

LIMIT THE JUDGES : YES ON 40

Ten Years and Out ■ Citizens Petition for Term Limits on Colorado's Runaway Courts

Amendment 40 is rolling because citizens are fed up. Colorado's courts are out of control. Judges too often presume to create law, instead of upholding it. Now Colorado voters have an opportunity to rein in activist judges and take back our courts. This reform would limit Colorado Supreme Court and Appeals Court judges to 10 years of service. Incumbent judges who have already served the limit would be out after the 2008 election.

Limit the Judges is a citizens' petition that would amend the Colorado Constitution to establish term limits for Supreme Court and Appellate Court Judges. After supporters gathered 108,000 signatures in six weeks, our measure is on the November ballot for voter approval.

Amendment 40: What It Does

- Puts a stop to virtual life tenure for our state's most powerful judges and justices.
- Makes all seven Supreme Court Justices face a retention vote every four years, instead of every ten.
- Makes all 19 Appeals Court Judges face a retention vote every four years, instead of every eight.
- Rotates all of those judges off the court after 10 years total (two-year probationary term following governor's appointment, then two regular four-year terms assuming retention by voters).
- "Ten and out" will bring the Supreme Court and Appeals Court closer to the will of the people, while keeping them independent of political mood swings.
- "Ten and out" will better balance majority rule (the elected legislative and executive branches, already term-limited) with minority rights (the unelected judicial branch).

Amendment 40: Why It's Needed

- For decades, state and federal judges have increasingly viewed themselves as lawmakers. Colorado's incumbent chief justice even claimed in a 2003 opinion that courts are sometimes "part of the legislative branch."
- Yet our constitution requires courts to apply the law with consistency and restraint, not change the law at will.
- Recent decisions by Colorado judges have given leniency to murderers (Harlan and Auman cases), endangered everyone's property rights (Taylor Ranch case), trapped poor kids in failing schools (voucher case), and trampled freedom of religion (Clark adoption case).
- The state Supreme Court on June 12 provoked outrage by tossing the illegal-alien petition off the ballot with a ruling that was condemned by Gov. Bill Owens (R) and former Gov. Dick Lamm (D), Attorney General John Suthers (R) and former DA Bill Ritter (D).
- Then on June 15 the state Appeals Court gave its own shocking edict that 12-year-olds can marry. What next?

Amendment 40: What You Can Do

- Limit the Judges: Yes on 40 took the first step to victory when over 100,000 Coloradans signed our petition this summer. Amendment 40 has now been certified for the November ballot.
- You can help us now by volunteering to assist the campaign in coming weeks. You can help even more by sending a check to our Limit the Judges: Yes on 40 campaign fund. Please contribute today!
- Then in November you can be one of a million "yes" votes to make judicial term limits a reality in Colorado. With your help, we'll be the first state to enact this common-sense restraint against the runaway courts.