

Electing Judges in Cook County: The Role of Money, Political Party, and the Voters

Executive Summary

A Report Prepared by

The Chicago Appleseed Fund for Justice

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Introduction

The purpose of the Judicial Campaign Finance Reform Project is to arrive at a better understanding of the determinants of electoral success in Cook County judicial races, including both primary and general elections. The project examined the relative influence of campaign financing practices, institutional selection and appointment processes (such as party slating), and the impact of the subcircuit election process. While the quantitative analysis helps identify the factors that determine election outcomes, we turned to personal interviews to understand how these determinants work within the political world of Cook County judicial elections. We conducted these interviews with more than 40 bar leaders, unsuccessful judicial candidates, judges, members of the media who cover judicial election stories, and lawyers with expertise in election law.

How Judges Are Elected in Cook County

The Cook County judicial system has both countywide and smaller, “subcircuit” districts. Countywide judges are selected by the voters of the whole county. Once elected, the candidate can be assigned to any division of the Circuit Court. The 15 subcircuits are geographical areas that all lie within Cook County. Subcircuit candidates must reside within the geographic boundaries of their subcircuit, and they are selected by the voters of that subcircuit only. Once elected, however, the judges from the subcircuits have the same powers as judges elected countywide, and can also be placed in any division of the Circuit Court as well.

The subcircuits were created as a response to criticisms that countywide elections resulted in an insufficient number of minorities and Republicans on the bench. In 1992, the Illinois legislature enacted legislation establishing the subcircuit system in Cook County, with the aim of increasing diversity on the bench.

Subcircuit elections have changed the environment in which judicial campaign fund-raising occurs. Some observers believe that subcircuit elections have made campaign fund-raising more important since subcircuit candidates not slated by local politicians can win if they raise enough funds. The smaller geographic size of the subcircuits allows a candidate to reach every voter in the subcircuit with campaign information, provided that the candidate can raise a relatively modest amount of money. For example, in 1996 the unslated candidate running in the Eighth Subcircuit was able to win a judicial seat after representatives of local political organizations disagreed over who was to be slated. The result of this disagreement was sample ballots or palm cards reflecting more than one slated candidate (different names appeared on different palm cards in precincts throughout the area). The successful candidate, Candace Fabri, was able to take advantage of the opportunity by raising enough money to gain name recognition through a large-scale distribution of campaign literature.

But the results vary. High-quality candidates not slated by the dominant political party (the Democratic Party in most subcircuits, but the Republican Party in some subcircuits) have shown that they can raise enough funds to win. In other instances, however, poorly qualified but slated candidates have beaten out more qualified people who did not have the ability to raise large amounts of campaign funds. In addition, the

“wildcards” of judicial elections -- the importance of ballot position and a surname that is appealing to voters -- continue to play a role.

The Need to Examine Judicial Campaign Financing in Cook County

The subject of money in state judicial elections and the potential ethical improprieties that accompany judicial fundraising generates considerable debate both inside and outside the legal arena. Competing concerns about balancing accountability and independence among elected judges have created controversy ever since Mississippi became the first state to elect judges in 1824.

The debate over who should select judges is as old as the United States. Some say that electing judges gives the people their rightful voice, and that this voice would be taken away by politicians and bar groups in an appointive system. Others argue that elections have produced corrupt and/or unqualified judges who lack the independence judges must have to dispense even-handed justice and to be an effective check on the power of the other branches of government.

While this debate continues, new and related issues have arisen. As judicial elections have become increasingly expensive, has raising money for judicial campaigns imposed increasing constraints on the independence of the judiciary in Cook County? And to what extent does the political slating process now interact with judicial campaign financing?

The vast majority of the attention paid to judicial elections -- and possible reforms -- is focused on state supreme court races. For example, a recent report by the American Bar Association calling for public financing of judicial elections included the caveat that

public financing is only practical for state supreme court elections. But that may not be where the reform is most needed -- a recent study published by the Institute on Money and Politics found no relationship between campaign contributions and the decisionmaking of the Illinois Supreme Court.¹

Does this mean that money is not important in Illinois? Hardly. It may mean instead that people with money and power are primarily interested in the judicial elections at the lower court level, where many of our most important cases are heard. The great majority of those cases are not accepted for appeal to the Illinois Supreme Court.²

In Cook County, judicial campaign fund-raising is having a two-fold effect on judicial elections.

