

# Elect Chris McFadden Judge

*He wrote the book on Georgia appeals!*

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July 24, 2008

**By First Class Mail and Electronic Mail to [stateoffice@grtl.org](mailto:stateoffice@grtl.org)**

Mr. Daniel Becker  
President, Georgia Right to Life  
P.O. Box 927  
Lawrenceville, GA 30046-0927

Re: Judicial Candidate Questionnaire

Dear Mr. Becker:

I appreciate the effort in your Judicial Candidate Questionnaire to balance candidates' duty to "maintain actual and apparent impartiality" with voters' need for information that will enable them to make "intelligent and conscientious decisions." But prefatory language cannot dispel the inherent conflict between questionnaires like yours and judges' duty to be fair and impartial. I therefore decline to respond.

It is true that voters have difficulty getting useful information about judicial candidates. And it is true that all judges have predispositions that affect their decisions. So the desire to hear judicial candidates expound upon their predispositions is understandable.

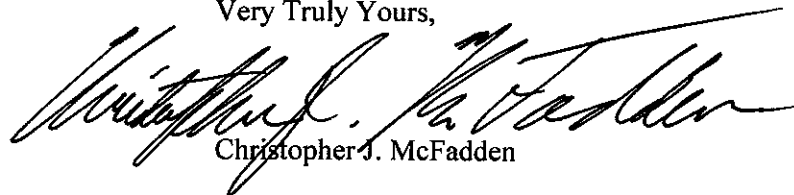
Judicial candidates can do very little to accommodate that desire, however, unless they are willing to undermine the impartiality of the court on which they aspire to serve. Judges' duty to be fair and impartial requires them to be skeptical of their own predispositions, not to point to those predispositions as qualifications for office.

It is also true that the Canons of Judicial Ethics, while encouraging judicial candidates to emphasize the duty to uphold the law regardless of personal predispositions, now recognize candidates' First Amendment right to talk about their predispositions. It does not follow that judicial candidates ought to exercise that right. The difficulty with the revised canons is that there is a slippery slope between talking about one's predispositions and running on them.

As to my own candidacy, I have written extensively about the role of appellate judges; and much of what I have written is on my web site. Those writings, together with my refusal to answer your questions, gives a more accurate picture of the sort of judge I would be than any answers I might give.

With best personal regards, I am

Very Truly Yours,



Christopher J. McFadden

**Vote November 4th — 2008 Nonpartisan Election**  
Paid for by the Committee to Elect Chris McFadden  
Treasurer: Charles M. Cork, III

