



League of Women Voters
of Plano/Collin County
www.lwvcollin.org

Voters Guide

April 13, 2010, Primary Runoff Collin County Area Races

Early voting – April 5–9, 2010

Election day – Polls open 7 a.m. to 7 p.m.

This Voters Guide is published by the League of Women Voters of Plano/Collin County to help citizens prepare to cast an informed vote. The League of Women Voters, a nonpartisan organization, encourages informed and active participation in government. The League does not support or oppose any political party or candidate.

This guide includes runoff races between two candidates in the same party, using questions and responses from the Voters Guides for the March 2, 2010, Primary Elections. Responses were limited to 100 words and truncated with /// after the 100th word. The candidates appear in alphabetical order.

Candidates for Texas House of Representatives, District 66

2 year term. Must be 21 years or older, a U.S. citizen, a resident of Texas and a resident of the district represented. Responsible for representing the citizens of the district in which he/she is elected in the Texas House of Representatives.

Mabrie Jackson, Republican

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1. Please describe the education and experience that qualify you for the position of member of the Texas Senate/House of Representatives.

As a Plano businesswoman and mother of two children in Plano ISD schools, I understand the issues that are facing the citizens of District 66. As a former Plano City Councilwoman, I listened to the citizens of Plano and represented their interests. In fact, I am the only candidate in this race that has fought against tax increases for Plano citizens. I am running for State Representative so that I can represent the people of District 66 in Austin.

2. Texas ranks very low among states in percentage of persons with health insurance. What measures would you support for improving access to health care in Texas?

Access to health care for all Texans is important for the future of our state. Shortages in nursing and rural physicians make access to health care much more difficult. We need to seek options to adequately address these shortages. We must also hold firm on liability caps for non-economic damages in lawsuits against doctors and hospitals in order to keep insurance premiums as low as possible.

3. How should Texas finance the construction and maintenance of roads and bridges? Should the gas tax be raised? Should the gas tax be dedicated solely to road construction and maintenance? Do you support increased construction of toll roads?

North Texas needs new transportation infrastructure to ease the traffic congestion along crowded highways. However, I do not support any new taxes or tax increases to fund this infrastructure development. I also do not support imposing new tolls on existing free roads. Any option for transportation infrastructure should be locally approved by the voters.

4. Do you consider Texas' current per-student public school spending to be adequate and equitable? If not, what measures would you support to increase funding of public school education?

As the daughter of a retired Plano ISD teacher and the mother of two current Plano ISD students, I strongly believe that we need to focus our education policy on classroom excellence and teacher pay. I support increased funding for districts that are experiencing tremendous growth and the efficient use of those funds. I also support efforts to ensure that we close corporate loopholes in property taxes.

5. Texas is one of the largest emitters of carbon dioxide in the U.S. What changes would you support to Texas' energy policies?

I support continued exploration of renewable sources of energy like wind and solar energy. Renewable energy sources will be better for the present and future by giving us a cleaner and more efficient energy. Proven science should guide our future energy policy. Nuclear power should also be further explored and implemented into our State's energy policy.

6. State hospitals that serve people with mental illness have reduced the number of available beds, yet the need for services is increasing. How do you propose that Texas provide for the care of those with severe mental illness?

Texas needs to ensure that hospitals are able to serve people with severe mental illness. Addressing nursing and physician shortages will help with health care access for those suffering from mental illness. Texas needs to explore private/public partnerships that would allow the facilities necessary to deal with all patients in need of care.

7. What other issues do you believe will be most pressing in the next session of the Texas Legislature, and what is your position on these issues?

The Texas Legislature must continue to focus on responsible solutions to transportation infrastructure to relieve the traffic congestion along our crowded highways. I also believe that we need to work with school administrators and local districts for school accountability measures that will use standards that will better serve our children, such as readiness for college and the workplace. We also need to pass a Voter ID bill to prevent voter fraud.

Van Taylor, Republican

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1. Please describe the education and experience that qualify you for the position of member of the Texas Senate/House of Representatives.

My family came to the Dallas area in 1898, I was born in Dallas. As a small businessman and lifelong conservative I support family values, lower taxes and less government. I served West Plano as a ProLife grassroots activist, and am currently Vice Captain of *Vets for Freedom*, and Chairman of the *National Defense Committee* in Texas. As a United States Marine Officer, I served in Iraq and on the U.S./ Mexican Border. Harvard BA and MBA.
Life Member: *NRA* and *Texas State Rifle Association*, *Veterans of Foreign Wars*.
Member: *Club for Growth*, *National Taxpayers Union*, *Republican National Committee*.

2. Texas ranks very low among states in percentage of persons with health insurance. What measures would you support for improving access to health care in Texas?

As a committed lifelong conservative activist, I am totally opposed to the Democrat led takeover of healthcare. We cannot allow government to take over our health care system. Texas should use every means available to block a proposal that will raise costs, lower quality, and lead to rationing of health care. We need more market based solutions such as Health Savings Accounts (HSA) and policies which promote direct consumer involvement in their health care decisions. The legislature failed to expand HSA for state employees in the last session, something I would seek to enact in the next legislative session.

3. How should Texas finance the construction and maintenance of roads and bridges? Should the gas tax be raised? Should the gas tax be dedicated solely to road construction and maintenance? Do you support increased construction of toll roads?

Stop diverting money out of the gas tax and make sure that the money goes toward the roads with the most congestion. The gas tax generates more revenue than we need for roads, but the excess and then some is diverted to projects other than roads. I have signed the ***Taxpayer Protection Pledge*** to vote against any tax increase and will oppose any additional taxes or fees placed on hard working Texas families. As a conservative, I oppose state financing of more toll roads, as our gas tax dollars should go to relieve congestion and build toll free roads.

