



# Don't Tolerate Partisan Court

by Jesse M. Reiter

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I was surprised to read recently an article in a Michigan legal trade paper referring to political partisanship among our state's judges as "inevitable." According to the author,



partisan judges are the norm and, therefore, the current debate over partisanship among the majority on our state's Supreme Court is not cause for concern.

The fact is that partisan judges are not "inevitable" or acceptable. Michigan citizens deserve better. Who

among us is comfortable with the thought that a judge responsible for making decisions that could change our life might be making such decisions based on some political agenda rather than the facts of the situation or the law? Partisanship and the acceptance of such partisanship fly in the face of every legal, judicial and Constitutional obligation of our judiciary.

• Our judiciary was designed to be nonpartisan and cannot evidence such obvious signs of partisanship for very long or the entire system will cease to function. Indeed, some would argue that the current climate of severe partisanship has already rendered our state's highest court nonfunctional, at least in the context of presiding over a coherent body of respected jurispru-

dence.

Judicial partisanship is not inevitable. The current debate regarding partisanship on the Michigan Supreme Court is not something we can simply ignore. If and when the majority of judges and attorneys and members of the general public adopt the view that judicial partisanship is "inevitable," faith in the system will be lost and our justice system will be damaged, perhaps irreparably. That is not the kind of state we want to live in, or the lesson we want to teach our children.

It is up to each of us to make sure that doesn't happen.

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