



## Priscilla Owen – Remaking The Law For The Radical Right

**Owen’s own conservative judicial colleagues – including even current Attorney General Alberto Gonzales – have criticized her right-wing judicial activism.** In more than a dozen cases on reproductive rights, consumer protection, and other issues, Gonzales and other Texas Supreme Court judges [criticized Owen](#) for improperly trying to “judicially amend” Texas law or for “an unconscionable act of judicial activism” that would harm individual rights.<sup>1</sup>

**Priscilla “Enron” Owen**—While serving on the Texas Supreme Court, Owen **accepted campaign contributions from giant corporations including Enron and Halliburton and then issued rulings in their favor.**<sup>2</sup>

**Even several Texas newspapers have criticized Owen’s nomination.** Referring to Owen’s nomination to the U.S. Court of Appeals, the *Houston Chronicle’s* editorial board wrote, “Texas may be saddled with justices who elevate partisan ideology above law and logic, but justice and reason should discourage their infliction on the nation.”<sup>3</sup> The *San Antonio Express-News* wrote that Owen’s record “demonstrates a results-oriented streak that belies supporters’ claims that she strictly follows the law.”<sup>4</sup>

**Owen opinions would harm consumers and individuals and benefit corporations.** When a liquor retailer sold alcohol to an obviously intoxicated customer, who then got behind the wheel of his car, crashed, and caused 9-year-old Ashley Duenez permanent brain damage, Owen wanted to let the retailer off the hook.<sup>5</sup> When a man suffered serious injury as he was leaving his truck, Owen wanted to tell the insurance company it didn’t have to pay.<sup>6</sup> In one dissent, Owen endorsed the radical notion that polluters should be able to opt out of municipal water-quality and other environmental ordinances because private property rights take precedence.<sup>7</sup>

**Texans oppose Owen’s nomination.** Owen’s nomination to the Court of Appeals is broadly opposed by Texas groups including Texans for Public Justice, the Texas AFL-CIO, the Texas Civil Rights Project, Texas Watch, the Texas Freedom Network, the Texas Association of Planned Parenthood Affiliates, the Texas State Confederation of NAACP Branches, the Gray Panthers of Texas, and the Texas Women’s Political Caucus.

### [More on Priscilla Owen and the Nuclear Option](#)

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<sup>1</sup> See PFAW, *Alberto Gonzales v. Priscilla Owen*, available at <http://www.pfaw.org/pfaw/general/default.aspx?oid=1726>

<sup>2</sup> **Enron:** Mittelstadt, Michelle, “State Justice’s Enron Money Draws Criticism,” *Dallas Morning News*, January 23, 2002; Hights, Bruce, “Enron Money to Justices Just Business as Usual; Contributions Highlight Concerns About Texas’ Judicial Election System,” *Austin American Statesman*, January 28, 2002; Robison, Clay, “Impartial Politicians? Follow the Money,” *Houston Chronicle*, January 27, 2002;

**Halliburton:** The press took note of the timing of the contributions: “When a personnel dispute between Dallas-based Halliburton Co. and a fired employee reached the Texas Supreme Court last summer, something else landed in Austin as well: \$5,000 in campaign contributions to three justices....In December, the court decided not to hear the case, letting stand a lower court ruling that erased a \$2.6 million verdict against Halliburton.” Moffeit, Miles and Hunt, Dianna, *Fort Worth Star-Telegram*, July 29, 2000.

<sup>3</sup> “Partisan Injustice,” *Houston Chronicle* (Jan. 4, 2003)

<sup>4</sup> “Bush Court Choice Should be Rejected,” *San Antonio Express-News* (July 21, 2002)

<sup>5</sup> *F.F.P. Operating Partners v. Duenez*, 2004 Tex. LEXIS 778 (2004)

<sup>6</sup> *Texas Farm Bureau Mut. Ins. Co. v. Sturrock*, 145 S.W.3d 123 (Tex. 2004)

<sup>7</sup> *FM Properties Operating Co. v. City of Austin*, 22 S.W.3d 868 (Tex. 2000)