



# Corruption Has Invaded Our Legal and Judicial Systems

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*Large law firms have taken control of our public utilities and government agencies to increase their legal fees and our Merit Selection System needs reform.*

LAS VEGAS, NEVADA, UNITED STATES, November 14, 2019 /EINPresswire.com/ -- Years ago, two of Arizona's largest law firms, respectively took control of their two big public utility clients by placing firm members and relatives on the governing boards and executive offices of their clients, so that there would be no control over the size of their legal bills. At the same time, other large Arizona law firms contribute large sums of money to candidates running for state, county and municipal agencies and in return receive all the agency's outside legal business at fees that these elected officials are reluctant to object to. Some have estimated that excessive legal bills submitted by these large law firms over the years may have added as much as 10-15% to the public's utility bills and, to state, county and municipal taxes. It is believed that similar schemes may also exist in other states as well.

These activities are clearly unethical and deserving of severe sanctions by state bar disciplinary offices. Oddly enough, there are no reports of such action having ever been taken. This may be because the various state bars are under the control of their large law firms, which constitute a huge voting bloc for electing members to their governing boards. There is also concern that because of this control, an understanding has developed between the large law firms and the state bars' disciplinary staff that ethical violations will be ignored, in return for the large law firms promoting increases in state bar staff salaries and benefits. As a result, State Bar dues in Arizona are currently the highest in the country, compared with other states having a comparable number of lawyers. Furthermore, there is growing evidence that state bar offices have been using their disciplinary powers, to silence critics of state bar policies.

Another issue which may warrant attention are the flaws in the current system of selecting judges. When many state constitutions were amended in the 1970's to substitute a merit selection and judicial retention system in place of electing and re-electing judges, it was thought that this would be an ideal way to put an end to the corrupt practice of judges seeking campaign contributions from lawyers or law firms, then later repaying the contributors with favorable court rulings after they were elected. Presently, there are many lawyers who feel that these corrupt practices have merely been replaced by a different type of corruption involving the solicitation by judicial applicants of influential lawyers to provide favorable recommendations for them to Judicial Appointment Commissions and, when appointed, then return the favor in court cases.

These corrupt practices are made possible by current rules under which all written communications between third persons and the Nominating Commissions are confidential and cannot be revealed. Moreover, current rules also provide that any such communications must be destroyed after six months. Ironically, these rules of confidentiality were initially adopted for the salutary purpose of encouraging third parties to provide negative information on judicial applicants, while protecting such third parties from recriminations. The result is that the same favoritism shown to lawyers and law firms contributing money to judges in election campaigns under the old system, still exists, with favorable recommendations replacing money.

These corrupt practices can be eliminated by amending current rules of confidentiality to preserve only favorable information provided by third parties. If this were done, such recommendations could be available to litigants who appear before judges who have received such favorable recommendations from the lawyer or law firm on the other side of the case, but who nevertheless, fail to recuse themselves because of the appearance of bias which such

circumstances create. If this can be done, we can hopefully restore the public's confidence in our judicial and legal systems as the primary means of fighting corruption.

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