4. Do you consider Texas' current per-student public school spending to be adequate and equitable? If not, what measures would you support to increase funding of public school education?

We need to raise the cap on charter schools above the current cap of 215, or better yet eliminate the cap completely. Charter schools introduce greater freedom and choice for parents to educate their children. Texas has had good success with charter schools and we need to build on that success to encourage them to succeed in Texas. We need to continue to phase out Robin Hood by the state buying down

property taxes. As a conservative, I believe the legislature should ensure that parents receive more value for their education dollars.

5. Texas is one of the largest emitters of carbon dioxide in the U.S. What changes would you support to Texas' energy policies?

As a father of three daughters and husband, quality air is essential to me, and we must have clean air. However, the EPA is threatening to implement draconian measures which are not realistic, not based on science, and threaten job creation here in North Texas. Funding of state agencies which monitor pollution must be transparent so that taxpayers can see how their money is being used and ensure that we are meeting the environment goals. Texas can promote clean air through the development of nuclear energy as well as the adoption of the latest generation of clean coal technology.

6. State hospitals that serve people with mental illness have reduced the number of available beds, yet the need for services is increasing. How do you propose that Texas provide for the care of those with severe mental illness?

Sometimes placing patients in a group home environment is an appropriate option, and that has been recent trend. However, we need to redirect existing funding to provide state hospital beds for those families who believe that is the best course of care for their family member. There is a need for both, as each patient has different needs. Some can reside in group homes, and some patients need the individual care provided by state hospitals. That decision should be made by doctors and the patient's family.

7. What other issues do you believe will be most pressing in the next session of the Texas Legislature, and what is your position on these issues?

Texas faces an \$8 to \$15 billion budget shortfall. We can meet this shortfall by restructuring Texas government, similar to the successful process utilized in 2003 which balanced the budget without raising taxes. As a conservative businessman, I constantly look for ways to create value, cut costs, and improve service. Government should do the same. This "tear down, then build up" budget process will cut costs and improve service for Texas taxpayers. I will support Pro-life legislation to reduce abortions. I served as a Marine Officer on the Southern Border, and I know firsthand how to secure that border.

Candidates for Collin County Commissioner, Precinct 2

4 year term. Must be 18 years or older, a U.S. citizen, a resident of Texas and a resident of the district represented. Responsible for representing the citizens of the district in which he/she is elected in the Collin County Commissioners' Court, which conducts the general business of the county and oversees financial matters.

Jerry Hoagland (Incumbent), Republican

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214-686-7084

1. Please describe the education and experience that qualify you for the position of Collin County Judge or Commissioner.

I have BBA and MBA degrees from the University of North Texas in Denton. I have also attended many professional seminars through the years related to delivering the high quality governmental services at the least possible cost.

I was a member of the Plano City Council from 1978-80. I have been a Collin County Commissioner since November, 1980.

2. What are the biggest environmental concerns in our county and what steps would you take to solve them?

Air pollution is a problem in Collin County, but solid waste is our most costly environmental concern today. We have tried to get people in the unincorporated areas of the county to voluntarily deliver their solid waste to specified locations within the county. However, during the last three months alone an Environmental Deputy Sheriff for the county has helped clean up 12,706 pounds of illegally dumped solid waste. I believe much of this illegal dumping could be cleaned by requiring residents in the unincorporated areas of the county to have solid waste pick up at their homes.

3. What measures would you support to improve transportation? How should they be funded?

The State currently utilizes two ways to pay for road improvements: gas taxes and tolls. I don't believe the legislature is willing to increase the gas tax. I am not in favor of increased tolling. We must get the state leadership to stop the diversion of gas tax money to line items other than transportation in the state budget. Currently, only slightly more than half of the gas tax is being used to improve our transportation system. Getting the diversion stopped should go a long way in improving our transportation crisis.

4. Collin County is overall affluent but many of its residents live in poverty. How do you think the county should address the physical and mental health needs of these residents?

If anyone is at 100%, or less, of the national poverty income level, we provide healthcare services for them. I believe this is a reasonable income threshold for our citizens to meet in order to get government provided healthcare. Most mental health dollars are provided by the state and need to be equalized on a per capita basis. I believe a study by UNT that is currently underway will show a significant mental

health spending disparity between Collin County and other parts of the state (with Collin County being short changed).

5. Collin County has strict financial guidelines for providing court-appointed attorneys. What measures do you support to ensure the right to counsel for all defendants?

I think the standards we have in place today are fine. Those who can pay for their own defense should do so. If anyone who is arrested is at 125%, or less, of the national poverty income level, they receive a court-appointed attorney. If there are extenuating circumstances related to the individual involved in the case, the trial judge is given the latitude to bend this general policy and provide an attorney for the defendant.

6. What other issues do you believe will be most pressing in Collin County, and what is your position on these issues?

Collin County isn't doing enough long term planning. We have grown by about 300,000 people during the last decade (500K to 800K). We have another 1.2 million who will be moving to our county between now and the year 2045. Collin County will then be as large as Dallas County is today (approximately 2.0 million people). Careful thought must be given to new roads, courts, jail space, water, parks, etc. to accommodate this level of population. In a rapidly growing county such as ours we have to constantly be thinking about the implications of growth.

Cheryl Williams, Republican

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214-685-4435

1. Please describe the education and experience that qualify you for the position of Collin County Judge or Commissioner.

I have a strong financial background including a Finance degree from SMU and extensive experience in accounting and management consulting. More recently, I have worked in land planning. The primary functions of the Court include financial oversight and planning, making me uniquely qualified. I have a record of results as a public servant. I was elected to Plano City Council as the first representative from east Plano, an area that comprises the largest voting block in the precinct. During my tenure, we implemented a revitalization program for east Plano, lowered the tax rate, and returned a surplus to taxpayers.

