus	Alma L. Lopez
Lyons & Rhodes ^P	\$21,500	San Antonio	Alma L. Lopez
Phil Watkins, PC ^P	\$21,350	San Antonio	Catherine M. Stone
Howie & Sweeney ^P	\$21,180	Dallas	Donnie R. Burgess
Wyatt Law Firm ^P	\$21,000	Corpus	Alma L. Lopez
Jose Henry Brantley & Keltner ^P	\$20,500	Fort Worth	Dauphinot/Walker
Shannon Gracey Ratliff & Miller ^D	\$19,881	Fort Worth	Anne L. Gardner
Orgain Bell & Tucker ^D	\$17,925	Beaumont	Donnie R. Burgess
Fleming & Associates ^P	\$17,750	Houston	Scott Brister
Person Whitworth Ramos Borchers... ^D	\$17,600	Laredo	Alma L. Lopez
McKool Smith	\$17,500	Dallas	Lee Ann Dauphinot
Reaud Morgan & Quinn ^P	\$17,500	Beaumont	Donnie R. Burgess
Beirne Maynard & Parsons ^D	\$17,250	Houston	Alcala/Brister/Frost
Mithoff & Jacks ^P	\$17,058	Houston	Jan P. Patterson
Provost & Umphrey ^P	\$16,600	Beaumont	Donnie R. Burgess
William J. Tinning, PC ^P	\$16,500	Portland	Rodriguez/Valdez
Hall & Bates ^P	\$16,000	San Antonio	Alma L. Lopez
Law Office of Ramon Garcia ^P	\$16,000	Edinburg	Hinojosa/Valdez
TOTAL:	\$1,760,920		

D = Defense Firm; P = Plaintiff Firm.

**Favorite Judge(s)" is calculated per election cycle (to account for justices who ran twice).

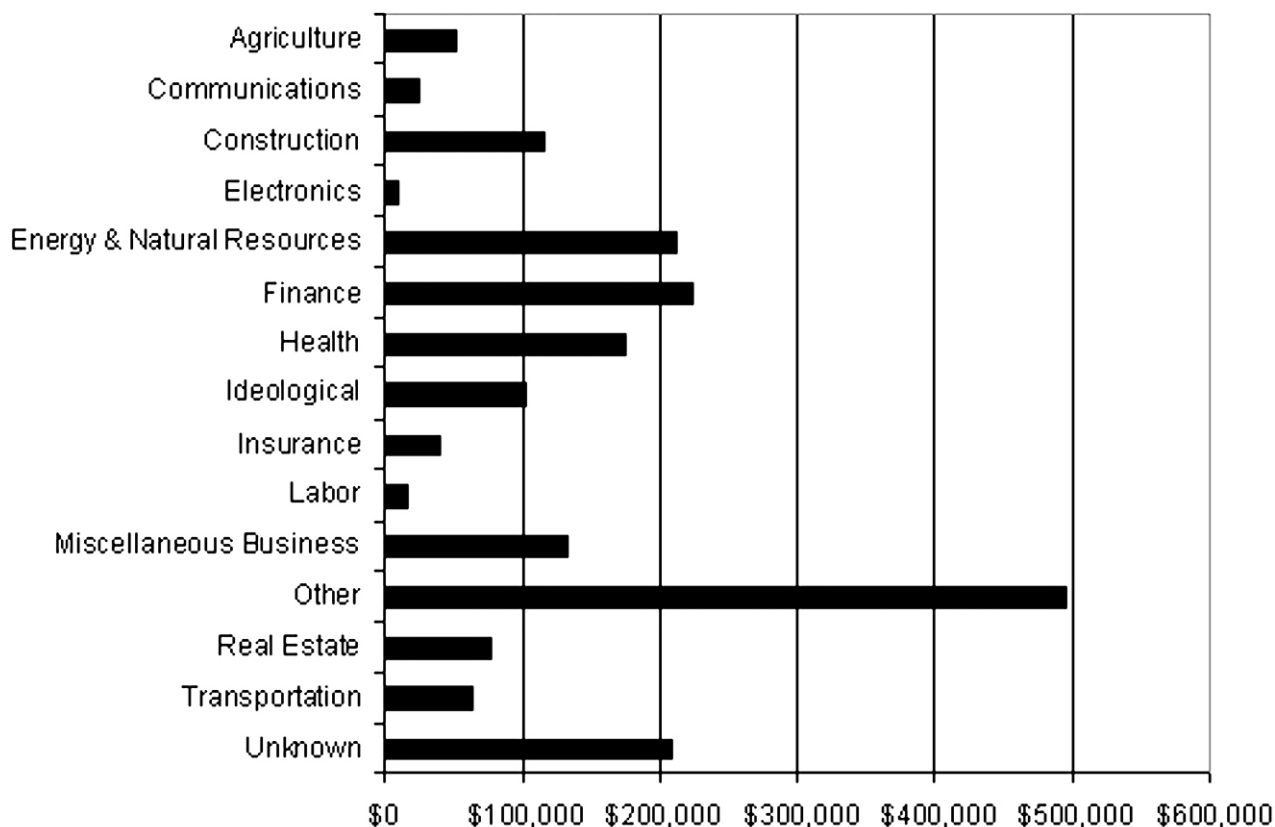
C. Contributions By Other Economic Interests

Interest	Contributions	Percent of Total
Agriculture	\$46,290	1%
Communications	\$23,455	0%
Construction	\$114,977	2%
Electronics	\$10,355	0%
Energy & Natural Resources	\$206,586	3%
Finance	\$226,766	3%
Health	\$179,757	3%
Ideological	\$106,705	2%
Insurance	\$43,015	1%
Labor	\$17,250	0%
Lawyers & Lobbyists	\$4,912,270	72%
Miscellaneous Business	\$122,244	2%
Other	\$467,507	7%
Real Estate	\$77,860	1%
Transportation	\$66,017	1%
Unknown	\$201,208	3%
TOTALS:	\$6,824,458	100%

After Lawyers & Lobbyists, the next-largest group of donors—accounting for 7 percent of all the money—is the “Other” category, dominated by civil servants and public officials. Thirty-seven percent of this sector’s money comes from: Judicial candidates themselves; Transfers between two PACs of the same judicial candidate; or Donations from the PACs of other politicians. The largest self donors were Justice James Worthen (\$97,778) and Justice Terry McCall (\$22,153).

