

## **2020 ELECTION QUESTIONS – SUPREME COURT**

### **Should political parties endorse judicial candidates?**

No. Political parties have a constitutional right to endorse judicial candidates and I certainly respect that right. But I believe that Minnesota has been well-served by a tradition where parties have not (with a few exceptions) endorsed in judicial elections. One result is that Minnesota has a strong culture and tradition of collegial, non-ideological decision-making in its courts.

According to analysis by recently retired Justice David Lillehaug, the Minnesota Supreme Court has issued unanimous decisions in 75% to over 80% of its cases over the last five years. I have worked hard during my two years on the court to enhance that culture and will continue to so.

Our system of appointments through a well-established and respected Judicial Selection Commission—a system that Governors of three parties have honored – is one reason for our strong and non-ideological bench. Non-partisan elections support the continuance of that culture and tradition among judges and justices.

That said, the judges, the bar, the media and others must do more to educate voters about the importance of judicial elections and the characteristics voters should consider when selecting judges, as well as providing the public with specific and accessible information about the background and qualifications of judicial candidates. A central component of my campaign is to engage in such an educational effort through virtual townhall meetings across the state, significant engagement efforts through social media, and other methods of communication with voters.

### **Should political endorsement be identified on the election ballot?**

No. See the reasons stated above.

### **Should the rules be relaxed in terms of candidates speaking about issues that are pending or may come before the court?**

No. It is essential, especially in this time of declining trust in all institutions, that the judiciary retain its reputation for independence, integrity, and impartiality. Speaking about specific cases or issues that are pending or that may come before the court may undermine that reputation and the public trust. Notably, however, the Rules of Judicial Conduct currently allow candidates for judicial office to speak generally about judicial organization, administration, and court management including issues around improving access to justice. I believe that greater transparency by the court about its operations and efforts to improve serves it and all Minnesotans.

**Have you accepted or do you intend to seek endorsement and/or financial contributions from advocacy and lobbying groups? If so, which organizations/individuals?**

I have not sought the endorsement of advocacy or lobbying groups nor have I sought out financial contributions from advocacy or lobbying groups. (I am not allowed to know the identity of any of the contributors to the campaign.) I may seek the endorsement of certain non-partisan lawyer organizations like the Academy of Certified Trial Lawyers of Minnesota.

**Why do you want to be a judge? What are your personal priorities?**

Serving on the Minnesota Supreme Court has been an incredible honor and a job I love. I care deeply about Minnesota and its future. I have a long and deep commitment to public service, and I have learned through that work that Minnesotans value fairness, accountability, individual dignity, and the chance to have their voices heard. I have worked hard in my legal, legislative, and now judicial career to promote and defend those values. The Minnesota Supreme Court is the venue where those values are tested and must be upheld under difficult and nuanced circumstances with long-standing consequences for Minnesotans. I believe that the breadth of my experience with the law as a litigator, public defender, advocate, and legislator give me unique insight for the work of the Supreme Court. I am inspired each day to meet the challenges of the role.

I also love the law. I believe intellectual curiosity is a critical characteristic for a judge—a focus on understanding the “why” and not just the “what” of the legal principles at issue in a case. I love the intellectual challenge of puzzling through conflicting claims, digging into the rationale behind a provision, and in Justice Holmes’ phrase, getting to the simplicity that lies on the other side of complexity. I am inspired by the potential to make our obligations to each other under the law clearer and justice more accessible for Minnesotans. I want to make sure that our judicial system always sees and never forgets the real people behind the litigation.

Access to justice is a bedrock value for me. Making sure that people get a fair shake in life has been a deep commitment throughout my career and in my non-professional life. It is demonstrated in my extensive pro bono work, my service on organizations like the Minnesota Justice Foundation, and a legislative career focused on recognizing and expanding the scope of the individual rights and the power and dignity of everyday Minnesotans. Serving on the Supreme Court gives me the opportunity to use the administrative authority of that position to make sure we constantly move toward a justice system where everyone’s voice is heard and everyone’s rights are protected.

Finally, I am committed to compassionate justice—to looking at issues from all perspectives, closely listening to every litigant, and recognizing human imperfection and the possibility of change and redemption. That is my fundamental promise to all Minnesotans.