2. What are the biggest environmental concerns in our county and what steps would you take to solve them?

Air quality is a primary concern. We must work to reduce traffic congestion with adequate infrastructure, encourage clean industries and technology, and discourage heavy industry with significant emissions. Water availability is also critical. The county should work with cities, towns and the Water District to do everything possible to ensure that a plentiful, good quality water supply is available to Collin County residents. Efforts should include regional co-operation, long term planning

for additional reservoirs, and the potential purchase of water from other states. Planning should occur state-wide but the state should not infringe on the local control of water.

3. What measures would you support to improve transportation? How should they be funded?

We should strive to locate employment centers closer to our population centers and where we have existing infrastructure by encouraging redevelopment, not just new development. We should encourage the use of our existing rail but limit expansion until ridership increases. The use of toll roads needs reform and should be used as a last resort after exhausting federal and state sources of funds. We must expose and fight against the diversion of gasoline taxes from transportation projects and push for Collin County's fair share of transportation dollars rather than being a donor county to the region and the state.

4. Collin County is overall affluent but many of its residents live in poverty. How do you think the county should address the physical and mental health needs of these residents?

A large number of Collin County residents who subsist below the poverty line live in Precinct 2; therefore, it deserves the attention and engagement of this Commissioner. Ignoring this issue is a disservice to the public and financially shortsighted. I will work closely with our cities, other counties, the health care industry and our non-profits to find creative and cost-effective solutions to this growing problem. Indigent Collin County citizens are our responsibility and we must address this problem head-on or risk the Texas Legislature's involvement. If you don't like Robin Hood, you won't like Austin's solution.

5. Collin County has strict financial guidelines for providing court-appointed attorneys. What measures do you support to ensure the right to counsel for all defendants?

The county must respect and uphold the constitutional rights of indigent defendants. It is appropriate to have reasonable income and asset guidelines and to verify that individuals meet those guidelines. However, in order to ensure that deserving defendants have the representation they need and avoid valid appeals, judges must continue to have the final say on appointing an attorney. It is also appropriate to regularly review the guidelines since economic conditions, availability of credit, and other financial realities can have substantial impact on an individual's ability to pay for the counsel they are entitled to by law.

6. What other issues do you believe will be most pressing in Collin County, and what is your position on these issues?

I will fight against being forced into the Parkland Hospital district, which would more than double the county tax rate. If you don't like Robin Hood you will hate this proposal. I am also opposed to the creation of a massive publicly subsidized rail yard and truck distribution center in southeast Collin County. I believe it would be more prudent to focus on assisting our cities with efforts to attract businesses that will create high quality, high wage jobs to the business parks, office space and

vacant land where infrastructure already exists. This will expand the tax base efficiently.

Candidates for 219th District Judge

4 year term. Must be 25 years or older, a U.S. citizen, a practicing lawyer, a resident of Texas and a resident of the district represented. Responsible for cases including felony criminal cases, civil cases with higher amounts of controversy, and family law matters.

Scott J. Becker, Republican

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1. Please describe the education and experience that qualify you for the position of District Judge.

I have dealt with matters in all three major areas over which this Court has jurisdiction; criminal, civil, and family law. Currently, I'm a prosecutor with over 170 jury trials in every type of criminal case from Speeding to Murder. In private practice I defended criminal matters. I also represented both plaintiffs and defendants in civil lawsuits, and dealt with a handful of family law issues. This broad experience gives me perspective that will serve the citizens of Collin County best.

2. What, in your opinion, is the fairest method for the selection of judges?

Regularly scheduled democratic election is the fairest method. The basis of our country is democracy. Those who seek to serve the citizens should be chosen by the citizens. Our country works best with more democracy, not less. It increases accountability. Recently, some officials have advocated non-partisan elections for judges. Municipal races are supposed to be non-partisan in Texas. However, both major political parties are routinely involved in municipal races, and candidates regularly identify themselves with a political party. Realistically, partisanship cannot be removed from the process. At least under the current system, there is transparency.

3. When should an elected judge disqualify himself/herself from a case?

Texas Code of Judicial Conduct Canon 2A requires a judge to comply with the law and to at all times act in a manner that promotes public confidence in the integrity and impartiality of the judiciary. Accordingly, a judge should disqualify himself if this Canon is being violated if he were to stay on the case.

4. Do you think there is a problem with disparities in sentencing in Collin County? Please explain.

Texas law provides for a broad range of punishment for felony offenses. This broad range accounts for the idea that it is not possible to anticipate every possible criminal scenario and predetermine a punishment range for said behavior. Texas law also allows for juries to impose the sentence rather than the judge if the Defendant so chooses. Each jury gets to evaluate the criminal scenario it has been presented and make the decision about the appropriate sentence in that case.

Given these factors it is possible for there to be disparate sentencing in Collin County.

5. Collin County has strict financial guidelines for providing court-appointed attorneys. Do you believe that this denies representation to some defendants who cannot afford counsel?

Texas Code of Judicial Conduct Canon 2A requires a judge to comply with the law and to all times act in a manner that promotes public confidence in the integrity and impartiality of the judiciary. As a judge I will likely be required to preside over cases involving indigent defendants and make decisions about whether they qualify for a court appointed attorney. Given these circumstances I believe it would be improper for me to comment on the financial guidelines for court appointed attorneys.

6. A large number of inmates in the county jail have been diagnosed with mental or emotional disorders. How should persons with mental disorders be handled in the Collin County justice system?

