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Embattled judges spent heavily in campaign

Voters kicked Nigro out; Newman kept her seat by slim margin.

By Mark Scofforo
Of The Associated Press

HARRISBURG | The two state Supreme Court justices who faced voters last month spent more than \$800,000 combined on the election, the vast majority in the final two weeks before voters turned one out of office and narrowly retained the other.

Campaign finance records show Justice Russell Nigro poured \$462,000 into advertising purchased through The Campaign Group, a Philadelphia campaign-consulting company, shortly before he lost the election by attracting just 47 percent of the vote.

Justice Sandra Schultz Newman, who won a new term by getting 54 percent of the vote, raised and spent \$324,000 in the closing weeks of the campaign, most of it for broadcast advertising.

Nigro's unsuccessful retention election was the first time a sitting judge on any of the state's three appeals courts has lost since such races began in Pennsylvania 36 years ago. In retention races, incumbent judges run unopposed.

Nigro leaves the court in January, and his interim replacement will be chosen by Gov. Ed Rendell.

The justice said Tuesday he may run for his old seat in the 2007 election and is encouraged by hundreds of letters he has received supporting him since the vote.

"I surely can't announce that I'm going to run now. I'm still sitting on the bench — I'd be prohibited from doing that. But I might," said Nigro, a Democrat.

He said the level of spending in the two races may foretell a future in which judicial retention races may be more partisan and more costly.

"I would hate to think that in some fashion judges are going to be less independent, and be more concerned about what the press writes and what special interest groups say or do," he said.

The state court system does not track spending in judicial-retention races, but deputy court administrator Tom Darr said the amount of money in the Nigro and Newman contests may have been a record.

"I cannot imagine any expenditures for appellate retentions coming anywhere close, and certainly not for the Supreme Court," Darr said Tuesday.

The vast majority of the money the committees for Newman and Nigro raised came from the state's lawyers and law firms, with a few firms contributing as much as \$20,000 and dozens of others making thousands of dollars in donations.

Newman's campaign committee raised nothing and spent less than \$1,000 before the final two weeks, then went on a spending tear, even collecting 13 donations worth nearly \$20,000 on the day before the election.

Her largest single expenditure was a \$100,000 purchase of cable television airtime on Nov. 1, and she also gave the Republican State Committee \$14,000 for election services and expenses.

Newman's campaign treasurer, Lawrence J. Tabas, declined to say what prompted her flurry of fundraising or answer questions about specific donations or expenditures.

Nigro's committee got an earlier start, raising \$326,000 in the reporting period that ended Sept. 19, but going into the final two weeks he had spent only \$15,000 — to pay a Washington polling firm.

Neil Oxman, president of The Campaign Group, said Nigro's advertising money was spent statewide to buy television time.

A poll in October had shown Nigro with "no chance at all," down by some 16 points, he said. Newman did better in polling — and performed better on election day — because she drew much stronger support than Nigro did among women voters, Oxman said.

Nigro ended the campaign with \$86,000 left in the bank, while Newman reported a balance of zero.

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