



TESTIMONY

LEAGUE OF WOMEN VOTERS OF TEXAS

WEDNESDAY, 03/22/2023 at 08:00 AM

HOUSE COMMITTEE ON JUDICIARY AND CIVIL JURISPRUDENCE

I am testifying as a member and on behalf of the League of Women Voters of Texas AGAINST HB 3166. We appreciate the opportunity to appear before you today. Thank you for allowing us to share the League of Women Voters of Texas position on this bill.

The League of Women Voters of Texas OPPOSES HB 3166, that would create a special appeals court, the Fifteenth Court of Appeals. This new court would have exclusive intermediate appellate jurisdiction of litigation brought against the state or a state agency alleging official misconduct and would also have exclusive intermediate appellate jurisdiction of litigation challenging the validity of a state statute or rule. Under this law, many of the state's highest profile cases would go the new statewide court, bypassing regional Courts of Appeals.

HB 3166 is an attempt to dilute minority voting power. The current regional courts of appeals are roughly proportional in electing minority candidates. But at-large statewide elections have not produced such proportionality. The proposed creation of an at-large "super" court is a form of gerrymandering known as "stacking" to minimize minority voting influence.

Currently, races for positions on the Texas Supreme Court generate millions of dollars in donations, mostly from special interest groups hoping to influence judicial decisions. The same groups would be motivated to influence votes for candidates for the Fifteenth Court of Appeals. The League supports reducing the role of money in judicial campaigns; we therefore deplore this expected consequence of the creation of the new Fifteenth Court of Appeals with statewide jurisdiction whose justices would presumably be elected at-large.

The purported goal of the bill is to promote consistency in cases involving complex legal issues. But the Texas Supreme Court, whose justices are elected statewide and to whom the new court's rulings could presumably be appealed, already exists as a safeguard against "rogue" appellate decisions.

We urge this Committee to reject HB 3166 which would deprive regional appellate courts of jurisdiction over major cases, diluting minority voting power and increasing the role of money in judicial campaigns.

For additional information, please contact: Julie Lowenberg, Judicial Selection & Judiciary Issue Chair,
jmlowenberg@sbcglobal.net.

The League of Women Voters is one of America's oldest and most trusted civic nonprofit organizations. Formed in 1919, the League of Women Voters of Texas represents over 13,000 grassroots advocates and 34 local Leagues across the State of Texas.

The League of Women Voters never supports or opposes candidates for office or political parties. We encourage the informed and active participation of citizens in government and seek to influence public policy through education and advocacy. Membership in the League is open to people 16 and older of all gender identities.