



Senator Carlos F. Truan

NEWS RELEASE

Senatorial District 20

STATE CAPITOL OFFICE
Room 126
Austin, Texas 78711
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DISTRICT OFFICE
2315 Agnes Street
Corpus Christi, Texas 78405
512/882-1923

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CONTACT:

Gladys Alonzo
(512)463-0120

STATEMENT BY SENATOR CARLOS F. TRUAN

As Chairman of the Senate Hispanic Caucus, it is a source of pride that the League of United Latin American Citizens (LULAC) carried the torch as lead plaintiff in this historic lawsuit in Judge Bunton's court.

While LULAC has always been a respected civic organization in the Hispanic community, by its leading role in this lawsuit it has earned the gratitude of all Texans who want a real voice in deciding who shall preside over our district courts.

LULAC has truly struck a blow for liberty, and I join in wholehearted support of the agreed interim election plan for 1990 which LULAC and Attorney General Jim Mattox will submit to Judge Bunton. It is workable, it is efficient, and it is eminently fair and reasonable.

Attorney General Jim Mattox deserves the highest commendation for his participation in the settlement of this lawsuit in a manner which comports with both the Voting Rights Act and the interpretation which the federal courts have given to it.

The essence of Judge Bunton's decision is that not even the method used to elect Texas district judges is above the law of the land.

LULAC vs. Mattox stands for the proposition that when the U.S. Congress enacted the Voting Rights Act, it applied to every nook and cranny of the electoral landscape. Good ol' boys were not exempted.

Elitism is the only accurate description for the proposal by Governor Clements, Lt. Governor Hobby and Speaker Lewis that a blue-ribbon panel of the chosen few pick from a select circle those names from which the Governor will be allowed to choose our district judges. That is not even a good way to pick the prize pig at a county fair, much less to decide who shall sit in judgement over a free people.

The advocates of the so-called merit selection process really want the district judges of Texas to continue to look like the members of the same exclusive private clubs that they belong to. They begin with the faulty premise that judges interpret the law by reference to some mysterious and neutral frame of reference, and that this process should not be sullied by the intrusion of votes cast by a free people in a contested, partisan election. To claim that judges are not representatives, that they are not policy makers, and that their sole task is to apply the law, is to totally ignore that applying the law does not take place in a vacuum and that it is not a value-neutral function. Judges bring to every decision that they make, whether it is dividing property or awarding custody of children in a divorce case, ruling on the admission of evidence in a personal injury case or imposing sentence in a criminal case, all of the values and life experiences which we all bring to the decisions that we make. This is why the judiciary should be fairly representative of the diversity of the people of Texas, and this was the goal of the Voting Rights Act.