First, judicial campaigns started becoming more expensive in the 1980s.³ Then, with the creation of subcircuit elections in 1992, people realized that money could determine outcomes in these more geographically restricted contests -- that the candidate slated by the local politicians could be beaten if the unslated candidate raised enough money. Since 1992, Cook County judicial campaigns have become even more expensive. According to data collected by Chicago Appleseed, judicial fundraising in Cook County increased from an average of \$7,400 per contest in 1988 to more than

¹ The study found that the cost of winning a seat on the Illinois Supreme Court has tripled over the last decade. However, fewer than four percent of the lawyers appearing before the Supreme Court had made a contribution to a winning candidate. The study states: "There is no statistical evidence from these cases that connects contributions with success before the Court...." In fact, the study found that "just 10.7 percent of cases before the Supreme Court involve a contributor. When those contributors appeared before the Court, they were more often on the losing side than the winning side of the case."

² The Illinois Supreme Court disposed of 104 cases in 1999, 144 cases in 2000, and 133 cases in 2001. By contrast, in 2001, the Chancery Division of the Circuit Court of Cook County disposed of 21,092 cases; the Law Division disposed of 246,523 cases; and the Criminal Division disposed of 312,561 cases. Annual Report of the Illinois Courts, Statistical Summary (2002).

³ Nicholson and Nicholson, *Funding Judicial Campaigns in Illinois*, 77 JUDICATURE 294 (1994).

\$30,000 in the 1998 subcircuit elections and about \$19,000 in the 1998 countywide elections. We have to ask ourselves: what are the sources of the extra funds? what do contributors expect in return? as candidates need more and more money, is the need filled by special interest groups?

Second, the link between judicial campaign finance and the all-important political slating process is becoming stronger. Countywide judicial elections are won, for the most part, by those candidates slated by the Democratic Party. Past studies have shown that, in Illinois, judicial candidates gave large sums of money to political committees in uniform amounts, suggesting that the donations were required assessments.⁴ Once endorsed, the candidates were expected to make contributions to the Democratic Party.

Fundraising prior to the endorsement is a way for the candidate to demonstrate support or clout. Judicial candidates seeking the Party endorsement understand that they must persuade the slating committee that they are loyal Democrats. As one candidate said at a slating session, "I could tell you I've handled thousands of cases as a judge and a lawyer, but I don't think that's important -- I've been a loyal Democrat all my life."⁵

Once the slating has been done for the countywide elections, non-slatted candidates often do not raise substantial funds, hoping instead that good ballot position or a good ballot name will create the electoral miracle it takes to beat the slated candidates. These electoral miracles are rare. Unslated candidates may lack the ability to raise money because potential donors see them as likely losers.

⁴ *Id.*

⁵ For examples of amounts donated and recipients, see Abdon M. Pallasch, "Making a Contribution," *Chicago Lawyer*, March 1996, at 4; and Pallasch, "Clout Is Key to Filling Dems' Judicial Slate," *Chicago Sun-Times*, November 28, 1999).

In addition to countywide slating, the subcircuit election process has created a new type of slating and a new emphasis on the judicial fund-raising that goes along with the slating process. Dividing Cook County into 15 subcircuits for the purpose of electing more representative judges also created 15 slating processes controlled by politicians at the neighborhood level. The relationship between slating and campaign funds that existed at the County level then blossomed at the subcircuit level as well. Subcircuit judicial candidates seeking to be slated also need to show clout, often by raising campaign funds.

The Need to Focus on Local Courts in Illinois

The politics behind how lawyers ascend to the bench -- including the influences of, *inter alia*, fundraising, campaigning, issue preferences, and partisan influences -- is increasingly understood, not as something peripheral to the judiciary or reflected in a mere handful of races, but rather as a primary determinant of who sits on the bench at all levels.⁶ Not surprisingly, “politics-as-usual” gives many observers of the bench and bar pause. Those who value judicial independence believe that judgeships should be “removed” from the political process. A controversial compromise would apply special rules to judicial elections, restricting what candidates say and spend in the course of their campaigns. Surveys conducted by the American Bar Association and the Illinois Campaign for Political Reform highlight the concern that drives such restrictions: there is

⁶ See, e.g., Kent Redfield. *Money Counts: How Money Dominates Illinois Politics and What Can Be Done About It*. Springfield: University of Illinois Press (2001).

a perception among the public that judges are or influenced by campaign contributors, especially when the donors are lawyers.⁷

Judicial elections at the lower court level involve political factors different from those influencing state supreme court races, and the reforms needed in supreme court campaigns may well be different from proposals aimed at improving elections used to select lower court judges. Our point here is a simple one: if the public is concerned about judicial campaign contributions, we should address the courts that handle most of the cases -- the circuit courts. In 2001, in a trend mirrored across the country, the Illinois Supreme Court decided only 133 cases.⁸ This is not to say that reform measures for the Illinois Supreme Court are unimportant, but the measures required may be different in different areas of the court system

Research Methodology

To examine the role of money and political slating in Cook County judicial elections, we employed two complementary research methods. Regression analysis conducted by Professors Lee Epstein and Andrew Martin of Washington University helped identify determinants of electoral success.

