

The Politics of the Bench and Bar in the Western Reserve

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The Bar is not a political force in politics. It is composed of lawyers with sharply divergent political views. Although many of them are politically active and closely connected with political organizations, there is such a broad spectrum of affiliation that lawyers are not collectively identifiable as a bloc. The intense and often competitive lobbying activities of lawyers relate to legislation that lawyers believe will be beneficial to their clients, i.e., workers, employers, insurance companies, corporations, professional groups, etc. To the same extent that these individuals and entities have antithetical interests, so do the lawyers representing them.

The Bench in Ohio is composed largely of judges who have or have had political affiliations and whose election or reelection (or whose appointment by the governor to fill a vacancy) is actively supported by political parties. Although at the general election the ballot is nonpartisan, political parties in their widely circulated campaign literature urge the election of particular judges. Open for discussion are (1) whether the political allegiance of a judge in any way influences his judicial decisions, (2) whether a judge who has had partisan political views and activities prior to ascending the bench can lay those views aside and render politically disinterested decisions, (3) whether political influence or decisions, if there is such influence, depends on whether the judge is a trial or appellate judge, and (4) whether and how the merit system of judicial selection would bear on these matters.