The next-largest sector, “Finance,” supplied \$226,766, or just 3 percent of the total money raised.

Non-Lawyer Economic Interests



D. Top Non-Lawyer Donors

Texas' intermediate appeals court justices rely on lawyers and law firms for most of their campaign money, filling a comparatively modest 28 percent of their campaign coffers (\$1,922,545) from other sources. This is hardly surprising, given that few non-lawyers know the names of these justices—much less their records. This leaves a small core of commercial interests that give heavily to these judicial campaigns. Most of these big donors have been parties to state court cases.

The top tier of these non-lawyer donors is dominated by PACs and employees of major sources of state political money that have direct interests in the legal decisions of state courts. These big donors include Fort Worth's oil-rich Bass family, the Texas Medical Association, Houston home-builder Bob Perry and Texans for Lawsuit Reform. The second tier of these donors, however, includes some lesser-known, regional commercial interests that do not rank as Texas political king makers, such as Beaumont construction firm Conex International and McAllen beer distributor L & F Distributors. Not surprisingly, many second-tier donors appear to have gotten involved in appeals court campaigns as a result of litigation that landed them in these courts.

Top Non-Lawyer Donors

Source (PACs and Employees)	Amount	Location	*Favorite Judge(s)
Bass family (diversified oil fortune)	\$59,500	Fort Worth	Anne L. Gardner
Texas Medical Association	\$26,434	Austin	David B. Gaultney
Perry Homes	\$24,750	Houston	Brister/Jennings
Texans for Lawsuit Reform	\$19,500	Houston	David B. Gaultney
Associated Republicans of Texas	\$17,335	Austin	David Puryear
International Bank of Commerce	\$17,227	Laredo	Alma L. Lopez
Conex Internat'l (gen'l contractors)	\$17,000	Beaumont	Donnie Burgess
L & F Distributors (beer distributor)	\$13,500	McAllen	Hinojosa/Lopez
Reliant Energy	\$12,905	Houston	Scott Brister
Duncan Truck (dealership)	\$10,500	Waco	Sarah B. Duncan
Tepito Electronics (appliances)	\$10,000	Laredo	Alma L. Lopez
FirstCity Financial Corp.	\$9,750	Waco	Thomas W. Gray
Truman Arnold Co's (wholesale gas)	\$9,700	Texarkana	Josh R. Morriss
BexarPAC (doctors)	\$9,000	San Antonio	Karen A. Angelini
Jani-King (janitorial franchiser)	\$8,100	Addison	James A. Moseley
TETCO, Inc. (wholesale gas)	\$8,000	San Antonio	Lopez/Stone
Texan Land/Taub Investments	\$7,925	Houston	Samuel M. Nuchia
Laredo National Bank	\$7,100	Laredo	Alma L. Lopez
SBC Corp. (Southwestern Bell)	\$7,028	San Antonio	Paul W. Green
Texas Automobile Dealers Assoc.	\$7,000	Austin	Jan P. Patterson
Offenhauser & Co. (insurance agent)	\$6,652	Texarkana	Josh R. Morriss
Flournoy Exploration (oil & gas)	\$6,500	Alice	Alma L. Lopez
Killam Oil Co. (oil & gas)	\$6,450	Laredo	Alma L. Lopez
Beaumont Bone & Joint	\$6,300	Beaumont	David B. Gaultney
Chiles Survivors Trust (oil fortune)	\$6,250	Fort Worth	Lee Ann Dauphinot
H.B. Zachry Co.(gen'l contractors)	\$6,212	San Antonio	Paul W. Green
†TX Bipartisan Justice Com.	\$6,133	Longview	Kenneth Mack Kidd
TOTAL:	\$346,751		

†Medical, engineering and other business tort interests.

**Favorite Judge(s)" is calculated per election cycle (to account for justices who ran twice).

Of Special Interest

Amador Cruz's Spring Break

L & F Distributor v. Amador G. Cruz
Thirteenth Court of Appeals, Corpus Christi

Spring break was no party for Amador Cruz. The beer warehouse where he worked forced him to work long weekend hours to keep college kids lubed on Padre Island. When he complained about forced overtime, L & F Distributors fired him. Cruz filed suit, seeking overtime pay and damages for retaliatory discrimination. A jury ruled in Cruz's favor on both points, but the trial judge rendered a take-nothing judgment on the overtime award.

Thirteenth Court of Appeals justices reversed the trial court in December 1996, vacating the retaliation judgment but reinstating Cruz's overtime award. Justice Federico Hinojosa's dissenting opinion would have rendered a take-nothing judgment on both of Cruz's claims. Three years later, L & F President Joe La Mantia poured \$5,000 into Justice Hinojosa's campaign.

Bell's Direct Line

Southwestern Bell v. Virginia Pawlik
Fourth Court of Appeals, San Antonio

Southwestern Bell employee Virginia Pawlik accused her employer of negligently investigating her complaint that her ex-boyfriend—another Southwestern Bell employee—illicitly wiretapped her phone. A jury awarded Pawlik a \$495,000 judgment in actual and exemplary damages.

Ruling that there was no evidence that SBC Corp.'s Southwestern Bell failed to reasonably investigate Pawlik's complaint, three Fourth Court of Appeals justices reversed the trial court's judgment in 1998 to rule in Bell's favor. One of these justices, Paul Green, tapped SBC executives and lawyers for \$1,550 for his 2000 campaign. The top SBC donor, SBC Communications General Counsel James Ellis, gave him \$1,000.