Our analyses of candidate characteristics, election outcomes, and candidate spending and fundraising practices are based on examination of 33,000 records -- 30 pieces of information for each of the more than 1,100 candidates who ran for judge in

⁷ American Bar Association, "Perceptions of the U.S. Justice System." February, 1999. *See also* Illinois Campaign for Political Reform, "Perceived Influence of Campaign Contributions on Illinois Judicial Elections." April 2001.

⁸ The Illinois Supreme Court disposed of 104 cases in 1999, 144 cases in 2000, and 133 cases in 2001. By contrast, in 2001, the Chancery Division of the Circuit Court of Cook County disposed of 21,092 cases; the Law Division disposed of 246,523 cases; and the Criminal Division disposed of 312,561 cases. Annual Report of the Illinois Courts, Statistical Summary (2002).

Cook County between 1988 and 2000. The goal of this quantitative analysis was to identify the factors that have a statistically significant influence on the election of judges in Cook County.

But quantitative data alone have analytical limits. It is one thing to know that a particular variable can have a significant impact on determining success in judicial elections; it is quite another to know *why* it has such a strong impact. We therefore conducted focused interviews with various attorneys, political actors, journalists, former candidates, and other members of the community who are familiar with or have first-hand experience with the judicial selection process in Cook County. Because of the conflicting opinions regarding the Cook County judiciary, we sought responses from a number of different perspectives. All respondents were promised anonymity.

The qualitative data collection process, accomplished through interviewing by phone and in person, utilized a standardized data collection form designed to elicit information about:

- Slating
- Perceptions of the bench and bar about judicial elections
- Role of political parties and interest groups
- Campaigning for a judgeship
- Judicial speech
- Prospective voters' need for information about candidates
- Money in judicial elections: Where it comes from and for what purposes it is given
- Opinions about proposed reforms

Statistical Analysis: What Does It Take To Get Elected?

Despite the importance that candidates and political parties assign to being slated, anecdotal evidence does establish whether it actually works or not. Moreover, stories

about particular candidates paying for political endorsement do not prove that campaign contributions enhance the likelihood of slating in general.

Using Chicago Appleseed's judicial campaign database, Professors Epstein and Martin looked at three events – primary elections, general elections, and the slating process – to discern what factors were significant in achieving the desired goal (winning the election or being slated). Here is a summary of the main findings; a full report is also available.

Democratic Primaries in Countywide Races

For Democratic primaries in countywide races, receiving a favorable endorsement by the *Chicago Tribune*, being female, and having an Irish or Scottish surname were all positive factors (to a statistically significant degree).

Slating had an enormous effect; if a candidate was not slated, then s/he had a 5.8% chance of winning the primary. If s/he was slated, those chances increased to 68.4%.

Democratic Primaries in Subcircuit Races

In the subcircuits, receiving the *Tribune's* endorsement and being female have a positive effect on winning judgeships but, unlike countywide races, having an Irish or Scottish surname was not statistically significant. Slating, again, was the most important factor.⁹ The probability of a candidate winning the primary without being slated is 8.9%. The probability increases to 76% if the candidate is slated.

⁹ Actually, the regression models show that the *Tribune* endorsement does not exert a significant effect in predominantly African-American subcircuits, but it does in largely Hispanic subcircuits.

In the subcircuits, money does not have a statistically significant effect on winning elections, except insofar as it relates to slating.

Republican Primaries

Due to the smaller number of Republican candidates in primary elections, Professors Epstein and Martin could only analyze a sample combining countywide and subcircuit elections. That said, the result is clear: the only variable that exerts a statistically significant effect is slating. The probability of a non-slating Republican candidate winning the primary election is 15%, but an endorsed candidate has an 86.4% chance of winning the primary.

