

## **NO NEED FOR LAWYER-BASHING IN ELECTION CAMPAIGNS**

### **SAMPLE OP-ED FOR BAR LEADERS**

Our quadrennial presidential elections are our nation's premier showcase of its democratic process. Every four years, our elections serve as a model for freedom and demonstrate to the world the strength of societies founded on the principle that people should dictate the course of their collective futures. Indeed, elections are the essential vehicle by which our population weighs in on the issues confronting us all. They truly are our proudest and most important moments.

Except when they become bitter contests marred by unnecessary, distracting and divisive scapegoating. Unfortunately, this year, candidates seem to be serving up an unhealthy dose of precisely this. Hardly a week passes without voters hearing that lawyers and activist judges are slowing job growth, driving companies out of business, expanding the rolls of our nation's uninsured, etc.

America's politicians owe us better. They need to refrain from name-calling and finger-pointing or the use of convenient scapegoats to scare the public. When they resort to tactics like these, they demean both the process and the voters.

America's lawyers and judges come from all walks of life, serve in communities all across the country, and represent all political views. As a profession, their interests and priorities lie not in partisanship or power, but in the pursuit of justice and the challenge of ensuring that every inhabitant of this great land enjoys the liberties and opportunities to which they are entitled.

When people think of the role of lawyers in our society, they should not think of a burden dragging us down, but rather a force carrying us to new heights. Lawyers, judges and the courts safeguard the rights of Americans to take their grievances to court—no matter how powerful their adversaries—and get a fair hearing. This is one of the fundamental protections of individuals in our society.

Anyone can find examples of lawsuits that at first glance appear frivolous. But when a frivolous lawsuit is filed, a judge will dismiss it. If a jury strays from the law in reaching a verdict, a judge will overturn it. If a damage award is overly generous, it will be reduced on appeal. That's how the legal system works.

Healthy and honest debate on the nation's policies and priorities is the foundation of any functioning democracy. It almost goes without saying that those debates will often involve issues related to the courts, judges and lawyers. This is to be expected and welcomed. For it to happen in a manner that demonizes a profession steeped in the traditions of public service is unnecessary, unproductive and offensive.

Our justice system, like our democratic process, was designed by our nation's founders to provide for a free and open debate of important issues. Let's have that debate, but not all the name-calling.

