

Exhibit No. 7
Date 2-8-05
Bill No. SB 319

**AMERICAN BAR ASSOCIATION
STANDING COMMITTEE ON JUDICIAL INDEPENDENCE
SECTION OF FAMILY LAW
SECTION OF REAL PROPERTY PROBATE & TRUST LAW
COALITION FOR JUSTICE
LITIGATION SECTION
SECTION OF BUSINESS LAW
SECTION OF TORT & INSURANCE PRACTICE
JUDICIAL DIVISION
STANDING COMMITTEE ON ELECTION LAW**

REPORT TO THE HOUSE OF DELEGATES

RECOMMENDATION

RESOLVED, that the American Bar Association, while reaffirming its long-standing support of selection of judges by merit selection, urges states and territories that select judges in contested elections to finance judicial campaigns with public funds.

FURTHER RESOLVED, that the American Bar Association adopts the following principles concerning public financing of judicial elections and supports legislation that incorporates these principles:

1. Public financing programs must be sensitive to Constitutional limitations on states' power to regulate judicial campaign finance.
2. Public financing programs should be designed to best suit the particular needs of a particular state or territory.
3. Public financing programs are most suitable for primary and general election campaigns of high court judges, and in some cases, intermediate appellate judges.
4. Public financing programs should provide judicial candidates with full public funding in amounts sufficient to encourage participation.
5. Public financing programs should be restricted to serious candidates in contested elections who have met specified criteria indicating a certain level of support.
6. Public financing programs should be conditioned on the candidates' agreement to forego private financing and to limit their use of public funds to legitimate campaign purposes.
7. States and territories should address the impact of independent campaign expenditures and recognize the impact of general issue advocacy on public financing programs.
8. Public financing programs should distribute funds in the form of bloc grants to candidates and should also provide voter guides to the electorate.

9. Public financing programs should be funded from a stable and sufficient revenue source.

10. Public financing programs should be administered by an independent and adequately staffed entity.