



## In Case You Missed It: In Replacing Supreme Court Justice John Wallace, NJ Gov. Chris Christie Made Good on His Promise

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New Jersey Senate President Stephen Sweeney and Chief Justice Stuart Rabner have decried Gov. Chris Christie's decision not to reappoint Justice John Wallace to the state Supreme Court. They cite the importance of "process" and "custom," suggesting that the governor's decision threatens the court's integrity. Are they being principled, or simply masking politics as usual?

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Would those now castigating Christie for not reappointing Wallace be denouncing Obama? The question answers itself. Sweeney and Rabner, who share Obama's judicial philosophy, would be praising him for making good on his pledge to appoint judges who practice empathy and read the Constitution as broadly protecting individual and minority rights.

They would be reminding us that elections have consequences, and that Obama won. They would point out that, far from hiding his intentions from voters, Obama pledged to appoint to the bench those who would oppose originalism and advocacy of judicial restraint.

So let's be honest. Christie's critics are not being straight with us. Their appeals to "process" and "custom" are pretexts. They would like to see Wallace reappointed because he shares their vision of the justices' role. They want to frustrate Christie's effort to replace the court's liberal judicial activists.

Candidate Christie, no less than Senator Obama, made clear what kind of judges he would, if elected, appoint. During the campaign, Christie declared: "I will remake the court and I will remake it on this one simple principle. If you (want to) legislate, (then) run for the Legislature, don't put on a black robe and go to the Supreme Court . . . (T)here won't be any justices that I either reappoint or put on that court that do that."

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It is no surprise that Christie's message resonated with voters, who certainly don't expect him now to reappoint those who support the decisions needing reform.

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But I'm betting on Chris Christie to do the right thing. A tough former prosecutor, he knows the importance of the rule of law and the harm that judges do when they overstep the limits of their authority and usurp legislative power. He knows that if he keeps his word, the people will stand with him.

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As for Sweeney, I hope he will see the wisdom of respecting the voters' will. As Obama reminded his former opponent, "The election is over." Christie promised to remake the New Jersey Supreme Court, and he won. Jon Corzine stood for the status quo; he lost.

It is one thing for Sweeney, after deliberations, to vote against the governor's nominee — the state Constitution contemplates such choice by giving the Senate a role in judicial appointments. But obstructing the Senate's consideration of a new justice because the governor kept his promise in declining to reappoint a current justice is just politics as usual, only with a higher-than-usual dose of hypocrisy.

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**Press Contact:**  
Michael Drewniak  
609-777-2600

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Office of the Governor  
PO Box 001  
Trenton, NJ 08625  
609-292-6000