BRADBURY RAISES CONCERN HIS OPPONENT IS PRE-COMMITTING ON WATER RIGHTS ISSUES

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Judge John Bradbury and Justice Roger Burdick are in a hotly contested race for a seat on the Idaho Supreme Court. Bradbury insists the Idaho Supreme Court is, "Out of touch, out-of-balance, and lacks follow through on its decisions." Bradbury stresses, "For the first time in the history of Idaho there is not a justice from northern Idaho, or from eastern Idaho."

Bradbury is most critical of the high court's lack of follow through on the 17-year legal battle over Idaho's public school facilities lawsuit. Bradbury stresses the court ruled that the state's school funding system was unconstitutional but didn't offer any sanctions or penalties if the state refused to change the funding scheme. "It was the darkest day in the history of the Idaho Supreme Court," said Bradbury. "If it's a constitutional mandate, it is the responsibility of the Supreme Court to see that it's obeyed."

Today, Bradbury raised new concern about Burdick's conduct of attempting to play "the water issues card" to his advantage. Said Bradbury, "Judicial ethics prohibits judges during a judicial campaign from saying how they would rule on a case that might come before them." However, in his campaign comments and advertising Justice Burdick makes very strong suggestions where he might stand on water issues."

"Specifically, at the Idaho Public Television debate Justice Burdick said, as a trial judge, he had decided that the water users' competing interests should be conjunctively managed and that it was now Idaho law. He added that the issue is headed for the Supreme Court and that the law should be applied. Said Bradbury, Justice Burdick may or may not be right about whether conjunctive management is the law that should be applied to the case he says is headed to the Supreme Court. However, I respectfully suggest, that issue, like all others, should be decided only after it arrives at the Supreme Court, the facts have been presented, and the law has been argued. It shouldn't be pre-judged during a judicial campaign."

Bradbury concluded, "Justice Burdick may very well have exposed himself to disqualification on the very issues that he is trying to use to ride to another term.

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