General Elections

In the general elections, including both countywide and subcircuit races, *Chicago Tribune* endorsement and Irish/Scottish surnames had significantly positive effects, but the effects were not large. Being female and a Democrat were the most significant factors leading to victory; of these two, being a Democrat had the greater effect. With all other variables held at their means, Republicans win elections only 13.9% of the time.

If we limit ourselves to subcircuit races in the general election, the only statistically significant variable leading to victory is party affiliation, although it is not as important as in the countywide races. Holding all other variables at their means, the statistical model suggests that, in the subcircuit elections, Republicans win 46.3% of the races they contest while Democrats win 88.6% of their elections. The total is more than 100% because both parties run candidates selectively, or choose not to run candidates in races where they expect to lose. The finding also suggests that the subcircuit system may

be achieving its intended effect in one area -- loosening the Democratic stranglehold on Cook County judgeships.

The overarching theme of the findings is that slated candidates are much more likely to be successful than unslated ones. With that in mind, the next step in the analysis was to look at what factors went into slating decisions.

Determinants of Being Slated – Democratic Countywide Races

In Democratic countywide races, money was the most significant factor affecting slating. When all other variables were held constant, a candidate had a 23.6% chance of being slated. Spending an additional \$10,000 increases that probability to 31.8%; spending an additional \$50,000 increased the probability to 69.8%.

Determinants of Being Slated – Democratic Subcircuit Races

Subcircuit races presented a different picture: for those races, money was not statistically significant. The reasons for this are open to speculation, but Epstein and Martin believe that the political organizations may use different processes for slating candidates for subcircuit judges than they do for countywide seats.

Determinants of Being Slated – Republican Countywide and Subcircuit Races

By and large, the slating decisions for the Republican Party follow the same pattern as those of the Democrats. Holding all other variables at their means, the probability of the party slating a candidate was 48.1%. This probability increased to 64.1% for an additional \$10,000 spent, 83.5% for an additional \$25,000, and 97.7% for

an additional \$50,000. The Republican Party analysis also showed that a candidate that had run before had a statistically better chance of winning.

The Relationship Between Money and Slating

The data reveal a consistent and significant relationship between money and slating. That relationship may take one of two forms: (1) fundraising increases the likelihood of being slated, or (2) slating increases the potential for fundraising. It is not possible to differentiate between the two in our quantitative analysis. Professors Epstein and Martin believe that the former process is more likely than the latter, however because the “money” variable used in the analysis included only funds raised through the first quarter of the election year. They took this approach to focus on fundraising before and immediately after slating, rather than over the course of an entire campaign.

Interview data collected by Chicago Appleseed support this view, but causal links between money and slating vary by subcircuit. Some candidates who were slated raised significant funds before the slating decision was made. Other slated candidates had not raised funds by the time the slating decision was made, but there was an understanding that they would be able to provide significant funding once they were slated.

A final analysis conducted by Professors Epstein and Martin looked at the spending patterns of winners and losers in judicial races over the past decade. This analysis compared winners and losers of all non-retention general election races in each year and computed the percentage of candidates that gave money to local political organizations. The results are as follows:

Percentages of winners who gave money to party organizations:

1988: 43%
1990: 36%
1992: 72%
1994: 64%
1996: 89%
1998: 71%
2000: 83%

Percentages of losers who gave money to party organizations:

1988: 9%
1990: 44%
1992: 31%
1994: 0%
1996: 50%
1998: 41%
2000: 0%

As the data show, in only one year, 1990, did more losers contribute money than winners, and in no year since 1992 – the year the subcircuits were created – did fewer than 64% of the winning candidates contribute to a political organization. In 1996, this percentage was 89%, and it was 83% in 2000. The data also show a marked increase in the percentage of winning candidates contributing to the parties after the advent of subcircuit elections in 1992.

In 1988, a winning judicial candidate raised on average about \$7,400. In 1992, during the time of the first subcircuit election, the contribution level jumped to \$15,000 for countywide candidates and nearly \$19,000 for subcircuit candidates. In 1998, winning countywide candidates raised an average of \$19,000, while judicial subcircuit candidates on average raised more than \$30,000.

How Judicial Elections Are Won in Cook County

The reasons for being slated are, in sum: 1) to gain the advantage of having a political party’s administrative network facilitate the candidate’s campaign, 2) to receive the “political cue” of party affiliation, key for attracting uninformed voters, and 3) to receive the support of the local political organization advocating the slating, and the votes that the organization can deliver.

