

No Standing News

Since we have no standing, we stand with those left standing

Volume I

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HOW TO ELECT A TURNIP

By Phil

First in the Election '98 series

Foreword: To call the slates in this primary election "dull" is a whopping understatement. On the Republican ticket there's only one primary contest to settle the burning question of who will be the committeeman for Arlington Township. On the Democratic ticket – ZIP. There are four different party ballots to choose from ranging from the painfully bland establishment tickets to the loopy fringe parties. The truly depressing thing is that the November election will be nearly as boring. Locally, on the November general election ballot only the County Clerk and Prosecutors positions are contested.

Act I, Scene 1:

It's five days before Election Day and voters all over the county are suffering from acute excitement shortage. In a local coffee shop two voters, Keener N. Wiser and his friend Gulliver "Gully" Bill Schlemiel, are looking at the sample ballots in the paper.

Keener N. Wiser: "Damn shame nobody's running against any of the judges this year."

"Gully" Bill Schlemiel: "What's wrong with our judges? I think they're doing a good job."

Keener: "Oh you do? Ever gone over and watched them in court? Ever seen an annual report on their caseload or the state of their dockets or how much it costs us when they let lawyers drag out minor cases so they can bill their clients till they run dry, or whether all those public relations programs they set up are accomplishing anything or.... ?

"Gully" Bill interrupts: Well.....no, but I'm sure they're doing a good job. Why are you so negative? You know, (shaking his gravy dripping knife at Keener) the newspaper writes editorials about people like you. Always asking questions, causing trouble.....

Keener: I'm negative about this because I have gone over and watched them in action. I've asked those questions and checked a few facts and I don't like what I found out. Forget the Constitution and the Bill of Rights for the moment, we're paying out a lot of tax money to finance this very expensive we-don't-owe-you-any-accountability system. In my opinion, we're getting mediocre service plastered over with 'smoke and mirror' programs so some judicial candidates can look good just before they run for office. Last time I checked, three different judges in this circuit each took sole credit for the CASA program during their campaigns. If it's a new judicial 'Cure Crime' initiative it must be judicial filing time.

Gully(skeptical): O.K. I'll bite. Tell me what else you found out that the rest of us don't know.

Keener: You really want to know? (Mouth full of biscuits and gravy, Gully nods his head) O.K. Here's a sample. I'll start with the prosecutors office. It's the biggest joke. Over the last 20 or so years it was almost tradition for only one candidate to file.

Several times we have had no choice but to elect green kids, fresh out of law school with no experience who haven't even passed the bar exam! To say 'elect' is a stretch. If they were nearly comatose or had the I.Q. of a turnip it wouldn't have made a difference."

Gully: So? Just because they only know from books doesn't mean they wouldn't learn in time.

Keaner: This is real life Gully. Our lives. You know, rape, murder, drugs, sodomized little kids? We can't afford to let killers, child molesters and rapists walk while the prosecutor is getting flunking grades in his on-the-job-training. What if after those legal 'trainees' got elected they had flunked their bar exams and couldn't practice? Remember, this wasn't a one time fluke. It's happened at least two, maybe three times already and could happen again. One of those 'baby' prosecutors actually got disbarred - the other one is now a circuit judge. (There's a message there somewhere but damned if I can figure out what it is.) Now, did the sitting circuit judges and Phelps county Bar members protest this dangerous debasement of judicial quality standards – assuming they have any quality standards. No-o-o-o-o-o-o. Not a squeak out of any of them.

Here's another example of judicial rot. For the last twenty years the Phelps County and Rolla City prosecutors have often been the same person at the same time even though holding both offices voids due process and provides a ripe opportunity for the county prosecutor to siphon city fines and court costs to the county. Not one elected official, least of all our learned judges and lawyers, have ever murmured the tiniest protest about this systematic perversion of due process. So much for professional ethics. I still can't decide if it's calculated corruption or just incurable nincompoopery.

Have you ever seen, or even heard of, any kind of report on the 25th Circuit Court activities,

progress and finances? No you haven't because there isn't one but other courts do those so people will understand how the judicial branch is functioning and spending public funds. Why not here? Ever heard of the Circuit being audited like the city was? No, because they aren't. Want me to go on?"

Gully: "No, I get the point and I only have an hour for lunch. So, if what you say is true, why hasn't any of this stuff been in the paper?" Keaner: "Listen Mr. Greenjeans, if your journalistic yardstick is based on what gets into print in that newspaper it's time you started reading something a little higher on the Pulitzer scale like the Drynob Monthly or the Ad Tracker."

"Gully, before you get in over your head in this discussion take a look at this printout I got yesterday from the state." (printout shows the following)

1. Circuit Judge John Wiggins makes \$98,947.* He just got his annual automatic raise of \$4,832 for 1998.
2. Associate Circuit Judges Haslag and Sheffield each make \$87,235.* They got their annual automatic raises of \$4,274 each for 1998.