Conex's Winning Hand

Conex International Corp. v. James R. Cox
Ninth Court of Appeals, Beaumont

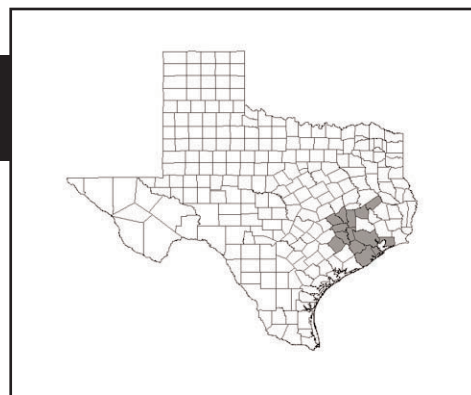
Worker James Cox said that Beaumont construction company Conex International retaliated against him by firing him after he filed for workers' compensation for an on-the-job hand injury. Conex appealed a jury's award of \$48,200 for Cox's injuries. Ninth District Court of Appeals justices reversed the trial court in June 2000, ordering Cox to go away empty handed.

Conex executives contributed \$17,000 to winning Ninth District candidates from 1998 through 2000, including \$15,000 to Justice Don Burgess. Justice Burgess' concurring opinion in the case lamented that Texas law precludes workers from recovering damages once they accept workers' compensation benefits. Nonetheless it reached the same result.

The appendix contains profiles of each of Texas' 14 Appeals Courts, including greater detail on who pays the bills to elect these appellate justices.

V. Appendix: Profiles of the 14 Districts

First Court of Appeals in Houston



Current Court (May 2003)

Justice	Term Expires
Sherry Radack (R) - Chief	2004
Adele Hedges (R)	2006
Tim Taft (R)	2006
Sam Nuchia (R)	2006
Terry Jennings (R)	2006
Evelyn Keyes (R)	2004
Elsa Alcalá (R)	2006
George Hanks, Jr. (R)	2006
Laura Carter Higley (R)	2008

Court's Partisan Split

Year	R's	D's
1997	5	4
2003	9	0

Winning First-District Races, 1996-2002

Justice (Party)	Race	Running Status	Money Raised	Money From Lawyers	Top Donor Source
Elsa Alcalá (R)	2002	Open	\$32,175	83%	Vinson & Elkins
Scott Brister (R)	2000	Open	\$243,708	90%	Vinson & Elkins
Adele Hedges (R)	2000	Incumbent	\$83,617	86%	*Porter & Hedges
Laura C. Higley (R)	2002	Open	\$121,245	52%	Crain Caton & James
Terry Jennings (R)	2000	Challenger	\$56,213	62%	Vinson & Elkins
Evelyn Keyes (R)	2002	Open	\$33,450	85%	Vinson & Elkins
Samuel Nuchia (R)	1996	Open	\$76,921	59%	Vinson & Elkins
Samuel Nuchia (R)	2002	Incumbent	\$26,575	46%	Vinson & Elkins
Timothy G. Taft (R)	2000	Incumbent	\$5,222	0%	Mary Taft (wife)
TOTAL:			\$679,126	73%	

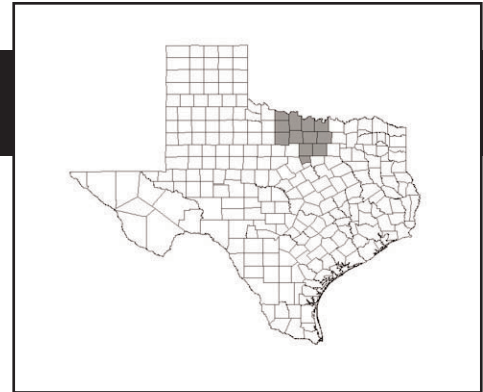
*Judge Hedges' husband, Daniel, is a Porter & Hedges partner.

Top First-District Donors

Source (PACs & Employees)	Amount
Vinson & Elkins ^D	\$52,496
Baker & Botts ^D	\$30,417
Fulbright & Jaworski ^D	\$29,475
Andrews & Kurth Mayer Day Caldwell... ^D	\$23,450
Fleming & Associates ^P	\$16,000
Gibbs & Bruns ^D	\$14,000
Perry Homes	\$13,500
Crain Caton & James ^D	\$12,250
Clements O'Neill Pierce & Nickens ^D	\$9,300
Porter & Hedges ^D	\$9,250
TOTAL:	\$210,138

D = Defense; P = Plaintiff

Second Court of Appeals in Fort Worth



Current Court (May 2003)

Justice	Term Expires
John Cayce (R) - Chief	2006
Sam Day (R)	2006
Terrie Livingston (R)	2008
Lee Ann Dauphinot (R)	2006
Dixon Holman (R)	2008
Anne Gardner (R)	2004
Sue Walker (R)	2006

Court's Partisan Split

Year	R's	D's
1997	7	0
2003	7	0

Winning Second-District Races, 1996-2002

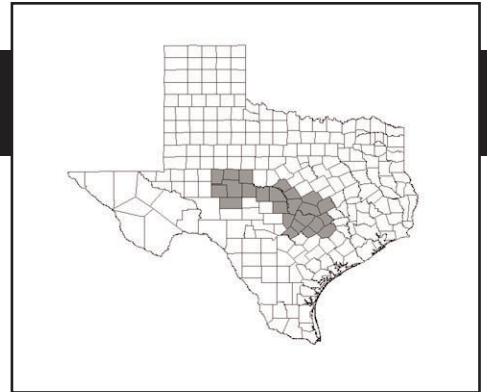
Justice (Party)	Race	Running Status	Money Raised	Money From Lawyers	Top Donor Source
John H. Cayce, Jr. (R)	2000	Incumbent	\$62,410	77%	Bass family
Lee Ann Dauphinot (R)	2000	Incumbent	\$133,745	83%	McDonald Clay Crow...
Sam J. Day (R)	2000	Incumbent	\$19,050	74%	Bass family/Whitaker Chalk...
Anne L. Gardner (R)	2000	Open	\$158,535	59%	Bass family
Dixon W. Holman (R)	1996	Incumbent	\$5,500	9%	Bass family
Dixon W. Holman (R)	2002	Incumbent	\$3,000	17%	Bass family
Terrie Livingston (R)	1996	Incumbent	\$41,215	47%	Bass family
Terrie Livingston (R)	2002	Incumbent	\$20,825	57%	Bass family
Sue Walker (R)	2000	Challenger	\$123,066	68%	Noteboom & Gray
TOTAL:			\$567,346	68%	