**Briefly summarize your personal background and qualifications.**

The qualities that are most important in a justice are the same qualities that Minnesotan's value: a strong work ethic, fairness and compassion, respect for others and their viewpoints, intellectual curiosity, and a breadth of professional and personal experience.

I have served on the Minnesota Supreme Court for two-plus years. That experience, combined with my previous quarter century of professional experience dealing with a wide variety of legal issues as a practicing lawyer, makes me well suited to the breadth of issues that the Supreme Court faces each year.

I grew up in Bloomington, the son of two public educators. I attended Harvard University and the University of Chicago Law School (where I met my wife, Karen, which in itself made law school worthwhile). Karen and I have three children—Emily, Griffin and Evan.

Prior to my appointment to the court in 2018, I practiced law in Minnesota for 25 years. I worked as a law clerk for the Honorable James Loken of the United States Court of Appeals for the Eighth Circuit. I worked at the law firm of Briggs and Morgan from 1993-2009 as a litigator and appellate lawyer. I handled a wide variety of complex business litigation including securities fraud, environmental litigation, labor and employment matters, utility and railroad disputes, and insurance coverage work.

I served as Chair of the firm's Pro Bono Committee for several years, doubling the number of annual pro bono hours provided by the firm's attorneys. I personally handled several criminal appellate matters for the Office of the State Public Defender, represented individuals seeking Orders for Protection in domestic abuse cases and a family law case, and represented individuals seeking asylum in the United States through referrals from Minnesota Advocates for Human Rights. I also worked for nearly a decade with a team of lawyers from Briggs and Morgan who represented an individual on Texas death row. We ultimately succeeded in reversing the sentence. I developed and organized Access for Persons with Disabilities, a program that trained lawyers on the unique needs and obstacles to justice for persons with disabilities and paired those lawyers with clients with disabilities on a pro bono basis. The project was an important lesson about the need to constantly work to see how justice looks to someone with a different life experiences than my own

In 1999 and 2000, I worked for the Office of the State Public Defender in the Appellate Division handling a wide variety of appeals before the Minnesota Court of Appeals and the Minnesota Supreme Court, ranging from juvenile matters to criminal sexual conduct cases to first degree murder convictions.

In January 2010, I joined the Lindquist & Vennum firm (now Ballard Spahr). My practice shifted to health care transactional and regulatory matters. I worked with health plans, hospitals and clinics, long-term care and group home facilities on a wide variety of matters, an experience that has given me newfound respect for clarity and predictability in our law.

I also served in the Minnesota House of Representatives from 2003-2018. I served as Chair of the Health and Human Services Committee from 2007-2010. In addition to serving as Speaker of the Minnesota House in 2013-2014 and caucus leader from 2011-2016, I served on numerous other committees including committees on education, government operations, jobs and economic development, energy, telecommunications, transportation, and the Legislative Commission on Pensions and Retirement. I worked with the Minnesota State Bar Association on changes to Minnesota's corporate and non-profit statutes, as well as real property laws and guardianship and conservatorship laws. My practical experience as a former legislator gives me a deep respect for the legislature as the branch of government entrusted to make policy and affords me a unique perspective on making sure the Supreme Court is truly and properly understanding and implementing the Legislature's intent.

My legislative career also afforded me the profound opportunity to travel tens of thousands of miles over the last decade to all corners of Minnesota, visiting with people in their homes and businesses, in prisons, hospitals, churches, homeless shelters, colleges, and courthouses. I have worked with people in their neighborhoods and communities as they tackle local challenges. Most important, I have listened closely to Minnesotans' stories, aspirations, and concerns. I carry those conversations with me as I do my work as a Justice. It is a powerful grounding for sustaining and renewing a justice system that is responsive and truly sees the people behind the lawsuits. I want to be a Minnesota Supreme Court justice who makes real Justice Brennan's ideal of a judicial system in touch with the realm of human experience—the realm in which law ultimately operates and has meaning.

I have served on many community and non-profit boards including the Minnesota Justice Foundation.

There is additional background information on the campaign website [www.paulthissen.com](http://www.paulthissen.com).