Due to their unique nature, mental and emotional disorders are difficult to treat with a blanket policy. There are safeguards in place to provide for the evaluation of inmates who may fall in to this category. Depending upon the results of the individual evaluation, an inmate can be given treatment at an appropriate facility until he can be found competent to stand trial. Upon regaining such competency, the inmate can proceed through the justice system by either pleading or exercising his right to a trial.

7. What measures do you support to reduce the rates of incarceration and recidivism?

Texas Code of Judicial Conduct Canon 2A requires a judge to comply with the law and to all times act in a manner that promotes public confidence in the integrity and impartiality of the judiciary. As a judge I will keep open all possible sentences within the range of punishment for an offense, and not be predisposed to a particular sentence before hearing any facts of a case.

8. What other issues do you believe will be most pressing in Collin County District Courts, and what is your position on these issues?

One of the most pressing issues to the Collin County District Courts is the volume of cases. As one of the fastest growing counties in the state, we have a rapidly increasing caseload. More cases make it harder to give each case the attention it deserves. The challenge is to balance moving cases quickly to account for this increase, without shortchanging any one case. As a judge I can make sure I make myself available as much as possible to help keep the backlog from getting any worse.

Angela Tucker, Republican

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214-585-9899

1. Please describe the education and experience that qualify you for the position of District Judge.

EDUCATION:	SMU School of Law J.D., 5/1996
	UT at Austin B.A., 12/1992
7/ 2007 – Present	DANIEL TUCKER & HARRISON Partner – <u>Practice Areas</u> : CPS, Civil, Criminal, Family, and Juvenile.
12/2000 - 7/2007	LAW OFFICE OF ANGELA IVORY Solo Practitioner – <u>Practice Areas</u> : Bankruptcy, CPS, Civil, Criminal, Family, Juvenile, and Mental Commitments.
12/1996 – 12/2000	COLLIN COUNTY DISTRICT ATTORNEY <u>Practice Areas</u> : Appellate, Case Intake, CPS, Civil Asset Forfeitures, Criminal, Juvenile, Mental Commitments.
11/1995 – 11/1996	LAW OFFICE OF GEORGE E. ASHFORD III <u>Practice Areas</u> : Appellate, Bankruptcy, Civil Litigation, Criminal Defense, Personal Injury Intern
1995	THE SUPREME COURT OF TEXAS Intern
1994	GRAYSON COUNTY ATTORNEY Intern

2. What, in your opinion, is the fairest method for the selection of judges?

In my opinion, Judges should be elected by the people they serve. The democratic process allows the community to select its candidate of choice, and remove office holders that are not serving the community well.

3. When should an elected judge disqualify himself/herself from a case?

(1) Any case where the Judge's impartiality might be questioned; (2) Any case where the Judge or his/her family member has a personal or financial interest; (3) Any case where the Judge is related to a party or a witness; (4) Any case in

which the Judge has personal knowledge of disputed facts; (5) Any case in which the Judge has a personal bias against a party or witness.

4. Do you think there is a problem with disparities in sentencing in Collin County? Please explain.

Yes. I believe there is often great disparity between the Judges. The disparity can be based on race, socio-economic status, lack of cultural understanding, or a personal bias of the Judge. If elected, I would make every effort to treat all citizens the same no matter what their background or current circumstance might be.

5. Collin County has strict financial guidelines for providing court-appointed attorneys. Do you believe that this denies representation to some defendants who cannot afford counsel?

Yes. Many employed citizens do not meet the income guidelines for a court-appointed attorney, but they do not have sufficient disposable income to hire retained counsel. Also, there are individuals that sit in our local jail waiting for an attorney to be appointed.

If elected, I would like to set up a payment plan for individuals that fall into the first category. Secondly, I believe it is extremely important for Judges to check their "jail list" frequently. This will allow the Court to monitor the number of inmates without attorneys and the number of days they have been in custody.

6. A large number of inmates in the county jail have been diagnosed with mental or emotional disorders. How should persons with mental disorders be handled in the Collin County justice system?

More resources need to be allocated for the mentally ill. Ideally, inmates with mental health issues should be housed in a separate area, instead of general population, with guards trained to work with the mentally ill. The jail should have more mental health staff (doctors and counselors) so that the length of time an inmate waits to see the doctor/counselor is reduced, and more time can be spent with each individual patient. In addition, the jail should offer a better variety of mental health medications, so that inmates can receive the medications that have been prescribed prior to incarceration.

7. What measures do you support to reduce the rates of incarceration and recidivism?

I am in support of Drug Court for individuals with substance abuse issues. If elected, I would also like to volunteer with community mentoring programs/organizations/schools to assist with efforts to keep individuals from entering "the system." I would also work closely with the Probation Department to monitor those individuals currently on probation.

8. What other issues do you believe will be most pressing in Collin County District Courts, and what is your position on these issues?

1. Technology – The feasibility of obtaining the video/phone system currently used in Dallas County for attorneys to communicate with inmates at the courthouse; and the feasibility of placing all cases online like surrounding counties.

2. Case Management - As the county grows, there will be an increase in the number of cases and therefore, an increased need for proper case management and allocation of resources in the absence of new courts.
3. The Board of Judges and the Commissioners will need to find “common ground” to work together in a manner that is productive and beneficial to our county.

Candidates for Collin County District Clerk

4 year term. Must be 18 years or older, a U.S. citizen, a resident of Texas and a resident of the district represented. Responsible for the judicial records of the District Courts.

Patricia Wysong Crigger, Republican

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1. Please describe the education and experience that qualify you for the position of District Clerk.

I earned a business degree from UNT, but more importantly, I have over 20 years work experience in the District Clerk’s Office, the last 15 as Chief Deputy. I understand how to compile and administer a 5 million dollar budget, how to stay within budget, and how to lead a staff of 67 employees. I have implemented processes in the jury system such as E-juror and juror call-in to save the juror time and the taxpayer money. Also, fax filing and e-filing have been made available for the convenience of attorneys and citizens.

