


# Federalist Society Polling Data: Texas

Survey of 700 Likely Voters in Texas  
October 6-11, 2008  
Margin of Error:  $\pm 3.7\%$

**STATE COURTS**  
*guide*

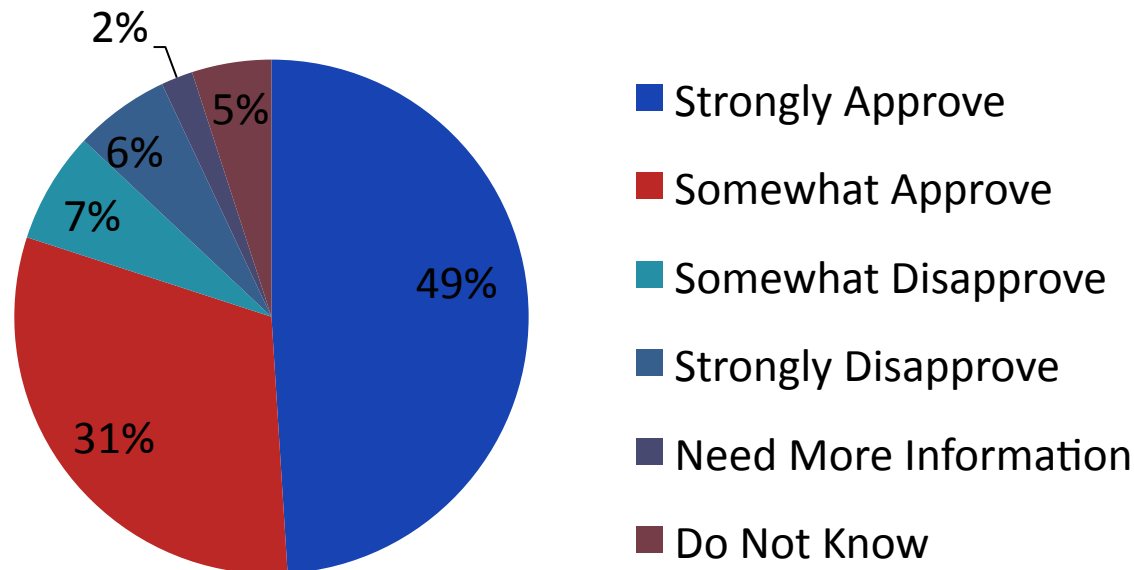
 the polling company, inc.  
WomanTrend



# Texas Supreme Court Selection

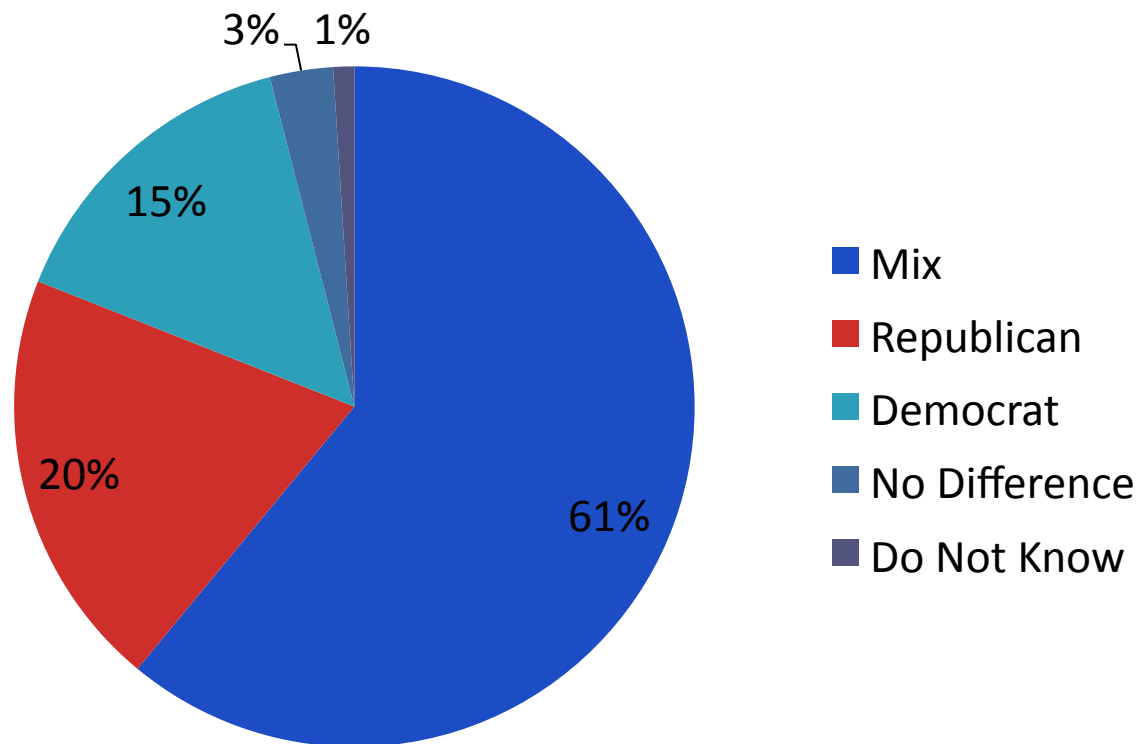
*As you may know, there are nine Justices on the Supreme Court of Texas. They are elected by Texas voters in partisan elections (meaning the Justices identify as Republican or Democrat) for six-year terms. Elections are staggered such that not every seat is up for election at the same time.*

