

GUY CHOATE: Shooting of judge is an assault against our rules of justice

Guy D. Choate

A suspect is in custody, and while we still don't know all the facts, a respected Texas district judge in Austin, Julie Kocurek, was shot three times Friday night after returning home from a high school football game. Though very seriously wounded, it appears the judge will recover.

The shooting has all the earmarks of a deliberate hit that may involve retaliation on one of her cases. Investigation continues, but one thing is clear — judges in Texas and across the country are subject to having a target on their backs for doing the hard work of administering justice in this country.

If at any point their judgment, independence and judicial discretion is subject to being compromised, or if good people choose not to serve because the cost is too high given the risk to their personal security or the security of their loved ones, America will be weakened and our democracy cannot long survive.

Since 1979, three federal judges have been murdered in this country because of their service on the bench. There were almost 3,000 credible threats against federal judges between 2012 and 2014, the most recent years for which there are statistics.

These are statistics readily available, and given the relatively small number of federal court judges versus the much larger number of judges in our state courts, it can only be assumed that state judges face the same threats and that the numbers are vast.

Law enforcement is working around the clock to catch the perpetrator of the cowardly shooting of Judge Kocurek, but law enforcement cannot deal with this problem alone. Obviously, to the extent that anyone has information about the shooting, that must be conveyed to the appropriate authorities immediately, but more important, every Texan — indeed, every American — needs to understand the importance of the judiciary to our way of life and support and defend our judges as they set about the difficult task of dispensing justice under our system of laws.

It is time to tone down the divisive and sometimes hate-filled rhetoric that arises on all sides of the political spectrum when rulings don't come down as we might hope. We must remember, as Founder John Adams said, we are a "government of laws, and not of men." It is the rule of law that guarantees all the freedoms we hold so dear in America. It is respect for the law and those who administer those laws that provides each American with the hope for "equal justice under law."

On those occasions when we feel like judges are no longer reflecting our values and beliefs, we have political means to replace them with others we feel will more closely adhere to the rule of law. Until that opportunity presents itself, we must respect the court and its rulings.

If someone becomes irrationally angry or dangerous over a ruling, advise the appropriate authorities. Encourage litigants and interested observers that the process will move forward, consistent with the Constitution and laws of the United States and the various states. Support that process. Protect your rights and the lives, families, property and safety of all members of the judiciary, their staffs and families. The very future of our nation depends upon that support.

Guy D. Choate is a local attorney at the firm of Webb Stokes Sparks, LLP and is the president-elect of the Texas Chapter of the American Board of Trial Advocates and past president of Texas Trial Lawyers Association.

Copyright 2015 Journal Media Group. All rights reserved. This material may not be published, broadcast, rewritten, or redistributed.