2. What is the biggest challenge in protecting the accuracy and integrity of records of the district courts and how would you address it?

We are currently using the newly implemented Odyssey system for management of civil and family files. Since the petition, pleading, or anything that is filed in the case is immediately scanned upon receipt, I feel comfortable that the accuracy and integrity of each file is protected. Even without Odyssey, our clerks are trained and realize the importance of the integrity of our records. When pleadings are filed, they are listed as an event on the computer as well as being scanned. It is a double-check that would call attention to anything missing in one spot or another.

3. Would you support putting case files online?

We are testing a process with 5 attorneys where they enter their bar code number, receive a pin number, and they can log on and view civil/family cases. Certainly, I support having the index to case files online to the general public, and if and when we get a redaction tool to remove personal information from the files, I would definitely support viewing online by all. The files are public record, but I don’t want children’s names and addresses a click away from anyone on the Internet. (Or anyone’s SS number)!

4. What other issues do you believe will be most pressing in Collin County District Courts, and what is your position on these issues?

We are presently in configuration labs to convert criminal files to Odyssey so they can be scanned and viewed, and hopefully the criminal system will be more integrated with the Sheriff's Office, since they are also converting to Odyssey. One of the biggest issues we face is the continuing growth of cases in our courts and the lack of resources to hire the personnel to alleviate the burden. At some point, additional personnel will have to be employed, or overtime will have to be approved.

Alma Hays, Republican

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1. Please describe the education and experience that qualify you for the position of District Clerk.

I have a degree from Grayson County College and have worked in the District Clerk's office. I have 26 years experience as a paralegal and office manager. My work ethic, education, problem solving skills and experience qualify me to lead the District Clerk's office. I have extensive knowledge of how the entire judicial system works. I am the only candidate who has been on both sides of the counter of the District Clerk's office. This gives me a unique perspective of how the public views the District Clerk's office and how the office can be improved.

2. What is the biggest challenge in protecting the accuracy and integrity of records of the district courts and how would you address it?

The biggest challenge is documenting the location of files. Despite having a bar code tracking system currently being utilized by the Clerk's office, it seems that many files cannot be located. I have often had the clerk's office tell me that they could not find files. One incident involved an adoption file that is supposed to be kept in a special vault, but was not in the vault and they could not find it with the other files. I will implement a strict policy of immediate scanning of bar codes to document the location of each file.

3. Would you support putting case files online?

Yes, but only to be accessible by attorneys and their staff. I would like the access to be similar to the Federal Court's system (PACER). While in theory it would be good to have public access to the court's records, there is sensitive information in the family law files such as social security numbers and driver's license numbers. This information could be used to steal someone's identity. Unfortunately it is not financial feasible to redact all of the sensitive information out of the files to allow public internet access.

4. What other issues do you believe will be most pressing in Collin County District Courts, and what is your position on these issues?

The most pressing issue in the District Clerk's office is expanding office hours. Currently the District Clerk's office closes at 4:30 p.m. They quit processing passports at 4:00 p.m. They quit issuing court documents at 3:30 p.m. These hours need to be expanded to 5:00 p.m. There are other county offices that stay open until 5:00 p.m.

The limited work hours of the District Clerk's office is one of the reasons that revenue from passports dropped \$0.2 million during the calendar year ending September 30, 2008. This figure is from the Comprehensive Financial Report available on the County's website.

Candidates for Collin County Court at Law #3 Judge

4 year term. Must be 25 years or older, a U.S. citizen, a practicing lawyer, a resident of Texas and a resident of the district represented. Responsible for cases including misdemeanor or criminal cases, class C appeals, civil matters, mental health cases and probate matters.

Lance S. Baxter, Republican

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972-562-0266

1. Please describe the education and experience that qualify you for the position of Collin County Court at Law Judge.

I graduated from Texas Christian University in 1983 with a business degree in Finance. I graduated from South Texas College of Law in 1986 with a Doctor of Jurisprudence degree. I have practiced BOTH civil and criminal trial law since in Collin County since 1987. I have served as a hearing master in a judicial capacity since 1996 for the Collin County Mental Health Court. I am very active in all of the local bar activities and have been awarded the Pro Bono Attorney of the Year Award in 1998 by Legal Services of North Texas.

2. When should an elected judge disqualify himself/herself from a case?

Whenever he/she is too close or interested in the parties or their attorneys and it would affect his/her ability to rule fairly.

3. Do you think there is a problem with disparities in sentencing in Collin County? Please explain.

I do not think there is. The district attorney's office offers similar sentences for similar crimes. I think the quality of defense attorneys in Collin County provide most defendants very competent representation and it results in "competitive" sentencing.

4. Collin County has strict financial guidelines for providing court-appointed attorneys. Do you believe that this denies representation to defendants who cannot afford counsel?

I do not think it does. It seems that most Defendants qualify for court appointed attorneys and the ones that retain are usually able to work out payment plans. Very few indigent defendants go forward without attorneys.

5. A large number of inmates in the county jail have been diagnosed with mental or emotional disorders. How should persons with mental disorders be handled in the Collin County justice system?

Being the mental health "judge" for so many years, I have a unique perspective of those suffering from mental disorders. Many do not fit into a situation that will do justice. Jailing them costs the county money and serves very little purpose. No one wants to just cut them loose without a consequence. I believe that obtaining mental health treatment as soon as possible is the only reasonable solution. I would like to see monitoring of the mental treatment and dismissal of cases if the person is mentally ill but treating well.