*Do you approve or disapprove of this method of judicial selection for the Supreme Court of Texas?*



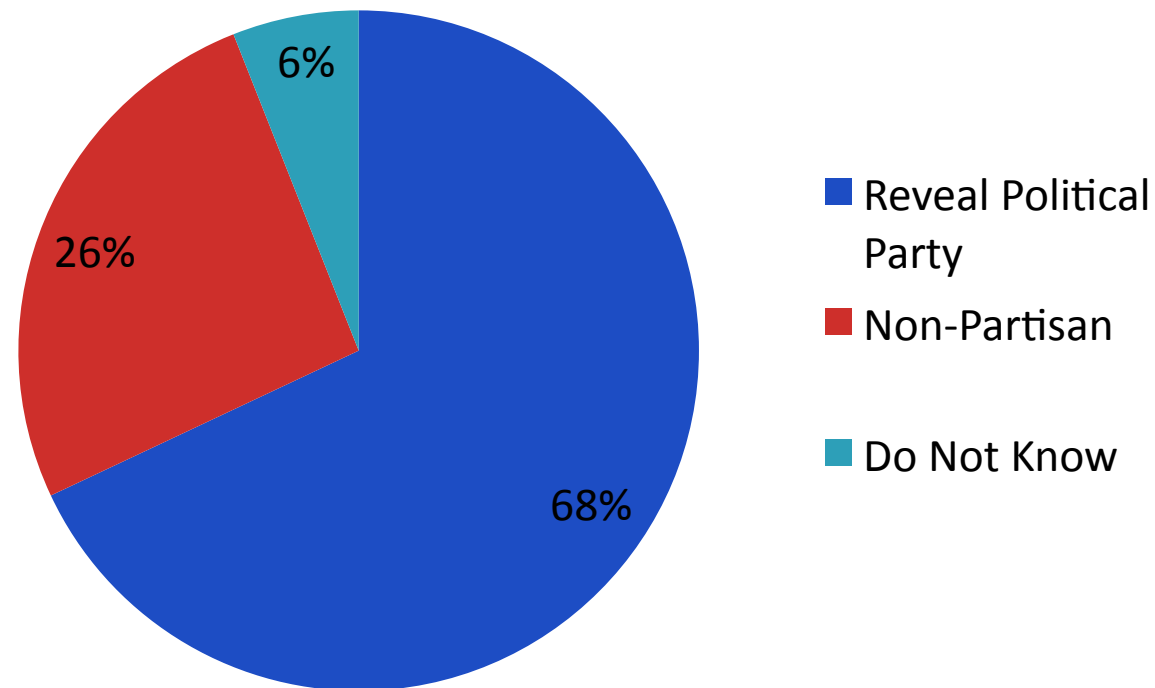
# Texas Supreme Court Selection

*Overall, would you prefer to have justices on the Supreme Court of Texas that are Republican or Democrat or would you prefer a mix?*



