A look at the race between Whit Graves and Mike Nerren

The Bossier-Webster district judge run-off election on Saturday, December 8 between Whit Graves and Mike Nerren will choose Judge Bruce Bolin's replacement; Bruce Bolin, retired earlier this year. But it's anticipated that voter turnout for the run-off will be significantly less than that of the primary election – or even the 2008 election when voters replaced long time Judge Dewey Burchett with Mike Craig on the 26th Judicial District Court bench.

In that election, which shared the ballot with Congressional races, a Public Service Commission race, and a slew of local elections, a total of 23,865 votes were cast by Bossier and Webster Parish voters. Last month's general election that took Springhill City Judge John Slattery out of the 26th JDC race, leaving Graves and Nerren to face off on December 8, saw 65,176 votes cast between Bossier and Webster Parishes. Obviously, a presidential election helps get the vote out.

In Bossier Parish, with the exception of a very few precincts that will feature the City of Shreveport's sales tax renewal option, the only other issue on the December 8 ballot will be the race between Nerren and Graves. In Webster Parish, except for the Sibley police chief's election, and deciding the Mayor of Cullen – most of the parish will only be voting for the next Bossier-Webster District Judge.

Those circumstances, along with the fact that this election falls right in the holidays, mean that this race comes down to which candidate most successfully "gets out the vote."

Candidates for judgeships can't generally promise what other political hopefuls can – like lower taxes, or better roads, or improved education results. Instead judicial candidates are pretty much left with sharing their legal experience and promising to be impartial, hard on crime, and considerate of victims.

At least until this Bossier-Webster judicial race, that's been the case.

Whit Graves' multi-page campaign publication, recently mailed to voters, promises a whole lot more, with a "… plan not to raise your taxes." Graves proposes to change the current system of 26th JDC judges hearing all types of cases, and traveling between Bossier and Webster Parishes to do so, to a system that would "streamline and simplify the judicial system by assigning Judges to specific types of cases by the type of law that applies to those cases."

Graves asserts that this new system would save tax dollars because it would preclude adding a new judge – over and above the six currently authorized – to the court. It would basically be styled after the Caddo Parish court system in which judges are assigned to hear specific types of cases such as criminal, civil, or domestic – or juvenile (Caddo has a separate system for juvenile cases).

And the proposal might have some merit – should Graves be elected, and most importantly, if it passed muster with the five judges, all of whom would be senior to Graves, currently sitting on the 26th JDC bench.

But time more interesting part of Graves' proposal is his plan wouldn't raise voters' taxes. He raises an interesting point: how much does the addition of a new judge cost the local taxpayers?

As it turns out, not much. Because the issue of adding a new judgeship isn't a new one in the 26th JDC over the last several years, I visited with representatives of the governmental entities who'd be responsible for providing the support system for a new judgeship – and our

conversations were expressly limited to the “cost” side of the issue – and did not involve the current race.

First, district judges are paid by the state – not local government. Next, the Bossier Parish Police Jury, which own/operates the courthouse would be responsible for providing office space and employing a new court reporter to work with the judge. While the Police Jury is a taxing entity, a single hire wouldn’t raise taxes in any way.

The Bossier Parish Clerk of Court would need to hire two new minute clerks (criminal and civil) for a new judge, but the Clerk’s office is not a taxing entity. Instead the Clerk’s office is funded by filing and recording fees. The Bossier Parish Sheriff’s Office provides bailiffs for courtrooms, but since bailiffs are assigned by courtroom, and not the number of judges, an additional judge wouldn’t likely make much difference to the Sheriff’s budget.

The District Attorney’s office would need to employ an additional prosecutor – an assistant district attorney is assigned to each judge – and perhaps a secretary. But the DA’s office operates in part with funding from the criminal court fund, and in part from the Police Jury. In either case, however, such new hires aren’t forecast to involve any requests for a tax hike of any kind.

Generally, a new judgeship is not a local tax-hike generator.

Finally, given the 26th JDC’s declining case statistics over the last couple of years, there’s no new judgeship on the horizon. Per Louisiana Supreme Courts Annual Reports, the number of cases of all kinds heard in the 26th JDC (Bossier and Webster combined) the numbers dropped from 31,206 in 2009, to 26,546 in 2010, to 24,755 in 2011.

Maybe judge candidates should stick to sharing their legal experience and promising to be impartial, hard on crime, and considerate of victims to get out the vote.

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