6. What measures do you support to reduce the rates of incarceration and recidivism?

I wish there were more education available and treatment/diversionary programs. I think the DWI/Drug court started by County Court at Law No. 4 is a tremendous step in the right direction. I would make sure every probationer earned his/her diploma or GED while on probation. I wish there was more money available for treatment of substance abuse, because 90% of the crime involves people that either dropped out of high school or has a substance abuse issue or both.

7. What other issues do you believe will be most pressing in Collin County Courts at Law, and what is your position on these issues?

As always, money is an issue. We will need money for indigent defense. We will need to provide programs for the treatment and education of youthful offenders or we will see them again. I believe litigants should be able to get into court in a timely manner. I think our courts are adequately handling this issue right now by the hard work of our current judges.

Stewart Matthews, Republican

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1. Please describe the education and experience that qualify you for the position of Collin County Court at Law Judge.

I have two decades of experience in both private business and law which have taught me to listen to all options and weigh the merits of all arguments or ideas presented. My success is owed to maintaining the principles required to run a conservative and fiscally responsible business and law practice. However, I would never have been successful if I had not also earned the respect and trust of my

colleagues. I would put forth the same effort and values to earn the respect and trust of the citizens of Collin County.

2. When should an elected judge disqualify himself/herself from a case?

When there is even the air of impropriety which could affect the public's perception of the Court.

3. Do you think there is a problem with disparities in sentencing in Collin County? Please explain.

I have not seen where Collin County has a disparity in the sentences it provides. I, for one, do not mind if Collin County is seen as tough on crime for those convicted of breaking the law. Keeping in mind, however, we do need to make certain the person accused is provided the proper and full application of his/her rights.

4. Collin County has strict financial guidelines for providing court-appointed attorneys. Do you believe that this denies representation to defendants who cannot afford counsel?

In a word, no. While it is imperative that counsel be provided for those who truly are unable to afford counsel, it is also imperative to closely watch the tax dollars of the Citizens of Collin County.

5. A large number of inmates in the county jail have been diagnosed with mental or emotional disorders. How should persons with mental disorders be handled in the Collin County justice system?

First, with respect. Second, there needs to be a method of verifying the disorder and determining if the person is capable of standing trial. Simply because a person has a mental disorder does not necessarily deem him/her incapable of being held accountable for his/her actions. If they are not capable of standing trial, then they need to be placed in a program which helps them with their disorder.

6. What measures do you support to reduce the rates of incarceration and recidivism?

The fear of simply being locked up does not deter as many criminals as is hoped. Instead, programs which help the person understand the consequences of their crimes and help reduce the reason for the behavior can also reduce the advent of repeat offenders. Drug abuse programs and anger management programs coupled with literacy training and job skill training can help a person rise from the situation which led to their actions. The cost of these programs can be offset by the criminal being required to help pay for the programs.

7. What other issues do you believe will be most pressing in Collin County Courts at Law, and what is your position on these issues?

The backlog of cases in the courts is a concern. This Court is too often seen as only a criminal court when actually it is a court of general jurisdiction. This can be alleviated by two separate actions – One, electing judges who are seen as civil docket judges, i.e., judges who are experienced in complex civil cases so there is not the perception the court is unable to handle such cases. Two, decrease the need

to transport prisoners and delay time in waiting for attorneys to get to court by utilizing technology that could allow for closed-circuit hearings.

Candidates for Collin County Court at Law #4 Judge

4 year term. Must be 25 years or older, a U.S. citizen, a practicing lawyer, a resident of Texas and a resident of the district represented. Responsible for cases including misdemeanor or criminal cases, class C appeals, civil matters, mental health cases and probate matters.

Matthew Goeller, Republican

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1. Please describe the education and experience that qualify you for the position of Collin County Court at Law Judge.

I have been a licensed attorney practicing in Collin County over 20 years. I have 20+ years experience in criminal law, both as a State Prosecutor and defense attorney. I am Board Certified in Criminal Law by the State Bar of Texas Board of Legal Specialization, and have been Board Certified for 20 years. I have been a faculty member at the University of Texas at Dallas, having taught *Constitutional Law*, and have been on the faculty at Collin College for the past 22 years, teaching courses in criminal justice, specifically, the *Texas Penal Code & Criminal Procedure*.

2. When should an elected judge disqualify himself/herself from a case?

Texas Judicial Ethics clearly state that a judge shall recuse himself in any proceeding in which his impartiality might reasonably be questioned. The Texas Constitution states that no judge shall sit any case when the judge shall have been former counsel in the case. The Texas Rules of Procedure dictate that judges shall disqualify themselves in all proceedings in which they have served as counsel or with a lawyer with whom they have previously practiced law in association with the matter in controversy. A judge must refrain from business and financial dealings that may adversely affect his impartiality.

3. Do you think there is a problem with disparities in sentencing in Collin County? Please explain.

I do not believe this is a problem in Collin County. Our present judiciary, prosecution, and the Collin County Criminal Defense Lawyer's Association go to great lengths to ensure that sentencing is a product of the particular facts of any given case, and not the product of race, national origin, socioeconomic status, sex, age, religion, disability, or sexual orientation. Texas Judicial Canons mandate that a judge shall not, in the performance of his or her duties, by words or conduct manifest any bias or prejudice based on the same factors.

4. Collin County has strict financial guidelines for providing court-appointed attorneys. Do you believe that this denies representation to defendants who cannot afford counsel?

At the County Court at Law level, I do not see the indigent financial guidelines under the Fair Defense Act working as to deny counsel to defendants. Many defendants elect to represent themselves in plea negotiations with the State, notwithstanding their declaration they can afford to hire counsel, as is their right. Because legal fees associated with misdemeanor cases are generally much less than for more serious felony charges, the majority of non-indigent defendants are able to hire counsel if they choose to do so.