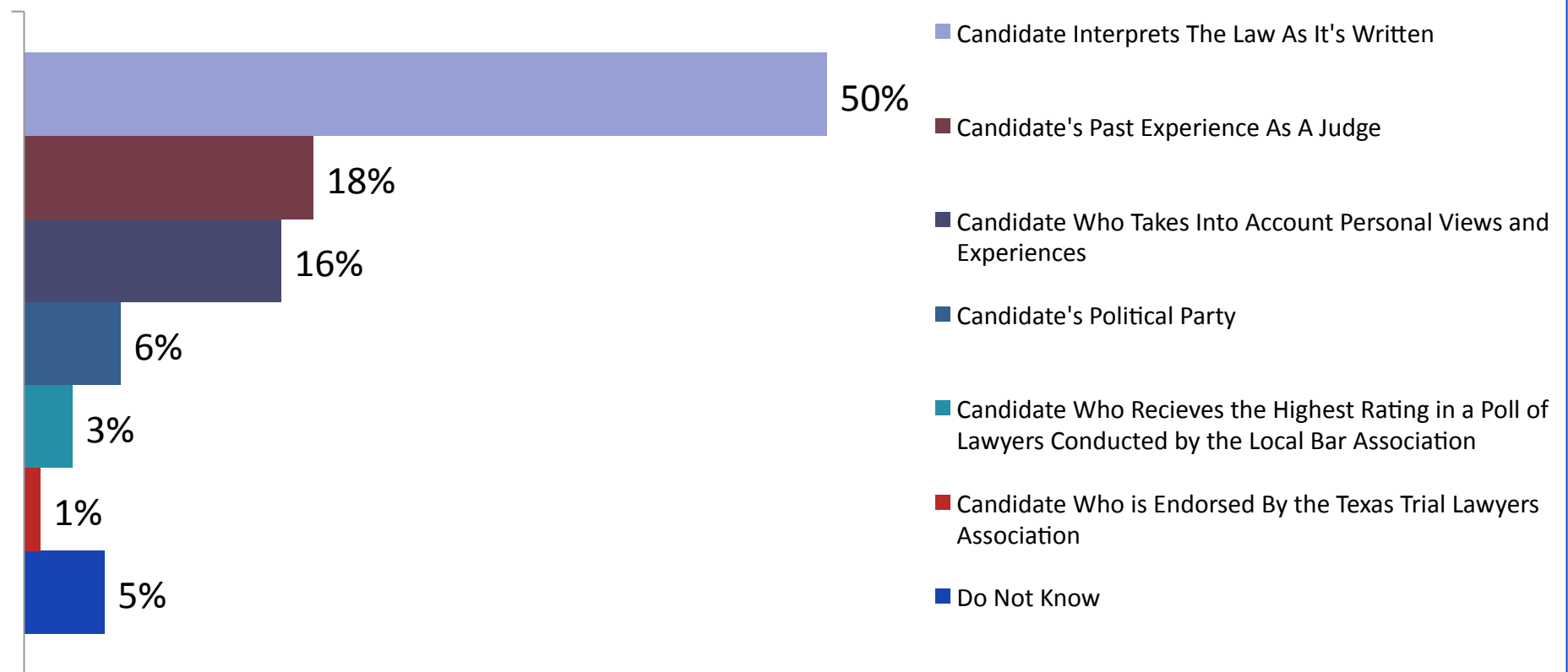
# Texas Supreme Court Selection

*As I mentioned previously, judicial elections here in Texas are partisan, meaning candidates identify themselves as Republican or Democrat. Do you think that judicial elections in Texas should be non-partisan or do you believe people running for Supreme Court in Texas should reveal whether they are Republicans or Democrats?*



# Texas Supreme Court Selection

*Which of the following will be MOST important to you in deciding how to vote for Justice to the Supreme Court of Texas in November?*



# Texas Supreme Court Selection

*I am going to read you the opinions of two people. Please tell me which one comes closest to your view.*