Top Second-District Donors

Source (PACs & Employees)	Amount
Bass Family (diversified oil fortune)	\$57,500
McDonald Clay Crow & McGartland ^P	\$23,489
Cantey & Hanger Roan & Autrey ^D	\$20,025
Jose Henry Brantley & Keltner ^P	\$18,500
Kelly Hart & Hallman ^D	\$18,050
Shannon Gracey Ratliff & Miller ^D	\$17,181
Whitaker Chalk Swindle & Sawyer	\$15,850
Noteboom & Gray ^P	\$15,458
John David Hart Law Offices ^P	\$12,000
Dent Law Firm ^D	\$8,000
TOTAL:	\$205,553

D = Defense; P = Plaintiff

Third Court of Appeals in Austin



Current Court (May 2003)

Justice	Term Expires
Ken Law (R) - Chief	2008
Mack Kidd (D)	2006
Bea Ann Smith (D)	2006
Lee Yeakel (R)	2006
Jan Patterson (D)	2004
David Puryear (R)	2006

Court's Partisan Split

Year	R's	D's
1997	0	6
2003	3	3

Winning Third-District Races, 1996-2002

Justice (Party)	Race	Running Status	Money Raised	Money From Lawyers	Top Donor Source
Kenneth Mack Kidd (D)	2000	Incumbent	\$56,189	76%	*Support the Court PAC
Wallace Kenneth Law (R)	2002	Open	\$2,350	64%	Four \$250 donors
Jan P. Patterson (D)	1998	Open	\$296,684	79%	Leigh Kathryn Harvey
David Puryear (R)	2000	Challenger	\$87,467	9%	Assoc. Republicans of TX
Bea Ann Smith (D)	2000	Incumbent	\$41,456	78%	*Support the Court PAC
Earl Lee Yeakel (R)	2000	Incumbent	\$73,920	72%	Clark Thomas & Winters
TOTAL:			\$558,066	67%	

* Attorneys contributing to Third District judicial candidates.

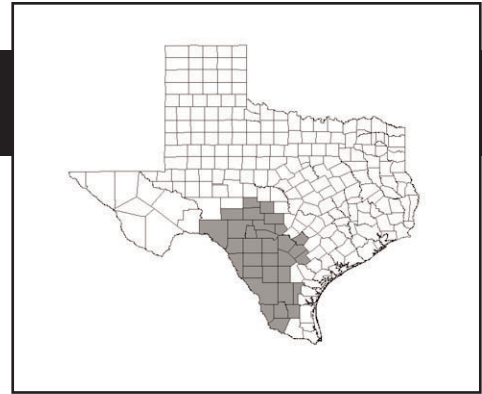
Top Third-District Donors

Source (PACs & Employees)	Amount
*Support the Court PAC	\$16,142
Mithoff & Jacks ^P	\$14,558
Vinson & Elkins ^D	\$13,710
Scott Douglass Luton McConnico ^D	\$11,129
Locke Liddell & Sapp ^D	\$9,595
Graves Dougherty Hearon & Moody ^D	\$9,575
Leigh Kathryn Harvey (Lampasas lawyer)	\$9,000
Associated Republicans of Texas	\$8,414
McGinnis Lochridge & Kilgore ^D	\$8,150
Clark Thomas & Winters ^D	\$8,025
TOTAL:	\$108,298

D = Defense; P = Plaintiff

* Attorneys contributing to Third District judicial candidates.

Fourth Court of Appeals in San Antonio



Current Court (May 2003)

Justice	Term Expires
Alma Lopez (D) - Chief	2008
Catherine Stone (D)	2006
Paul Green (R)	2006
Sarah Duncan (R)	2006
Karen Angelini (R)	2006
Sandee Marion (R)	2004
Phylis Speedlin (R)	2006

Court's Partisan Split

Year	R's	D's
1997	4	3
2003	5	2

Winning Fourth-District Races, 1996-2002

Justice (Party)	Race	Running Status	Money Raised	Money From Lawyers	Top Donor Source
Karen A. Angelini (R)	1998	Incumbent	\$157,255	45%	BexarPAC (doctors)
Karen A. Angelini (R)	2000	Incumbent	\$15,957	73%	Soules & Wallace
Sarah B. Duncan (R)	2000	Incumbent	\$90,260	57%	Duncan Truck
Paul W. Green (R)	2000	Incumbent	\$90,793	62%	Kleberg Law Firm
Phil Hardberger (D) ⁹	1996	Incumbent	\$95,925	77%	Perry Haas
Alma L. Lopez (D)	2000	Incumbent	\$343,889	73%	Lyons & Rhodes
Alma L. Lopez (D)	2002	Open	\$338,670	82%	Maloney & Maloney
Sandee Bryan Marion (R)	2002	Incumbent	\$88,141	38%	Tinsman Scott & Sciano
Catherine M. Stone (D)	2000	Incumbent	\$180,589	80%	Phil Watkins, PC
TOTAL:			\$1,401,479	69%	

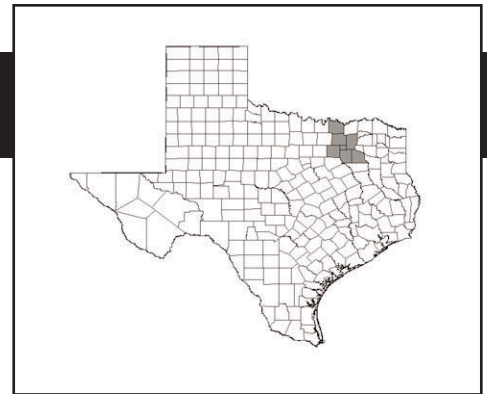
Top Fourth-District Donors

Source (PACs & Employees)	Amount
Soules & Wallace ^D	\$33,200
Law Offices of Pat Maloney ^P	\$31,500
Maloney & Maloney ^P	\$22,750
Phil Watkins, PC ^P	\$21,350
Edwards Law Firm ^P	\$20,500
Lyons & Rhodes ^P	\$19,500
Person Whitworth Ramos Borchers & Morales ^D	\$17,600
Baron & Budd ^P	\$16,000
Hall & Bates ^P	\$16,000
Tinsman Scott & Sciano ^P	\$15,308
TOTAL:	\$213,708

D = Defense; P = Plaintiff

⁹ In a method error discovered at press time, this study erroneously includes the 1996 campaign of former Fourth District Chief Justice Phil Hardberger (D), who was not a sitting justice in January 2003. New Chief Justice Alma Lopez (who is properly included in this study) replaced Justice Hardberger when he did not seek reelection in 2002. This error—based on the 2003 edition of the Texas State Directory—has a negligible effect on trends reported in this study.

