

Ecosystem Assessment

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Problem area: Focus on elected judiciary and the increasingly high-stakes, partisan, and well-funded elections at the state and local level. The country is vast, the judges numerous, and every state has different processes, policies, institutions, constituents, and different ways of accessing information about an individual judge or candidate's record in and out of the courtroom, who is supporting them, possible conflicts of interests, etc. It's likely that many of these judges run unopposed especially in smaller municipalities.

Two imperfect methods of selecting United States judiciary

Stakeholders (appointed judiciary)

- Appointer
- Appointee
- Overseer

Stakeholders (All Judiciary)

- General Public
- Peer Judiciary
- Defendants
- Plaintiffs
- Prosecutors
- Court staff
- Local legal community
- Superior court
- Inferior court
- Media
- Persons and corporations affected directly by actions of the court
- Those affected in the near or distant future by precedent set by the court
- Who (if anyone) has the power to remove
- Who sets the required qualifications

Stakeholders (elected judiciary)

- Electorate
- Candidates
- Incumbents
- Election organizers
- Election regulators
- Campaign staff
- Campaign supporters
- Campaign opponents
- Campaign allies

Efforts to address the problem:

Journalism

- Issue has been covered to a certain degree by the mainstream media, often in collaboration with organizations which are focused on improving access to public information.

Grassroots campaigns

Further research needed. No immediate high-profile ones turned up in a cursory search.

Litigation

- Pennsylvania Gerrymandering Case
 - Republican legislators attempt to impeach judges who

Organizations

- Ballotpedia
- American Bar Association

Litigation

- Pennsylvania Gerrymandering Case
 - Republican legislators attempt to impeach judges who ruled that electoral map unfairly favored GOP
 - https://www.huffingtonpost.com/entry/pennsylvania-republicans-move-to-impeach-supreme-court-democrats-for-gerrymandering-ruling_us_5ab16875e4b0decad044dee0

Legislation

US Constitution

State constitution

Laws implementing the court system in a particular jurisdiction

Government/Court Programs

NY State:

NY State Commission on Judicial Misconduct

NY Courts - Excellence Initiative

Top down reform initiative led by chief judge Janet DiFiore in NY State.

Meaningful? Biased? Window treatment?

How many states does this type of institution exist in?
Do these types of institutions ever become affected by a form of "regulatory capture"?

Questions for further research

- What's Missing?
- Which problems can be addressed in part through technology?
- Which problems are accidental, which problems are by design?
- Whose design and what were their intentions?
- Has the context changed since the system was designed?

Organizations

- Ballotpedia
- American Bar Association
http://www.abajournal.com/news/article/defending_justice
 - Powerful professional organization of attorneys
- Lambda Legal
<https://www.lambdalegal.org/justice-out-of-balance/judicial-elections> (excellent source to come back to)
- Center For American Progress
<https://www.americanprogress.org/issues/courts/reports/2012/10/25/42895/partisan-judicial-elections-and-the-distorting-influence-of-campaign-cash/>
- Brennan Center
 - <https://www.brennancenter.org/blog/impeachment-and-removal-judges-explainer>
- Right-wing organization
<https://www.judicialwatch.org/>
 - Who is funding this and outlets like it
 - How far right are they?
 - How accurate and fact-checkable is their info?
 - They are nutty extremists
<https://mediabiasfactcheck.com/judicial-watch/>