



MICHIGAN SUPREME COURT

ELIZABETH A. WEAVER
JUSTICE

August 26, 2010

This morning I formally notified Governor Granholm of my resignation as a Justice of the Michigan Supreme Court, effective at 11:00 a.m., today, August 26, 2010. I also notified the State Court Administrator and the Secretary of State in accordance with the law.

In my almost 36 years as a judge and Justice, always elected by Michigan voters, (12 years as a trial judge, 8 years as a Court of Appeals judge, almost 16 years as a Justice of the Supreme Court including 2 years as Chief Justice), I have continuously endeavored to act and perform in the best interest of the people of Michigan.

In June, when I filed my affidavit of candidacy to put my name on the November ballot for re-election, I believed that doing so would be in the people's best interest.

I am deeply grateful to all my many supporters throughout the state who have urged me to run again. "JUSTICE WEAVER WE NEED HER," they say, offering every kind of support. I am aware that the pundits believe I would be re-elected even as "the independent candidate" without party nomination and special-interest funding. But that is not the point.

After considerable deliberation—thought and prayer, I have concluded that I have done all that I can do as a Justice and now believe that I can be of most use as a Citizen in helping further the critically needed reforms of the judicial system.

The present system of dual processes by which we elect and appoint Supreme Court Justices is deeply flawed and in need of an overhaul. Specifically, we need to promptly reform the processes of how we select Justices and we need transparency and accountability in the administration of the people's judicial business by the Michigan Supreme Court.

The open discord on this Court over the last 10 years is not really so much about clashes of strong personalities, but rather is the result of the formation of

power blocks of Justices usually joining together with a majority of 4 votes to promote agendas of:

- Political Parties and Special Interests
- Personal Interests, Philosophies and Ideologies
- Biases and Prejudices

Any time power blocks form and the court locks up, independent thinking and the interests of the people of Michigan suffer.

It is that independent-thinking judge who should be the most highly valued member of any court. That independent-thinking judge is not agenda-driven and does not hold to political party lines, philosophies, or ideologies. We need Justices and judges who are dedicated to the rule of law, who are independent, impartial, exercise judicial restraint, apply common sense, and who are wise, honest, orderly, competent, fair, civil and professional, open, not secretive, and who are non-partisan. Our current system of political party nominations does not advance these qualities.

Nor does the current system prize the diversity and independence of thought that comes from geographic separation. The overwhelming majority of Justices on this Court come from the Detroit/Lansing beltway. Of the 7 Justices, 4 are from Southeast Michigan (Grosse Pointe Park and Bloomfield Hills), 2 are from the Lansing area, and after my resignation NONE were from Northern Michigan until the Governor remedied this by her appointment of a Justice from Northern Michigan.

Independent Justices cannot “go along to get along” when doing the people’s judicial business. Supreme Court Justices must fulfill their duty to the people to inform them of what they need to know—no more or no less—about not only *what* the Michigan Supreme Court decides and does, but *how*, *when* and *where*. The Michigan Supreme Court should not be a secret club, but should instead act in a transparent, open, and accountable manner.

To be absolutely clear, when I say “reform,” I do not mean the elimination of elections of Justices, I mean specific reforms of the election and appointment processes in Michigan’s dual system for selection of Justices.

In the last election of a Supreme Court Justice, in 2008, \$7.5 million dollars was spent for 1 open spot on the Michigan Supreme Court.

It appears that in this year 2010, there will likely be spent even more millions of dollars (closer to the \$15 million that was spent in the 2000 election for

three spots on the Court). The many millions of dollars spent, will be untimely reported, if reported at all.

This type of unseemly, exorbitant, and unhinged spending and untimely reporting or no reporting at all for Supreme Court Justice Elections needs to be reformed before the 2012 election.

Millions of dollars are spent in Supreme Court Justice elections by political parties and special interests for TV ads filled with some true, some untrue information, misinformation, incorrect information and incomplete and misleading information. It is absurd, illogical and irrational to believe these expenditures will likely result in the election of Justices that are dedicated to the rule of law, independent, impartial, exercise judicial restraint, apply common sense, and are wise, honest, orderly, competent, fair, civil and professional, open, not secretive, and are non-partisan.

My 6 specific proposals for reform of the system of selection of Justices appear on my personally-funded website: www.justiceweaver.com. The top two proposals are currently before the Legislature in Senate committee and do not require constitutional amendment. They are:

- (1) electing Justices by district; and
- (2) removing the political party nomination for Justice candidates.

I strongly urge the Legislature to enact these reforms before year's end so that the Michigan Supreme Court can move forward with transparency and accountability in 2011.

The remaining four proposals for reform are:

- End Governor's unchecked appointment power
- End lack of rotation in office
- Reform campaign finance reporting requirements
- Implement public financing requirements

I remain committed to actively helping to reform Michigan's judicial system, specifically including prompt reform of the selection process for Justices and the administration of the people's judicial business by the Michigan Supreme Court with needed transparency and accountability.

I am most grateful to the people of Michigan for electing me as a Justice and trusting me with the privilege of serving them on the Michigan Supreme Court for nearly 16 years.

Thank you.