Fifth Court of Appeals in Dallas



Current Court (May 2003)

Justice	Term Expires
Linda Thomas (R) - Chief	2006
Douglas Lang (R)	2006
Joseph Morris (R)	2006
Mark Whittington (R)	2008
Tom James (R)	2006
Carolyn Wright (R)	2004
Jim Moseley (R)	2006
David Bridges (R)	2008
Michael O'Neill (R)	2004
Kerry Fitzgerald (R)	2008

Court's Partisan Split

Year	R's	D's
1997	12	1
2003	13	0

Winning Fifth-District Races, 1996-2002

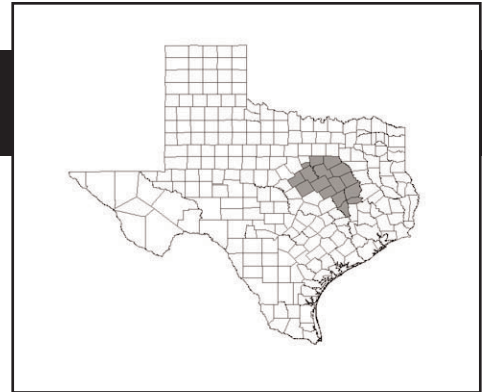
Justice (Party)	Race	Running Status	Money Raised	Money From Lawyers	Top Donor Source
David L. Bridges (R)	2002	Incumbent	\$37,600	97%	Gardere Wynne Sewell...
Kerry P. Fitzgerald (R)	2000	Open	\$36,645	95%	Haynes & Boone
Kerry P. Fitzgerald (R)	2002	Incumbent	\$31,570	99%	Baron & Budd
Molly M. Francis (R)	2002	Incumbent	\$39,500	99%	Hughes & Luce
Thomas L. James (R)	2000	Incumbent	\$42,305	86%	Haynes & Boone
James Kinkeade (R)	2000	Incumbent	\$11,000	100%	Worsham Forsythe...
Joseph B. Morris (R)	2000	Incumbent	\$16,550	100%	Haynes & Boone
James A. Moseley (R)	1996	Incumbent	\$69,450	74%	Jani-King International Inc.
James A. Moseley (R)	2000	Incumbent	\$81,347	88%	Baron & Budd
Michael J. O'Neill (R)	1998	Open	\$89,865	95%	Silber Pearlman
Martin E. Richter (R)	2000	Open	\$100,150	89%	Gardere Wynne Sewell...
Linda B. Thomas (R)	2000	Incumbent	\$3,500	100%	Law Ofc. of R. Jack Ayers, Jr.
Mark Whittington (R)	2002	Incumbent	\$24,500	100%	Godwin Gruber
Carolyn Wright (R)	1996	Incumbent	\$32,500	91%	Bickel & Bickel
Carolyn Wright (R)	1998	Incumbent	\$35,800	97%	Baron & Budd/ Bickel & Bickel
TOTAL:			\$652,282	89%	

Top Fifth-District Donors

Source (PACs & Employees)	Amount
Baron & Budd ^P	\$43,018
Haynes & Boone ^D	\$31,750
Gardere Wynne Sewell & Riggs ^D	\$27,300
Hughes & Luce ^D	\$22,395
Locke Liddell & Sapp ^D	\$21,930
Vinson & Elkins ^D	\$18,800
Baker & Botts ^D	\$18,800
Thompson & Knight ^D	\$14,680
Godwin Gruber ^D	\$13,100
Bickel & Brewer ^D	\$13,000
TOTAL:	\$224,773

D = Defense; P = Plaintiff

Sixth Court of Appeals in Texarkana



Current Court (May 2003)

Justice	Term Expires
Josh Morriss (R) - Chief	2004
Donald Ross (D)	2006
Jack Carter (D)	2008

Court's Partisan Split

Year	R's	D's
1997	0	3
2003	1	2

Winning Sixth-District Races, 1996-2002

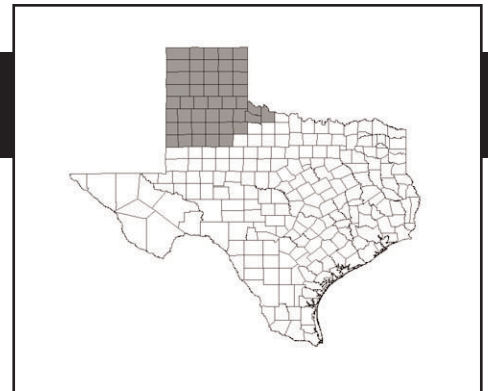
Justice (Party)	Race	Running Status	Money Raised	Money From Lawyers	Top Donor Source
Jack E. Carter (D)	2002	Open	\$107,184	54%	Nix Patterson & Roach
Josh R. Morriss (R)	2002	Incumbent	\$101,491	25%	Atchley Russell Waldrop...
Donald R. Ross (D)	1996	Open	\$61,286	73%	Wellborn Houston Adkinson...
TOTAL:			\$269,961	48%	

Top Sixth-District Donors

Source (PACs & Employees)	Amount
Atchley Russell Waldrop & Hlavinka ^D	\$15,192
Nix Patterson & Roach ^P	\$10,750
Wellborn Houston Adkinson Mann Sadler & Hill ^P	\$10,300
Truman Arnold Co's (wholesale gasoline)	\$9,700
Offenhauser & Co. (insurance)	\$6,652
Century Bank	\$5,450
Texas Medical Association	\$5,263
Patton Haltom Roberts McWilliams Greer ^D	\$5,250
Mike C. Miller, PC ^P	\$5,000
Collom & Carney Clinic	\$4,850
TOTAL:	\$78,407

