

NonDoc

Sustainable Journalism Foundation

(Editor's note: Oklahoma's [Code of Judicial Conduct](#) prevents candidates for judicial office from campaigning like other candidates for office. Justices in a retention election cannot comment on cases or controversies that could appear before the court and cannot endorse other candidates or campaigns, substantially curtailing their ability to engage in normal campaign activities.

To provide Oklahoma voters more insight into our judiciary, NonDoc contacted the three Supreme Court justices facing retention on Tuesday, Nov. 5, 2024, with four questions designed to provide readers with information from the justices while still complying with judicial election rules. The questions were sent to justices individually, and their full responses are listed below — by question and alphabetically — for review by voters.)

Your Honor,

NonDoc is covering the Oklahoma Supreme Court retention election, as well as the retention elections for the Court of Criminal Appeals and Court of Civil Appeals. We understand that justices are bound by the Code of Judicial Conduct while campaigning, and wanted to reach out to provide an opportunity for you to comment on the election in accordance with the law through the following questionnaire.

1. What most motivates you to want to continue serving on the court, and if you are retained do you intend to serve another six years?
2. The Oklahoma Constitution gives the Oklahoma Supreme Court "general administrative authority" over our state's court system. What are the biggest issues facing the administration of Oklahoma's court system, and how are they being addressed? (*This question is about the court's role as administrators and not intended to elicit a response related to specific cases or controversies.*)
3. A "No" campaign encouraging voters not to retain you in office has been launched with television advertisements in Oklahoma media markets. What is your reaction to this campaign?
4. Is there anything else you think voters should know before the retention election?

Thank you for your time,

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Tristan Loveless

NonDoc Media reporter

1. What most motivates you to want to continue serving on the court, and if you are retained do you intend to serve another six years?

Edmondson: I seek continued service on the Supreme Court of Oklahoma, fully hoping to complete another term if retained, inspired to do so by the pure joy of sharing in the wisdom of the eight extraordinary justices of this Court, helping the dedicated judges whom we serve, and resolving some of the problems that are encountered by our public citizens who are our ultimate trust.

Gurich: Serving as a Justice on the Supreme Court of Oklahoma has been the greatest privilege, blessing and honor of my life. Since 1988, I've dedicated my life to public service. I believe the foundation of our country is the Rule of Law. I took an oath to uphold the Constitution of the United States and the Constitution of Oklahoma. I am a student of the law and lifelong learner. I am a hard worker and put in long hours with my highly skilled staff lawyers to reach a result based in law in every case. I participate in many hours of continuing legal and judicial education every year, serving on panels and making presentations on ethics and other legal issues. I have many more things to accomplish should I be given the opportunity to continue to serve.

My intention is to serve another six years. Besides my work at the Supreme Court, I will continue to mentor students in high school, college, and law school. It is important that they understand the importance of three separate branches of government, and why it is essential that Oklahoma continues to have an independent judicial system free from political control.

Kauger: I grew up on a centennial farm, I am still a farm girl morning person. I am the first Justice here every morning. I love my job, I am good at it, and I am not finished.

My enthusiasm for my work is unwavering. At a time when there were very few women lawyers, my Daddy told me that "I could be anything I wanted to be." My mother told me that "I had better do it right." Based on the law and the facts, I do my upmost every day to do it right!

It is my intention to serve my term. I have been blessed with good health, curiosity, and energy. But as the scripture says we cannot predict tomorrow. I intend to finish my term, God willing. Why would I retire from doing something I love so much to do something that is not nearly so interesting or satisfying?

2. The Oklahoma Constitution gives the Oklahoma Supreme Court "general administrative authority" over our state's court system. What are the biggest issues facing the administration of Oklahoma's court system, and how are they being addressed? (This question is about the court's role as administrators and not intended to elicit a response related to specific cases or controversies.)

Edmondson: Administrative issues in the state's court system include speedy and effective case management by an adequate number of judges who are compensated sufficiently to wish

to remain judges, who are equipped with modern technology to enhance their efficiency, and given the security necessary for the safety of their court proceedings.

How are these issues being addressed? Not well enough, but with unceasing effort.

Gurich: I served as the administrative Presiding Judge of two trial level courts and as Chief Justice of the Supreme Court of Oklahoma. In those roles, I have seen firsthand the issues caused by lack of adequate funding. For Oklahoma courts to move into the 21st century, there must be more funding for technology. The OSCN system is still considered one of the best in the country for gathering information, but we lag behind other states in terms of automation. We are dealing with a lack of court reporters throughout the state. In the past several years, we have encouraged colleges to create court reporting schools—currently OSU-OKC is the only public program. To assist our court personnel and our judges, we need more reporters, remote equipment capabilities and state of the art recording systems.

Kauger: The biggest issue facing the administration of Oklahoma’s court system. The budget. Although funding is essential to the statewide operation of the judiciary, we are addressing it the best we can.

3. A "No" campaign encouraging voters not to retain you in office has been launched with television advertisements in Oklahoma media markets. What is your reaction to this campaign?

Edmondson: My reaction to the “NO” campaign is wonderment: What is wrong with honoring our Constitutions? Their Preambles – Federal and State – fairly describe my personal political ideals. And, I hope the voters would be interested in reading the cases behind the labels. The opinions of the Courts are readily and freely available online at oscn.net.

Gurich: Those engaged in misleading the citizens of Oklahoma by sound bites and mudslinging, are attempting to destroy a nonpartisan judiciary in favor of judges who will decide cases based upon a political agenda. The public will suffer. This is a power grab that goes well beyond my service in the judicial branch. The independence of the judiciary is at stake. Voters should ask the question—who will be picked to replace me? Someone who has worked hard and dedicated their life to public service, or a pure politician who will do the bidding of the executive branch?

Kauger: The retention system was designed to prevent corruption after the Supreme Court scandals, and to remove politics from the election. It has been an excellent system for decades. Nevertheless, it leaves us helpless to defend ourselves. I am saddened and alarmed that the system is being used to attack the independent judiciary based on dissatisfaction with a few specially selected opinions.

Impartiality is the charge I strive for every day. By not being involved in politics, by not participating in cases in which I have a financial or personal interest, not only is actual impartiality maintained, but any alleged appearance of impartiality is erased. This too, I strive for in everything I do.

4. Is there anything else you think voters should know before the retention election?

Edmondson: *(Submitted answer for the third question also as an answer for this question.)*

Gurich: When I started law school, there were no women on the U.S. Supreme Court. No women had ever served on the appellate courts in Oklahoma. In my final year of law school, when asked what I wanted to achieve in my legal career, I replied that my goal was to be a judge, and to eventually serve on the Supreme Court of Oklahoma. Truly only a dream at that time. In the years before I finished law school, Oklahoma citizens amended the Constitution to address the bribery of three justices. A new way to select justices and judges was adopted by a vote of the people. The merit based Judicial Nominating Commission with governor appointment took the politics out of judicial positions. This was important to applicants for judicial office as well as to the citizens of Oklahoma. Money was not a factor. This was important to me as a person from a modest background. This selection system embodied the American dream—if you worked hard, developed a good reputation and were trustworthy and honest, you had an opportunity to pursue a career in the judiciary. I've been appointed by four governors (from both political parties) to serve in the judiciary, and I was elected four times as a district judge and have been retained twice as a Supreme Court Justice. Voters, please do not be persuaded by special interests who seek power above all. I respectfully ask for the continued support of the citizens of Oklahoma.

Kauger: Ninety-one Justices have served the Supreme Court since statehood. Four of them have been women. If the no vote is successful, it would remove half of the women.