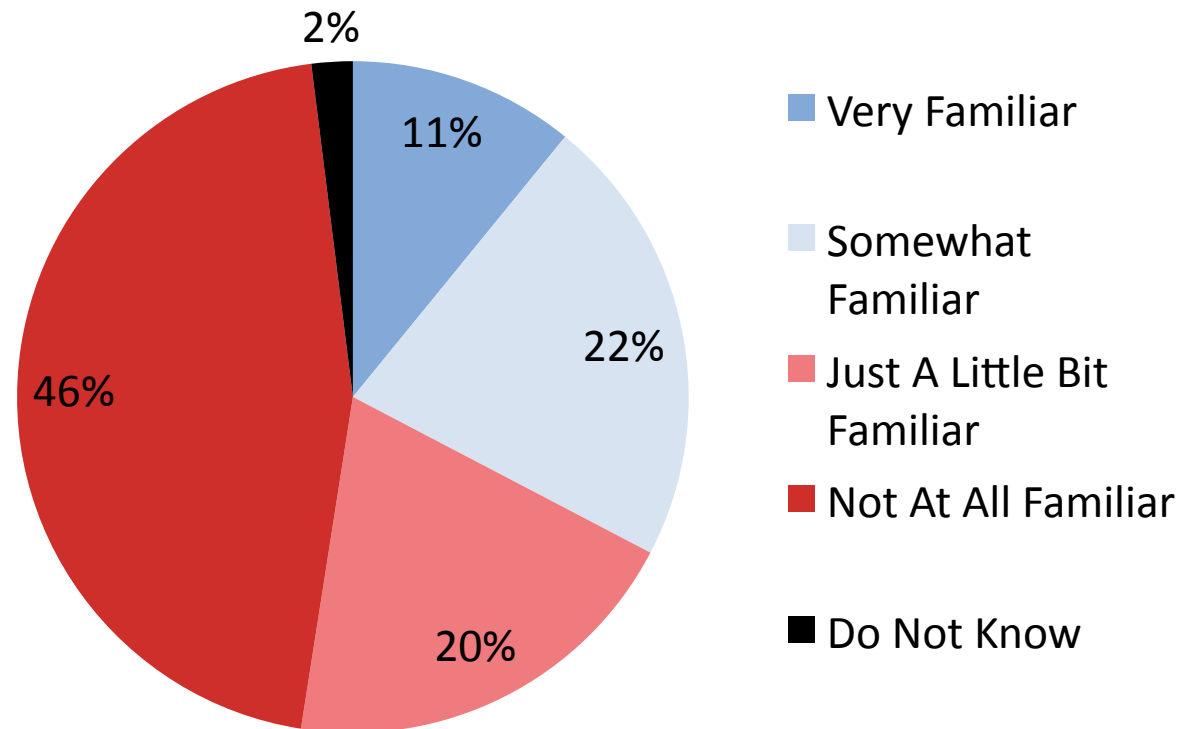
**PERSON 1:** Judges should interpret and apply the law as it is written and not take into account their own viewpoints and experiences.

**PERSON 2:** Judges should interpret and apply the law as it is written and not take into account their own viewpoints and experiences.