D = Defense; P = Plaintiff

Seventh Court of Appeals in Amarillo



Current Court (May 2003)

Justice	Term Expires
Phil Johnson (R) - Chief	2004
Brian Quinn (R)	2006
Don Reavis (R)	2006
James Campbell (R)	2004

Court's Partisan Split

Year	R's	D's
1997	2	2
2003	4	0

Winning Seventh-District Races, 1996-2002

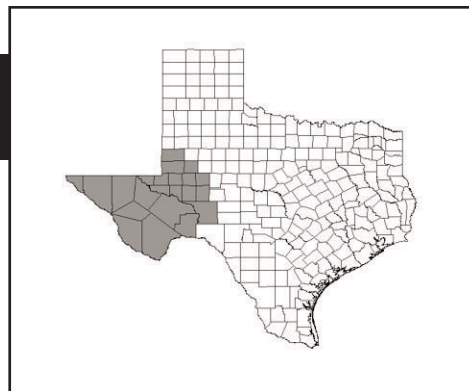
Justice (Party)	Race	Running Status	Money Raised	Money From Lawyers	Top Donor Source
Philip W. Johnson (R)	2002	Open	\$49,142	68%	Fadduol Glasheen & Valles
Brian P. Quinn (R)	2000	Incumbent	\$41,759	71%	Fadduol Glasheen & Valles
TOTAL:			\$90,901	70%	

Top Seventh-District Donors

Source (PACs & Employees)	Amount
Fadduol Glasheen & Valles ^P	\$11,500
Crenshaw Dupree & Milam ^D	\$4,625
Mullin Hoard & Brown ^D	\$4,450
Gibson Ochsner & Adkins ^D	\$3,150
Mcwhorter Cobb & Johnson ^D	\$2,600
Craig Terrill & Hale ^D	\$2,200
Underwood Wilson Berry Stein & Johnson ^D	\$2,125
Jones Flygare Brown & Wharton ^D	\$2,100
Peterson Farris Moss Pruitt Parker & Arnold ^D	\$1,990
Hund & Harriger ^D	\$1,750
TOTAL:	\$36,490

D = Defense; P = Plaintiff

Eighth Court of Appeals in El Paso



Current Court (May 2003)

Justice	Term Expires
Richard Barajas (D) - Chief	2008
Susan Larsen (D)	2004
Ann McClure (R)	2006
David Chew (R)	2006

Court's Partisan Split

Year	R's	D's
1997	2	2
2003	2	2

Winning Eighth-District Races, 1996-2002

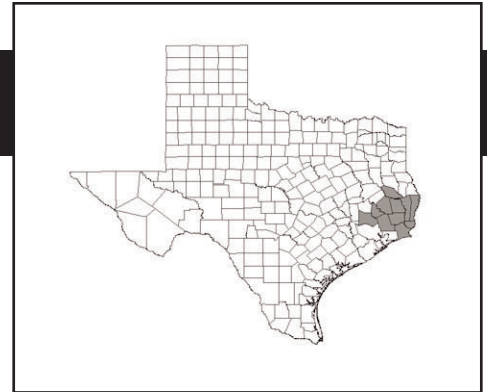
Justice (Party)	Race	Running Status	Money Raised	Money From Lawyers	Top Donor Source
Richard Barajas (D)	1996	Incumbent	\$4,800	100%	4 \$500 donors tied
Barajas, Richard (D)	2002	Incumbent	\$31,133	90%	Mounce Green/Buckingham
David W. Chew (D)	2000	Incumbent	\$3,050	77%	Scott Hulse Marshall...
Susan J. Larsen (D)	1998	Incumbent	\$42,600	89%	Vinson & Elkins
Ann C. McClure (D)	2000	Incumbent	\$13,575	88%	3 \$1,000 donors tied
TOTAL:			\$95,158	89%	

Top Eighth-District Donors

Source (PACs & Employees)	Amount
Scott Hulse Marshall Feuille Finger & Thurmond ^D	\$3,600
Mounce Green Myers Safi & Galatzan ^D	\$3,300
Vinson & Elkins ^D	\$2,500
Fulbright & Jaworski ^D	\$2,500
Evelina Ortega (solo attorney) ^P	\$2,050
Bracewell & Patterson ^D	\$2,000
Baron & Budd ^P	\$2,000
Oaxaca Bernal & Assoc. ^P	\$1,950
Beck & Given ^P	\$1,850
Buckingham Law Firm ^P	\$1,500
Ruff Ahders (solo attorney) ^P	\$1,500
TOTAL:	\$24,750

D = Defense; P = Plaintiff

Ninth Court of Appeals in Beaumont



Current Court (May 2003)

Justice	Term Expires
Steve McKeithen (R) - Chief	2008
Don Burgess (D)	2004
David Gaultney (R)	2006

Court's Partisan Split

Year	R's	D's
1997	0	3
2003	2	1

Winning Ninth-District Races, 1996-2002

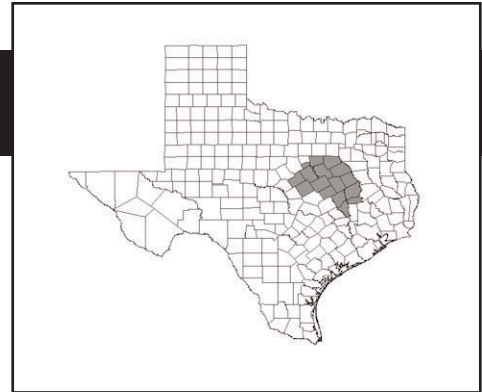
Justice (Party)	Race	Running Status	Money Raised	Money From Lawyers	Top Donor Source
Donnie R. Burgess (D)	1998	Incumbent	\$227,984	89%	Conex/Orgain Bell/ Reaud Morgan
David B. Gaultney (R)	2000	Open	\$198,050	43%	MehaffyWeber
Steve McKeithen (R)	2002	Challenger	\$26,070	61%	Brent Coon/Dugas Clay/ Weller Green
TOTAL:			\$452,104	67%	

