

Answers to Candidate Survey of the Texas Democratic Women of Collin County

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1). [Qualifications] I received a Ph. D. in American Civilization from the University of Texas at Austin in 1972. It armed me with philosophies of the world as well as the history of ideas in America since the Puritan days. My college teaching experience has widened my knowledge and understanding of human nature. I practiced law in Texas for over 15 years after graduation from SMU Law School in 1980. I worked as Judge of the Dallas Municipal Court for 12 years since 1995.

2). [Impact Cases] Although the municipal court does not handle big-impact cases, municipal court cases are closely related to the average, common Texans' everyday life. The municipal court is usually the first place of judicial experience for most Texans. A "fair and impartial" trial is the most important thing, but my approach is always a strict scrutiny of the prosecutor's case. If there is any small error or overreach on the part of the state, I do not hesitate to quash the complaint. I do not hesitate to scrutinize the ordinances of the city in a very exacting manner. On the other hand, I give sufficient leeway to defendants, especially when they are not represented by counsel. I am known by the nickname of "a people's judge."

3). [Three Biggest Problems] I do approve the Texas system of selecting judges by means of a partisan election, but it needs reform and improvement. The FIRST thing to do is to limit the amount of judicial campaign contributions from a lawyer or a law firm. The current limit of \$5,000, I believe, is exorbitantly too high. The appearance of impropriety is obvious, because the lawyers and law firms will be practicing before the judge for whom they have made contributions. It should be limited to a token amount of \$100. SECOND. Many appellate judges are reluctant to reverse the trial courts, stating that a big deference is due to the trial judges. A more strict scrutiny of the trial court is in order. For instance, the doctrine of a "harmless error" should be discarded in favor of a doctrine that says "any error is harmful." THIRD. Republican judges are friends of the rich and the powerful, and their rulings are often prejudiced against the poor and the weak. Get rid of at least half of them.

4). [Backlog of Cases]. One problem with the judicial election system is that the elected judges have no watchers and no overseers. Elected judges can become slow and lazy, fail to study the cases, or fail to do required work. Some judges' attendance record is awful, and others do not keep office in the afternoons. The people of Texas are entitled to have an opportunity to watch over the elected judges either by means of establishing a judicial evaluation body or by strengthening the power of the current Judicial Conduct Commission. If the judges are diligent and work harder, at least half of the backlog problems will disappear. If a judge is really too busy, he has an option of utilizing a visiting judge.

5). [Judge's Personal Views] Although a judge is obligated to apply the law to the facts in a fair and impartial manner, she is human and her personal views will inevitably influence her judicial decisions. Otherwise, how could you explain the fact that the nine justices of the US Supreme Court are split in many of their decisions. My personal views are based upon the teachings of the Scriptures. I will endeavor to find the truth and see to it that justice is being done, but I will not forget that my decisions must be wise, fair, compassionate, and without

regard to the wealth or power of the party. I believe the law must not overlook the miseries of orphans and widows, must not condone the oppression of the poor and the weak by the rich and the powerful, always keeping in mind to do social justice. A judge must be diligent, dignified, and decisive, but at the same time she must treat the litigants with respect, dignity, humility, and compassion.

6). [Stare Decisis] To preserve the stability of the law and continuity of the legal system, it is important to follow legal precedent, known as stare decisis. Once an appellate court decision has been established, it is prudent to follow the precedent. The rule of stare decisis is not absolute, however. The law or an interpretation of the law changes constantly as society develops and conditions change. After all, the law does not exist in a vacuum, but it does exist in human society. Without changes, the law will become a fossil. Otherwise, what would be the role of a judge in a computerized world? A computer may do a much better job of following the law and precedents than any human judge would be able to do. A judge needs to interpret the law in the light of developing human society.

7). [Unconstitutionality by the Legislature] The Legislature and the Judiciary are two of the three co-equal branches in the Texas government system. Each of the three co-equal branches must not interfere in the other's exercise of its own powers and functions. If the Legislature is acting in an unconstitutional manner, as in enacting an obviously unconstitutional statute, I believe the court can do nothing to prevent the Legislature from enacting such an obviously unconstitutional statute. The court will have jurisdiction only if there are cases and controversies. The court acquires jurisdiction only after someone has brought a suit requesting adjudication of a matter. Likewise, the Legislature cannot and must not interfere with the court, when the court is in the process of making judicial decisions.

8). [Diversity of the Judiciary] scrutinize the city Ordinances in a very exact manner. I strongly believe that the composition of the Texas judicial branch should reflect the diversity of the general population. The Texas judicial branch must be inclusive to reflect not only all races and gender, but also the LGBT and other minority communities. I believe that is what the people of Texas want. In terms of the race and ethnicity, I am Korean. My election to the 5th Court of Appeals will partially contribute, as my appointment to the Dallas Municipal Court did, to diversify the racial composition of the Texas judiciary.

9). [Protection of Abused Women] The history of the legal protective measures for abused women in Texas is brief and sporadic, but at this time the law is pretty civilized and offers some protection. The more urgent problem is, however, that there should be an agency or group of willing attorneys that will represent the poor women unfamiliar with the law.

10). [The Privacy Rights] The Constitution of Texas, after numerous and continuous amendments, tries to emulate the civil rights and the privacy guaranteed in the United States Constitution. The court does and should play a vital role to safeguard the privacy right of the citizens of Texas. The privacy rights have been infringed upon by the government since the 9/11 tragedy and under the Republican administration. The occupant of the White House is responsible for most of the unprecedented infringements of the privacy rights of the citizens. The best and the most appropriate medicine to remedy the situation is to evict the current White House occupant by the election of November 2008.

[THE END]