# Awareness of Judicial Activism

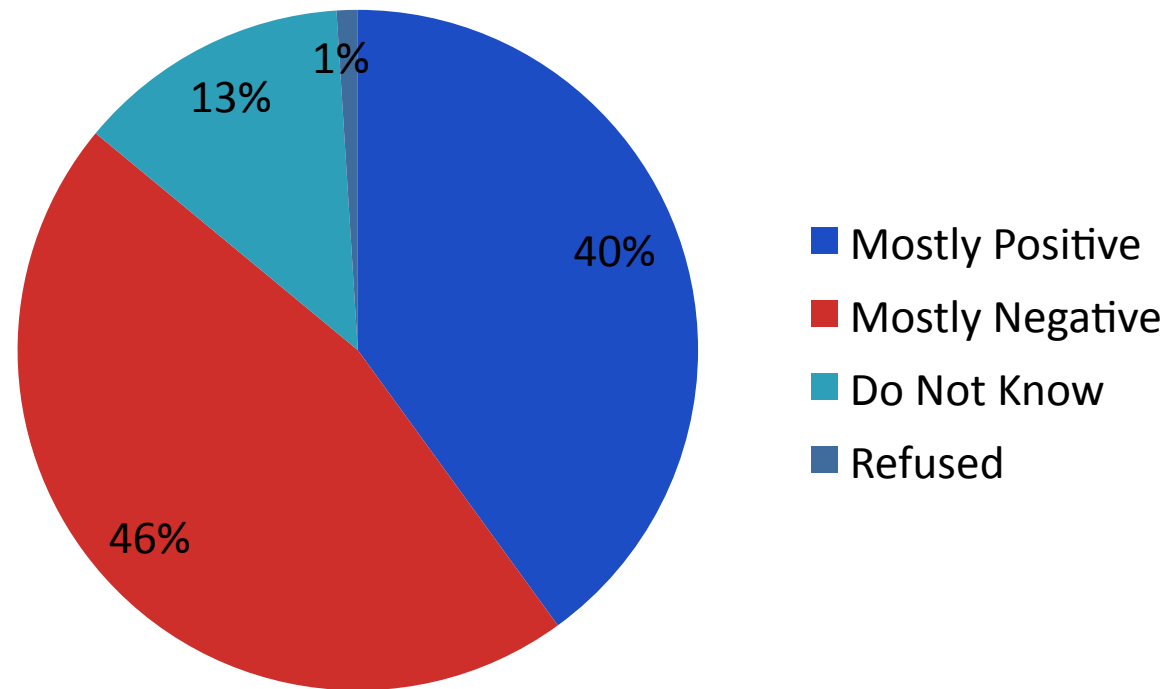
*How familiar are you with the concept of “judicial activism”? Would you say you are...*



# Attitudes Toward Judicial Activism

*“Judicial activism” is a term used to describe when a judge feels that his or her role is not simply to review the law as it is written, but is instead to allow for new or evolving meaning of the law over time.*

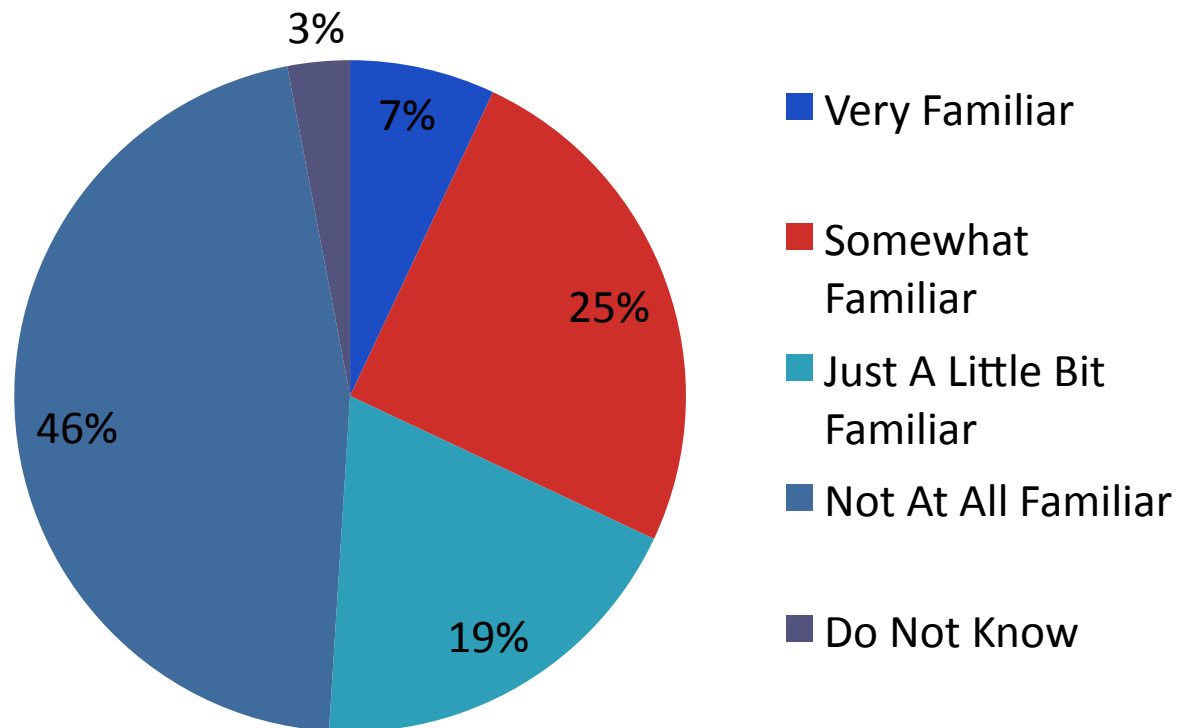
*Do you think judicial activism is a mostly positive or mostly negative thing for the Supreme Court of Texas?*