Top Ninth-District Donors

Source (PACs & Employees)	Amount
MehaffyWeber ^D	\$38,533
Orgain Bell & Tucker ^D	\$17,925
Conex International (construction)	\$17,000
Reaud Morgan & Quinn ^P	\$15,000
Weller Green Toups & Terrell ^P	\$15,000
Provost & Umphrey ^P	\$14,350
Dies Henderson & Carona ^P	\$11,000
Vinson & Elkins ^D	\$10,600
Texans For Lawsuit Reform	\$10,000
Howie & Sweeney ^P	\$8,500
TOTAL:	\$157,908

D = Defense; P = Plaintiff

Tenth Court of Appeals in Waco



Current Court (May 2003)

Justice	Term Expires
Rex Davis (R) - Chief	2006
Bill Vance (D)	2008
Tom Gray (R)	2004

Court's Partisan Split

Year	R's	D's
1997	1	2
2003	2	1

Winning Tenth-District Races, 1996-2002

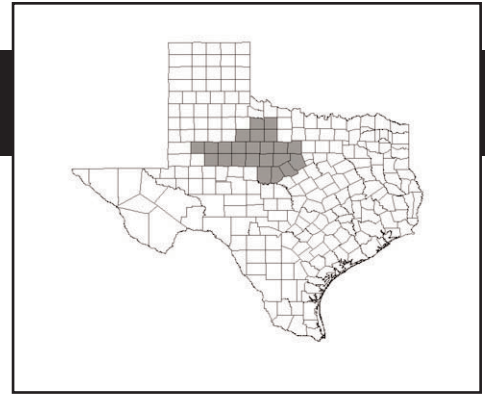
Justice (Party)	Race	Running Status	Money Raised	Money From Lawyers	Top Donor Source
Rex D. Davis (R)	1996	Incumbent	\$82,882	31%	David Weeks & Co.
Rex D. Davis (R)	2000	Incumbent	\$79,800	42%	Dawson & Sodd
Thomas W. Gray (R)	1998	Open	\$93,939	42%	Dawson & Sodd
William R. Vance (D)	1996	Incumbent	\$16,431	64%	Beard & Kultzen
William R. Vance (D)	2002	Incumbent	\$6,100	84%	Vinson & Elkins
TOTAL:			\$279,152	41%	

Top Tenth-District Donors

Source (PACs & Employees)	Amount
Dawson & Sodd	\$26,500
Fulbright Winniford ^D	\$11,300
First City Financial Corp.	\$9,750
Vinson & Elkins ^D	\$9,600
Fulbright & Jaworski ^D	\$7,730
Pakis Giotes Beard & Page ^D	\$7,200
Fulbright Winniford ^D	\$6,300
Campbell Cherry Harrison Davis & Dove ^P	\$5,300
David Weeks & Co. (political consultant)	\$5,057
Malesovas & Martin ^P	\$4,500
Naman Howell Smith & Lee ^D	\$3,600
TOTAL:	\$96,837

D = Defense; P = Plaintiff

Eleventh Court of Appeals in Eastland



Current Court (May 2003)

Justice	Term Expires
William Arnot III (D) - Chief	2006
Jim Wright (R)	2008
Terry McCall (R)	2004

Court's Partisan Split

Year	R's	D's
1997	1	2
2003	2	1

* The 11th District also uses two retired Democratic "senior justices" to relieve case load as needed.

Winning Eleventh-District Races, 1996-2002

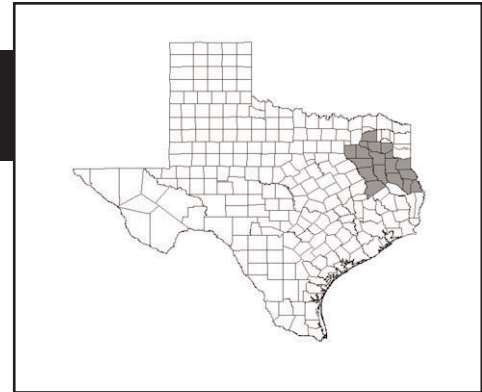
Justice (Party)	Race	Running Status	Money Raised	Money From Lawyers	Top Donor Source
William 'Bud' Arnot III (D)	2000	Incumbent	\$12,125	91%	Vinson & Elkins
Terry McCall (R)	1998	Open	\$75,976	22%	Himself
Jim R. Wright (R)	1996	Incumbent	\$7,480	55%	Himself
TOTAL:			\$95,581	33%	

Top Eleventh-District Donors

Source (PACs & Employees)	Amount
Terry McCall (self donation)	\$22,153
Vinson & Elkins ^D	\$7,600
Baker & Botts ^D	\$3,550
Fulbright & Jaworski ^D	\$3,500
James Wright (self donation)	\$3,000
Sterling Group (chemicals)	\$2,500
Webber & Hanzlik (architects)	\$2,500
Andrews & Kurth Mayer Day Caldwell & Keeton ^D	\$1,500
Latimer Bowen (plaintiff lawyer's wife) ^P	\$1,500
Skylar Sudderth (Brown Co. District Attorney)	\$1,255
TOTAL:	\$49,058

D = Defense; P = Plaintiff

Twelfth Court of Appeals in Tyler



Current Court (May 2003)

Justice	Term Expires
James Worthen (R) - Chief	2004
Sam Griffith (R)	2006

Court's Partisan Split

Year	R's	D's
1997	2	1
2003	2	0

Winning Twelfth-District Races, 1996-2002

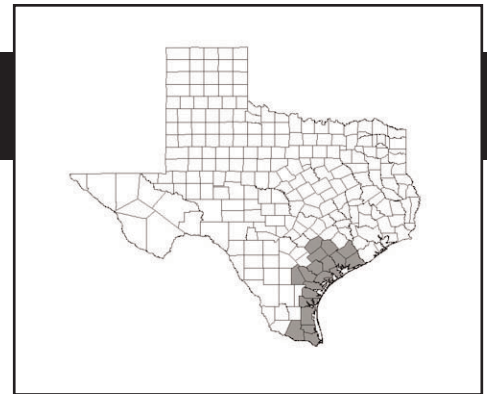
Justice (Party)	Race	Running Status	Money Raised	Money From Lawyers	Top Donor Source
Sam Griffith (R)	2000	Challenger	\$26,324	66%	Holcomb Morrison & Griffith
James T. Worthen (R)	1998	Challenger	\$114,846	3%	Himself
James T. Worthen (R)	2002	Open	\$17,687	85%	Roberts & Roberts
TOTAL:			\$158,857	23%	