5. A large number of inmates in the county jail have been diagnosed with mental or emotional disorders. How should persons with mental disorders be handled in the Collin County justice system?

Inmates with severe mental disease or disorder that rise to the level of incompetency should be evaluated and sent to an appropriate psychiatric hospital or outpatient facility until competency has been restored. If competency is not likely to be restored, the inmate should be moved out of the criminal justice system and into the civil mental health/mental retardation system, per the law in our Code of Criminal Procedure. Those that suffer mental health problems but are nonetheless competent and sane should be placed in a specialized mental health caseload in either the jail/prison system or the probation system.

6. What measures do you support to reduce the rates of incarceration and recidivism?

The largest common denominator in our jail and prison system is the lack of any meaningful formal education, i.e., a high school diploma. Almost one-half of the 150,000+ inmates in our Texas Department of Criminal Justice do not have a high school diploma or GED certificate. I strenuously support any and all efforts to keep high school students in school. Rates of prison incarceration are directly related to high school drop-out rates.

7. What other issues do you believe will be most pressing in Collin County Courts at Law, and what is your position on these issues?

Closely related to Question #6, I believe the County Courts at Law, in partnership with District Attorney and Probation officials, must place an emphasis on requiring defendants granted probation to obtain their high school diploma or GED certificate. Obtaining this fundamental education will increase the likelihood of a successful probation and rehabilitation, and decrease the likelihood of future criminal conduct.

David Rippel, Republican

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1. Please describe the education and experience that qualify you for the position of Collin County Court at Law Judge.

As a Husband and father I want to ensure that victims are treated fairly and that litigants receive justice. My legal experience includes a Judicial Clerkship. My private practice reflects the same diversity of cases that County Court 4 decides.

With an emphasis on trial work, I have tried and negotiated thousands of civil and criminal cases. Having served as a Company Commander, Battalion Commander, and a veteran in the U.S. Army, I offer unique leadership skills. A few of my other noteworthy accomplishments are the achievement of Eagle Scout and service as President of Plano West Rotary Club.

2. When should an elected judge disqualify himself/herself from a case?

As a judge I will disqualify myself when I am aware of any bias that might influence my official action, either against or in favor of any party to a proceeding pending before me.

3. Do you think there is a problem with disparities in sentencing in Collin County? Please explain.

No, I believe that our judges follow the law in sentencing defendants, so there are no disparities.

4. Collin County has strict financial guidelines for providing court-appointed attorneys. Do you believe that this denies representation to defendants who cannot afford counsel?

I believe that Collin County has correctly followed the Fair Defense Act and that indigent defendants are provided court-appointed attorneys.

5. A large number of inmates in the county jail have been diagnosed with mental or emotional disorders. How should persons with mental disorders be handled in the Collin County justice system?

People who have mental disorders should receive all of the rights that our laws afford. There are varying degrees of mental disorder. The inmates in our county jail who are diagnosed with mental or emotional disorders are treated for their disorders. The law presumes that defendants are sane and to prove insanity, the defense must convince a jury that the defendant suffered from a severe mental disease or defect and did not know his or her action was wrong . I support our laws.

6. What measures do you support to reduce the rates of incarceration and recidivism?

I support the Texas Department of Criminal Justice Education measures to reduce rates of incarceration and recidivism. Examples of such programs are the Adult Education Program and the Life Decision Program.

7. What other issues do you believe will be most pressing in Collin County Courts at Law, and what is your position on these issues?

I believe that delays in a case causes harm to litigants and to the justice system. The volume of work in Collin County Court at Law 4 is immense and in order to reduce the back log I will need to work swiftly and efficiently.

Candidates for Collin County Court at Law #6 Judge

4 year term. Must be 25 years or older, a U.S. citizen, a practicing lawyer, a resident of Texas and a resident of the district represented. Responsible for cases including misdemeanor or criminal cases, class C appeals, civil matters, mental health cases and probate matters.

Jay Bender, Republican

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1. Please describe the education and experience that qualify you for the position of Collin County Court at Law Judge.

A qualified judge is one who has experience dealing with people, budgets and an understanding of the law. My people experience is broad; whether it was being a college athlete, serving in the Navy, providing consulting services to Fortune 50 companies or being elected SBA President in law school, I have dealt with all types of people. Furthermore, being fiscally conservative with regards to budgeting is why I am a successful small business owner. Finally, my exceptional legal knowledge comes from my immense trial experience as well as my academic honors such as my Concentration in Criminal Law.

2. When should an elected judge disqualify himself/herself from a case?

Our legal profession is self-policing. This is both a privilege and a responsibility. Anytime the impartiality of the judge would cast a doubt on the integrity of our legal system a recusal is justified. The confidence in our legal system must be maintained. There are judicial canons that govern recusals, but common sense goes a long way. If we keep in mind the importance that there never be a question regarding the integrity of our legal system then it should be easy to determine when a recusal is appropriate.

3. Do you think there is a problem with disparities in sentencing in Collin County? Please explain.

No. Above the columns of the SCOTUS it is engraved "*Equal Justice for All*"; therefore, the term disparity seems to indicate a problem in sentencing by being unequal. However, our law provides for a range of punishment. If our lawmakers wanted to ensure everyone convicted of the same crime received the exact same sentence they could easily change the law by removing any range and assessing a specific sentence. A judge should be consistent and consistency means that there is no disparity. Furthermore, it is the defendant's sole right to choose either the judge or the jury to determine sentencing.

4. Collin County has strict financial guidelines for providing court-appointed attorneys. Do you believe that this denies representation to defendants who cannot afford counsel?