# Awareness of Judicial Restraint

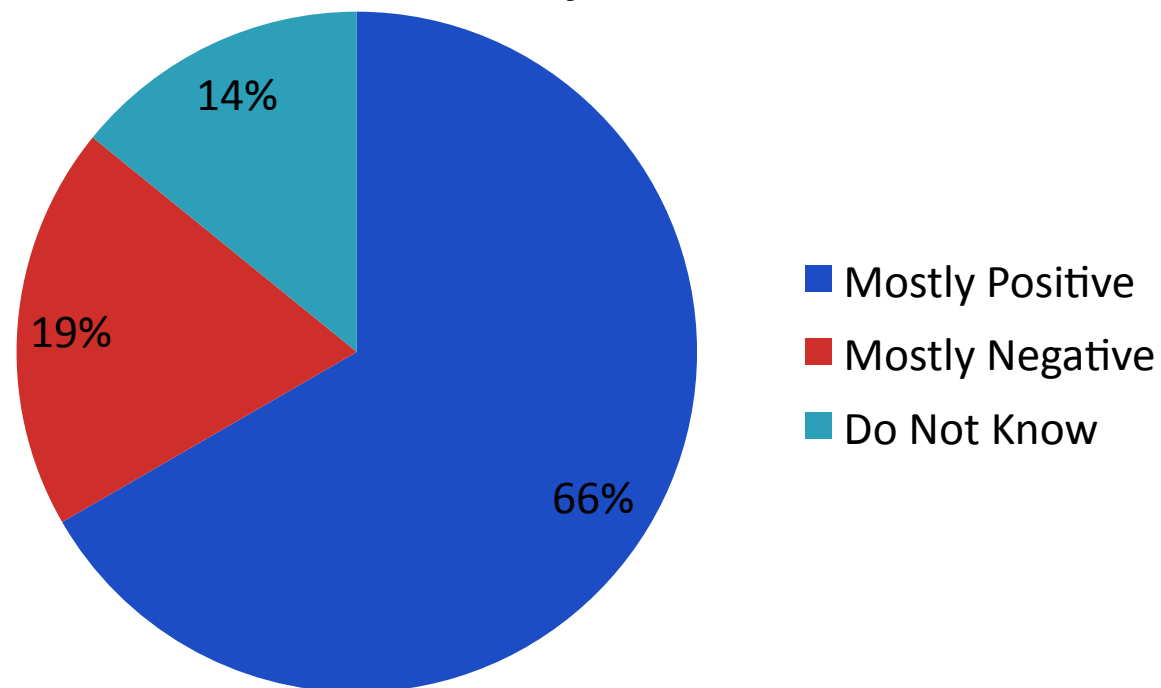
*How familiar are you with the concept of “judicial restraint”? Would you say you are...*



# Attitudes Towards Judicial Restraint

***“Judicial restraint” is a term used to describe when a judge views his or her role solely as an evaluator of whether a law or lower court ruling is in line with the state or federal constitution.***

***Do you think judicial restraint is a mostly positive or mostly negative thing for the Supreme Court of Texas?***



# Preferred Jurisprudence for Texas Supreme Court

*Based on the definitions I gave you, would you rather the Supreme Court of Texas practice judicial activism or judicial restraint?*