[*Each judge also gets a very generous state benefit package: the retirement contribution rate is 51.81%; \$150 medical coverage; \$50 basic life insurance; 57% long term disability; and \$25 for the Missouri Deferred Compensation Incentive Plan. Source: Office of the State Courts Administrator, Personnel Officer <Sandi Hayton@osca.state.mo.us>]

"Not too shabby don't you agree? I think we can eliminate the tired old excuse that these offices aren't compensated well enough to attract good candidates."

Gully: "Great stinking balls of (expletive deleted). I can't believe they make that much! Why has the newspaper never told us this? With jack like that it's got to be something else that keeps the competition

out. (Gully mulls this over while chewing.)
Maybe they have a really tough workload?"

Keaner (laughing): " They'd like us to think they work that hard but the truth is our honorable justices don't exactly punch a time clock. The late Eugene Northern spilled the beans in a newspaper interview when he retired. He admitted that it was a cushy job because, on average, they only work about 100 hours a month. Like I said, since they don't tell us anything so I assume that's still about the size of it.

Judging from the 16,133 cases they have backlogged and comments from some officers of the court, they spend more time picking lint off their judicial robes and attending all expense paid conferences in luxury resorts than they do working their dockets. Their work load looks impressive if you don't know most of it is taken care of on the phone or by off-the-record deals.

Gully: "Well, despite the money and perks maybe the power and responsibility is so heavy that other lawyers don't want it? You know, life or death decisions, constitutional dilemmas and all."

Keaner (disgusted): "Do you really imagine they sit around agonizing over how they can improve the court system or debating complex constitutional issues? You watch too much Law & Order. We're not talking the Supreme Court here. Just some small town lawyers in black nightgowns. You find me a lawyer who doesn't want power, prestige, all expense paid luxury vacations, benefits at bargain prices, automatic annual raises, virtually no accountability, fancy new rent free offices and a fat retirement and I'll find you the next winning Power Ball ticket."

Gully: "Well, maybe local attorneys just don't want to campaign and ask voters for their support."

Keaner: "Now you're catching on. To be fair, some lawyers just prefer to be on the other side of the bench. They like the action. A few may be doing so well financially that they don't need the steady cash flow and benefits. But for the majority of lawyers the thought of having to step down off the gilded pedestal they imagine they stand on to press the sweaty flesh of the commoners during a campaign is a real turn-off. Now, if the system were changed so they could be anointed instead of elected, they'd eviscerate each other to wear the robe."

Gully: (clinging desperately to his shredded illusions):
"Well then, why doesn't the Bar Association do something about it? Their members are the only ones who can be candidates. Shouldn't they encourage their members to do their civic duty regardless of party affiliation? After all this is the system they all practice in and make their money from?"

Keaner: " The WHAT? Are you talking about the Phelps County "Make-Like-a-Hole-in-the-Ozone" Bar Association? The last time anyone heard a public peep from them was about 10 years ago when a clueless Phelps County Bar Association president publicly announced their endorsement of whoever had filed against the "Housewife" Judge, Joanne B. Mayberry - undeniably the best judge we've ever had in this circuit. 'Dopey' has been scraping his practice off the bottom of the barrel ever since. I've heard it rumored that they have a meeting once in a while in some local watering hole. Years ago I ran into a big bunch of them having a meeting out at the Pubmobile. Maybe that was a Phelps County Bar meeting. If it was the agenda that nigh consisted of telling stories about how stupid their clients were.

But you know, when you said they all make their money from the system you came real close to guessing one of their 'Big Secrets.'"

Gully: "What is it? Tell me!"

Keaner: "Not now. I'll explain it to you later."

Gully: "Well. So what do I do next Tuesday? Make like a sheep and vote for all those candidates who've already won? Aw-w. To hell with it. I'm not going to vote at all. I don't vote much anyway."

Keaner: "No, no, no. Don't do that. Even in this primary there are national and state primary contests and they're important. You live in the city of Rolla and there's a sales tax issue on your ballot. I'd never, ever, stay home and let someone else cast my vote for me. That's really what happens when you don't vote. If you don't vote it's as if someone else were allowed to vote twice."

Gully: "All right. I never looked at it like that. Nobody's going to do my voting for me. But, regardless of what I think of the candidates, I'm not going to cast worthless votes for anyone who doesn't have an opponent. Before you go Keaner ole' buddy, just give me a hint about the Big Secrets."

Keaner: "Later. Got to get back to work. Think about what I've said but don't trust what I tell you or what anyone else says when it comes voting. Ask questions, look for all the angles, and check things out for yourself. By the way, nobody's going to thank you for asking questions in this town. Bucking the big shots here can get rough. People have lost their jobs just for asking the wrong questions, especially city employees like you. It's much safer to stick with the 'I'm-sure-they-know-best' crowd the ruling class counts on to retain control. You'll have plenty of company. All the best power groupies and puddingheads belong."

-Act One Curtain-

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