

UpFront

By Samantha Meinke

State Bar of Michigan Calls for an End to Secret Funding of Judicial Campaign Ads

On September 11, the State Bar of Michigan sent a letter to Michigan Secretary of State Ruth Johnson requesting that she issue a declaratory ruling to create greater transparency for the sources of funding for judicial campaign advertisements (the full letter begins on page 18).

"For several election cycles Michigan's Supreme Court races have been among the nastiest, most expensive, and secret in the nation, and the poison of secret funding is even beginning to spread into trial court races," said SBM Immediate Past President Bruce Courtade, stressing that the State Bar's letter is nonpartisan and nonpolitical. "Opposition to secret judicial campaign funding is not ideological. It is about protecting public confidence in the integrity and fairness of the court system."

A 2004 Secretary of State interpretation of Michigan's Campaign Finance Act says so-called "issue advocacy advertisements" are not "expenditures," meaning the vast majority of advertising funding sources in judicial campaigns can remain anonymous.

The State Bar's letter says the 2004 interpretation is no longer valid in light of three recent United States Supreme Court opinions, and advertisements concerning judicial candidates should not be exempted from Michigan's disclosure requirements. The letter describes the negative impact of anonymous judicial campaign advertising funding, including a perception of possible judicial bias when the public does not know who has funded the election campaigns of Michigan's judges.

Under the Michigan Campaign Finance Act, within 60 business days of the request, the Secretary of State must issue a declaratory ruling or provide an informational response to the questions presented. ■



SBM Immediate Past President Bruce Courtade (center), discusses the State Bar's request for an end to secret funding of judicial campaigns on *Off the Record* with (from left) Kyle Melinn of MIRS; Tim Skubick, host of *Off the Record*; Chad Livengood of the *Detroit News*; and Paul Egan of the *Detroit Free Press*.

Photos by Samantha Meinke



Rick Pluta of the Michigan Public Radio Network interviews SBM Immediate Past President Bruce Courtade and Executive Director Janet Welch.



Nelson P. Miller

Two Cooley Professors Named "Best Law Teachers" in the Nation

Thomas M. Cooley Law School Associate Dean Nelson P. Miller and Professor Phillip J. Prygoski were recently named 2 of the 26 best law teachers in the United States in *What the Best Law Teachers Do*. Cooley Law School was the only school in the country with two faculty members on the list.



Phillip J. Prygoski

The book, published by Harvard University Press, was compiled by Gonzaga University School of Law Professor Gerry Hess, University of New Hampshire School of Law Professor Sophie Sparrow, and Michael Hunter Schwartz of the University of Arkansas at Little Rock's William H. Bowen School of Law. It is a culmination of a four-year study identifying extraordinary law teachers. As part of their research, the authors visited the classrooms of each of the 26 professors listed in their book to observe classroom behavior and to conduct lengthy interviews with professors, deans, colleagues, students, and alumni. ■

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