Administratively, the political parties provide candidates with personal contacts and advertising channels that would be difficult and expensive to acquire independently. In addition, the parties can mobilize members of their organization to campaign on behalf of the candidate. As one former candidate stated:

“Candidates who are slated get stuff handed out for [them]...if [the candidate is] not [slated] you have to find people to stand there for you – friends and family. You need support otherwise done by the party for the slated candidate.”

An unsuccessful candidate categorizes the administrative benefits provided by the political party as:

“Time, money, and organization – candidates who are endorsed by the party receive a weekly list of events to attend. If you [as a non-slatted candidate] want to find out what is going on, it takes a lot of work.”

Slating also provides a candidate with an “official” endorsement from his/her political party. Showing that a candidate is affiliated with a political party is important in any election, but more so in judicial elections because of the relative obscurity of the candidates. When the electorate cannot evaluate a candidate based on particular information (such as previous work experience, education, etc.) they rely upon “political cues” in order to make their choice.

Finally, slating by a party means that the candidate – to a certain extent – has the support of a ward boss. These bosses hold a large amount of “political capital” – the ability to deliver votes for a candidate – and in judicial elections, where a winning candidate may only need 30,000 votes to win, guaranteed votes are crucial.

As the data by Professor Epstein show, a candidate’s chances of winning an election increase exponentially if s/he is slated. The political parties are aware of its importance, and they exact a heavy price for the “privilege of being slated.”

The Slating Selection Process

In the countywide slating process, after all the candidates appear before the committee, the committee makes its slating choices. Because this is done behind closed doors, no one outside of the committee knows what criteria are used for selection.

In the subcircuits, slating is done at the level of the local political organization and the process varies greatly from subcircuit to subcircuit. Judicial candidates seeking slating know they must meet with as many precinct captains and other local political figures as possible. The process begins in the fall before the primary election.

In some subcircuits, the aldermen have formal sessions akin to the slating process of the Cook County Democratic Party. More often, the process is much less formal. But behind the scenes, there is intense political debate, for in each subcircuit there can often be found several local political organizations. For each judicial vacancy to be filled with a subcircuit election, there must be a decision made as to which political organization gets to slate the candidate. Theoretically, the organization with the greatest number of delivered votes in the preceding election gets first pick. In actuality, the decision is often the product of intense discussions. One alderman observed:

“Committeemen take turns picking candidates...To get slated, a person must be active in my political organization because this is the way I know people.”

The Experience of Running for Judge

A common theme among unsuccessful judicial candidates we interviewed is that the process is humiliating:

“I presented my materials before each precinct captain and committeemen who would see me. Sometimes, I don’t think they were even listening to my credentials. They only wanted to know what I had done for the organization.”

Another candidate running in a suburban subcircuit was counseled to “send money to each committeeman. . . in the area where she was running for judge.” She was then told to run in the next election so “that her name would be on the radar screens of these committeemen.” When she confessed during these sessions that she had not done work for the local political organizations, she was told that she would not be slated.

Another candidate told us:

“If I run countywide, I just see where my name is on the ballot. I am not going to raise or spend money because it would be a waste. But if I think I can raise campaign funds, then I’ll run in the subcircuits where money makes a difference. I can beat the slated guy in the subcircuit if I can raise the funds.”

Still another person observed that :

“We are seeing countywide slating control -- the county tries to screen out really unqualified candidates. In the subcircuits, some truly bad people get slated; they are much more invisible and can get away with it.”

In discussing campaign fundraising, most of the candidates to whom we spoke say funds come from four sources: themselves, relatives, friends, and other lawyers. But those we interviewed who have run more than once told us that they see the amount of funds they need to spend in a campaign growing. As one unsuccessful candidate said, she “can’t help but be concerned that the amount of money has to be flowing into the campaign with the hope of gaining some future influence.”

Suggested Reforms

Each of the following reforms has been suggested in the literature or in the interviews we conducted. We do not present them as recommendations. Rather, we

present them for discussion by members of the bench, the bar, community leaders, and policymakers.

As with any reform proposal, the key is to identify the “problems” and then propose remedies to rectify them. In the case of Cook County’s judicial elective system, the problems are the increasing costs of waging a judicial campaign and the considerable influence that the political party organizations hold over judicial campaigns. If we are to continue to elect judges in Illinois, is it possible to modify Cook County’s judicial elective system, so that increasing costs and political influence are diminished, without compromising the positive attributes of democratic selection?