No. Our Constitution does not check itself at the courthouse steps simply because one cannot afford a lawyer; rather it applies to all citizens equally. However, court-appointed attorneys are only provided to indigent defendants where the punishment has the potential for jail time. These attorneys are paid for with tax

dollars. Having strict guidelines reduces the likelihood of people simply not wanting to pay for their own attorney thus shifting their personal burden onto the tax payer. Therefore, having guidelines minimizes free-rider syndrome and tax payer burden while still providing necessary legal services for those with demonstrated true need.

5. A large number of inmates in the county jail have been diagnosed with mental or emotional disorders. How should persons with mental disorders be handled in the Collin County justice system?

Jail does little to rehabilitate but is intended to deter and punish. MHMR defendants usually have substance abuse problems and a high propensity to recidivate. Our probation department, which I fully support and look to for guidance as they are the experts, currently has a mental health caseload available for these defendants. I believe that it is better for our community to address the root cause of the problem in an effort to prevent future crimes or more serious crimes. Furthermore, incarceration is very expensive but should always be an option because the safety of our community is imperative.

6. What measures do you support to reduce the rates of incarceration and recidivism?

The goal of sentencing is to rehabilitate, deter and punish those convicted of crimes. This court has jurisdiction over misdemeanors; relatively low level crimes. Incarceration costs a lot of tax dollars, does little to rehabilitate and is intended to deter and punish. Moreover, defendants who are sentenced to jail do not have to pay restitution to compensate their victims. However, restitution can be ordered as a condition of probation. Because of this, incarceration should be used sparingly. I support all measures to reduce recidivism as long as the administration of those measures does not put public safety in jeopardy.

7. What other issues do you believe will be most pressing in Collin County Courts at Law, and what is your position on these issues?

The overwhelming majority of the court's docket is criminal, which is why it is imperative that the judge have a strong background in criminal law. Being a veteran myself and the child of a war hero, I foresee family violence as being the most pressing issue going forward for the types of cases handled by this court. As our service members return home, the strains placed on them and their families will undoubtedly create a greater caseload for this type of offense. We need to have a cost-effective, proactive, supportive approach using a pre-trial diversion program.

Terri Green, Republican

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1. Please describe the education and experience that qualify you for the position of Collin County Court at Law Judge.

County Court # 6 hears three types of cases, criminal (misdemeanor), civil and appeals. As a Teen Court Judge, I hear misdemeanor criminal cases. As a 20 year

attorney, I have tried numerous civil trials in front of a jury. I am licensed to practice before the 5th Circuit Court of Appeals where I have a perfect record. I am the only candidate in my race **sworn in** to practice before the U.S. States Supreme Court in Washington, D.C. I have already completed the *Bench Bar for the Texas Judiciary* materials required by all Judges before they take the bench.

2. When should an elected judge disqualify himself/herself from a case?

A Judge should disqualify (or recuse himself) when a conflict of interest arises between him and the parties which renders him incapable of being fair, or when he becomes aware that he has represented one of the parties in prior proceedings, or when he can no longer perform the duties of a judicial officer impartially, or when he can no longer perform judicial duties without being biased or prejudiced.

3. Do you think there is a problem with disparities in sentencing in Collin County? Please explain.

Although there may be some disparities, I have not witnessed any in my cases. We, in Collin County are fortunate to have excellent judges who have taken an oath to strictly adhere to the guidelines as provided for in the Penal Code, Code of Criminal Procedure and Rules of Civil Procedure to ensure fairness in all phases of a criminal matter and not engage in judicial activism. Each judge should follow the punishment ranges to ensure that whatever sentence is handed down, either by the jury and/or a judge, is fair as it relates to the crime committed.

4. Collin County has strict financial guidelines for providing court-appointed attorneys. Do you believe that this denies representation to defendants who cannot afford counsel?

No. Local Rules effective January 9, 2009, establishes a procedure for determining indigency. It takes into consideration income, tax information, and liquid assets. Other factors considered are current incarceration and other government provided benefits for the defendant. They do **not** consider the defendant's ability to post bail, other family resources or current employment. There is a partial indigency program and a procedure to pay in installments. We must apply the balancing test to an indigent's request--the needs of the defendant versus the resources available to the County to meet those needs.

5. A large number of inmates in the county jail have been diagnosed with mental or emotional disorders. How should persons with mental disorders be handled in the Collin County justice system?

As an Attorney Ad Litem certified by the State of Texas, Judges appoint me to represent individuals who are incapacitated mentally, emotionally or physically.

I recently attended the Health Care committee meeting to learn how the county handles incarcerated defendants suffering from mental illness. The adult probation officer, defense counsel, county commissioner, county psychiatrist charged with treating these individuals and the aftercare representative spoke.

As the only candidate with such specialized training and experience, I would be able to recognize those defendants with mental and emotional issues and be equipped to refer them for treatment and aftercare immediately.

6. What measures do you support to reduce the rates of incarceration and recidivism?

As Teen Court Judge, I order “offenders who are minors” charged with alcohol and/or drug related crimes to a victims’ impact presentation and a course taught by Mothers Against Drunk Driving. I would support the same type of measures as Judge for Court #6. I would support the implementation of a DWI/Drug Court Program created by another court to give defendants an option for diagnosis, treatment and aftercare.

I believe it would be a benefit in all County Courts and I would work with the County Commissioners or other agencies to obtain funding in order to expand the program.

7. What other issues do you believe will be most pressing in Collin County Courts at Law, and what is your position on these issues?

With the growth of the county, we will soon be experiencing more crime county wide. We need to be proactive and prepared by advocating for the creation of new courts during the next legislative session. Updating technology for use by the public is another issue. Having **certain** court records available online that can be downloaded onto a personal computer would be beneficial. Lastly, relocating the county courts to the new courthouse to create a more unified system with one central location would be beneficial for not only the Judges, but for attorneys, jurors, witnesses, experts, court personnel and the public.