

FOR THE RECORD

In defense of judges

*Group formed to correct record
when judges are unfairly criticized*

*From Burley B. Mitchell Jr., former chief justice
of the N.C. Supreme Court:*

A new group has been organized to speak in defense of judges when they are unfairly attacked. While I was chief justice, the N.C. Supreme Court created the Chief Justice's Commission on Professionalism. Its goals include improving the treatment that parties, jurors and witnesses receive in our courts and raising the level of civility shown by attorneys and judges to each other and the public. As part of that effort, the commission recently created the Judicial Response Committee.

The committee's task will be to correct the record when judges are unfairly criticized, whether such criticism comes from the public, the news media or government functionaries. The committee will not discipline judges, lawyers or candidates seeking judgeships. Those functions are performed by state agencies such as the N.C. Judicial Standards Commission, the State Board of Elections and the N.C. State Bar. Nor is it the committee's goal to limit anyone's right to express opinions about a particular judge as long and loudly as they wish. Instead, we've been selected as a bipartisan group of people who are knowledgeable about the courts and who will simply respond to unfair attacks on judges. When statements are made about judges that are untrue or present true facts in a misleading manner, we will



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say so and hold the speaker accountable.

Much of the work of the judiciary is not well understood by the public. This leaves judges peculiarly susceptible to being presented in a negative light by half truths and misinformation. For example, at least once a year some judge in North Carolina is subjected to strong emotional attacks when she sets a bail bond for defendant who posts it and then is accused of another crime. Those engaging in such attacks don't know or intentionally disregard the fact that judges are required by both the federal and state constitutions to set a reasonable bond in every criminal case except capital murders. The judge cannot fairly be held more accountable than any ordinary citizen when a person posts a bail bond and commits another crime. The culprit, if any, is the constitution for which we are all equally responsible. The committee will attempt to hammer home such civics lessons.

I'm pleased to serve on the committee with former Gov. James Holshouser; Gerald Arnold, retired chief judge of the N.C. Court of Appeals; Leary Davis, former dean of the Wiggins School of Law at Campbell University; Cressie Thigpen and Jerry Parnell, former presidents of the N.C. State Bar; Deborrah Newton, former assistant attorney general and practicing lawyer; and Melvin Wright, director of the Chief Justice's Commission on Professionalism.

We are not a political organization and will not, as a group, engage in any activities other than defending judges who have been untruthfully or unfairly attacked. We hope our services will seldom be needed.

For The Record offers commentaries from various sources. The views are the writer's, and not necessarily those of the Observer editorial board.

C. O.
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