Top Twelfth-District Donors

Source (PACs & Employees)	Amount
James T. Worthen (self donation)	\$97,778
Sam G. Griffith (self donation)	\$12,000
Bain Files Jarrett & Bain ^F	\$3,044
Roberts & Roberts ^P	\$3,000
Citizens 1st Bank	\$2,000
Zapata-Fender (oil & gas)	\$2,000
Ritcheson Dollahite & Lauffer ^D	\$1,100
Wheeler & Russell	\$1,000
Dawson & Sodd	\$1,000
Harbour Smith Harris Merritt ^D	\$1,000
TOTAL:	\$123,922

D = Defense; P = Plaintiff; F = Family

Thirteenth Court of Appeals in Corpus Christi



Current Court (May 2003)

Justice	Term Expires
Rogelio Valdez (D) - Chief	2006
Dori Contreras Garza (D)	2008
Federico Hinojosa (D)	2006
Linda Yanez (D)	2004
Nelda Rodriguez (D)	2006
Errlinda Castillo (D)	2006

Court's Partisan Split

Year	R's	D's
1997	0	6
2003	0	6

Winning Thirteenth-District Races, 1996-2002

Justice (Party)	Race	Running Status	Money Raised	Money From Lawyers	Top Donor Source
Errlinda Castillo (D)	2000	Open	\$2,400	38%	4 \$500 donors tied
Dori Contreras Garza (D)	2002	Open	\$266,072	96%	Michael/Dori Contreras Garza
Frederico Hinojosa, Jr (D)	2000	Incumbent	\$222,458	86%	Watts Law Firm
Nelda Rodriguez (D)	2000	Incumbent	\$84,725	78%	Constant & Vela
Rogelio 'Roy' Valdez (D)	2000	Open	\$233,644	85%	Constant & Vela/Perry Haas
Linda Reyna Yanez (D)	1998	Incumbent	\$64,760	95%	White Huseman & Pletcher
TOTAL:			\$874,059	88%	

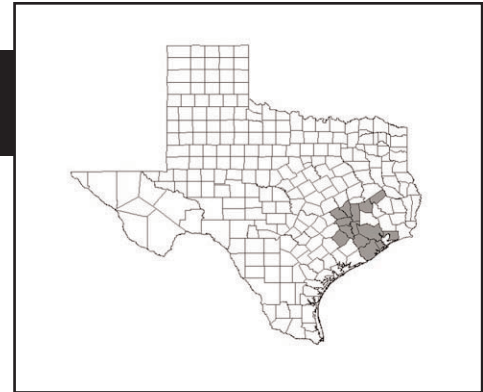
* Attorneys contributing to Third District judicial candidates.

Top Thirteenth-District Donors

Source (PACs & Employees)	Amount
Michael Garza & Dori Contreras Garza ^P	\$50,100
Perry Haas ^P	\$34,000
Constant & Vela ^P	\$30,500
Watts Law Firm ^P	\$26,706
Edwards Law Firm ^P	\$22,750
William J. Tinning, PC ^P	\$13,500
Mark Cantu (McAllen attorney)	\$12,500
Rodriguez Pruneda Tovar Calvillo & Garcia ^P	\$12,500
Kittleman Thomas Ramirez & Gonzales ^D	\$11,000
Law Office of Ramon Garcia ^P	\$10,500
TOTAL:	\$224,056

D = Defense; P = Plaintiff

Fourteenth Court of Appeals in Houston



Current Court (May 2003)

Justice	Term Expires
Scott Brister (R) - Chief	2008
Leslie Yates (R)	2004
Charles Seymore (R)	2006
John Anderson (R)	2006
J. Harvey Hudson (R)	2006
Wanda Fowler (R)	2006
Richard Edelman (R)	2006
Eva Guzman (R)	2004
Kem Frost (R)	2008

Court's Partisan Split

Year	R's	D's
1997	5	4
2003	9	0

Winning Fourteenth-District Races,

Justice (Party)	Race	Running Status	Money Raised	Money From Lawyers	Top Donor Source
John S. Anderson (R)	2000	Incumbent	\$54,250	87%	Vinson & Elkins
Scott Brister (R)	2002	Incumbent	\$62,236	85%	Vinson & Elkins
Richard H. Edelman (R)	2000	Incumbent	\$35,475	98%	Vinson & Elkins
Wanda McKee Fowler (R)	2000	Incumbent	\$58,639	84%	Vinson & Elkins
Kem Thompson Frost (R)	2000	Incumbent	\$67,080	76%	Winstead Sechrest...
Kem Thompson Frost (R)	2002	Incumbent	\$121,019	89%	Winstead Sechrest...
Eva Guzman (R)	2002	Incumbent	\$88,125	89%	Law Office of John Nichols
Charles W. Seymore (R)	2000	Challenger	\$104,060	90%	Vinson & Elkins
Leslie Brock Yates (R)	1998	Incumbent	\$59,502	81%	Grayson & Hovenkamp
TOTAL:			\$650,386	87%	

Top Fourteenth-District Donors

Source (PACs & Employees)	Amount
Vinson & Elkins ^D	\$48,550
Winstead Sechrest & Minick ^D	\$31,750
Baker & Botts ^D	\$28,050
Fulbright & Jaworski ^D	\$22,400
Andrews & Kurth Mayer Day Caldwell & Keeton ^D	\$16,550
Locke Liddell & Sapp ^D	\$12,950
Haynes & Boone ^D	\$10,600
Susman Godfrey ^D	\$10,500
Bracewell & Patterson ^D	\$10,125
Jackson Walker ^D	\$9,200
TOTAL:	\$200,675

D = Defense; P = Plaintiff