Relatively few people currently vote in judicial elections. There is a dramatic drop-off between the number of voters for the positions at the top of the ballot and the number who actually vote for the judges at the ballot’s end.¹⁰ Although the democratic process can hardly be said to be operating well if voters fail to participate in it, change in a relatively small number of voters might produce substantial change in the outcomes of these judicial elections. In some subcircuit elections, for example, a judicial race may draw a total of less than 20,000 votes and the winning candidate may receive less than 30% of that total. For example, in the 2002 Democratic primary election, five candidates running in the Fifteenth Subcircuit split about 16,000 votes. The winning candidate received about 29% of the vote and won the election by less than 600 votes. An increase of only a few thousand informed voters can make a large difference in some judicial races.

¹⁰ For example, in the 2000 primary election, there were a total of about 736,000 votes cast in all races. For each countywide judicial vacancy, there were on average less than 368,000 votes cast. There were a total of less than 219,000 votes cast in the combined subcircuit elections which included judicial elections in 7 subcircuits.

These reform proposals are offered to help level the playing field of judicial elections so that the electorate can make an informed and thoughtful decision.

- 1) Relaxing existing restrictions on a judicial candidate's campaign speech -- the end of judicial independence?
- 2) Public Financing of Judicial Elections
- 3) Impose limits on a judicial candidate's campaign spending and restrict judicial campaign contributions by attorneys
- 4) Implement judicial performance evaluations conducted by a staffed, independent commission
- 5) Change the timing of filing election materials and evaluate judicial candidates in time to influence slating decisions
- 6) Consider a prospective judges' school for lawyers wanting to run for judge.
- 7) Require judges to recuse themselves from hearing cases involving parties that have contributed to their campaigns
- 8) Use public financing for voter information guides to be distributed to all members of the public
- 9) Host a series of public forums for judicial candidates
- 10) Provide mail-in voting for judicial elections
- 11) Have judicial elections at a time different from the currently established election times
- 12) Initiate a project designed to show how judges have effects on people's lives on a daily basis.
- 13) Non-Partisan Election of Judges

Conclusions Regarding the Current State of Judicial Elections in Cook County

Based on the anecdotal and statistical evidence regarding the politicization of judicial elections, a few conclusions regarding the problems within the system can be offered.

- , *Many qualified candidates are being “priced out” of running or waging a successful campaign. On the other hand, too many non-qualified candidates who are good at raising money or have influential political connections are being ushered into judgeships.*
- , *Voters do not have adequate credible information about the qualifications of judicial candidates.*
- , *Subcircuit elections have greatly increased the importance of judicial fundraising and slating by local political organizations, creating a new campaign financing culture that is continuing to expand. The analyses done by Professors Epstein and Martin suggest that the most important factors in selecting a judge are political affiliation and, tied to that, money raised/spent. This means that the system rewards those who have political connections and are willing to pay for them.*
- , *Judicial campaign fundraising may affect a judge’s ability to dispense impartial justice to those who 1) contribute to the judge’s campaign; 2) refuse to contribute to the campaign; or 3) contribute to the campaign of another candidate. It creates a perceived bias. The credibility of the judicial system is called into question.*
- , *The slating of judicial candidates by the political parties in effect puts the election of judges into the hands of a relatively few powerful political figures. By placing so much importance on slating and leaving the slating process in the hands of a small group of politicians, the democratic nature of the elective system is undercut. Essentially, the slating committee serves as an appointment committee – but with little consideration of judicial qualifications.*

X *As judicial campaigns become more expensive, judicial candidates look for new sources of contributions.* This makes judicial candidates increasingly susceptible to new “players” who enter the field, seeking to influence judicial races with substantial judicial campaign contributions. While this is a phenomenon that has been described as already occurring in a highly visible way in supreme court races in the states of Texas and Louisiana, it could soon become part of the Illinois judicial election system.

X *The subcircuit system has increased diversity on the Circuit Court, but the slating process sometimes results in the election of less qualified individuals.* We have seen that the relatively small size of the subcircuits has on occasion allowed unslated but highly qualified candidates to win an election, provided that candidate raised sufficient funds. But the slating process usually has an overwhelming determinative effect in both the countywide and subcircuit judicial elections.

Reform measures aimed at the electoral process need to focus on slating, on the amount and credibility of voter information, and on how and when this information is to reach voters.

X *Reform measures aimed at the electoral process should focus on the slating process, on the amount and credibility of voter information, and on how and when this information is to reach voters.*

