

Judges the Latest Victims of Illinois Governor's Political Savvy

Written by Rich Miller

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Add the justices of the Illinois Supreme Court to the long list of politicians who have been bested by Governor Rod Blagojevich. The governor has a way of bringing out the worst in his fellow politicians, and the Supremes were no exception last week.

Back in the early 1990s, the General Assembly approved annual cost-of-living adjustments (COLAs) for judicial salaries. The COLAs were eliminated last year during a nasty budget crisis, and the judges grumbled loudly but didn't take any public action.

Instead, they quietly lobbied legislative leaders, who pushed through a bill this past spring that retroactively restored the COLAs, and then added funding for more cost-of-living increases for the coming fiscal year.

After the spring session ended, the governor publicly scolded the judges for demanding more money during "the worst fiscal crisis in Illinois history," and then promptly vetoed both the COLA restoration and all the money for the new pay raises.

The judges figured they had a deal. The governor had negotiated the budget and hadn't mentioned cutting their pay hikes. Plus, they are a co-equal branch of the government, and are therefore deserving of respect.

Sound familiar? Secretary of State Jesse White and Treasurer Judy Baar Topinka also thought they had a deal at the end of the session, and they screamed bloody murder when the governor slashed their budgets without warning.

The Supremes did not learn a thing from the public backlash suffered by White and Topinka after they loudly protested their budget cuts. The justices thumped their chests and demanded their raises. They issued a rare administrative order directing Comptroller Dan Hynes to include the COLAs in judicial paychecks, claiming the Illinois constitution barred any decrease of their salaries during their terms of office.

When Hynes refused, twice, the Supreme Court threatened the comptroller with a contempt ruling if he didn't comply. Contempt of court could mean prison, so they weren't messing

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around.

The Supremes might have the constitution on their side here. Cutting a legally mandated pay raise could be interpreted as reducing a salary, I suppose. And they are the constitution's sole interpreters, after all.

But not a single positive story or editorial has been written about the Supremes' battle. *The New York Times* led its story thusly: "The justices of the Illinois Supreme Court have decided that all the state's judges deserve cost-of-living raises, themselves included. So they have ordered the government to pay them more." Ouch.

This has been nothing short of a public-relations disaster for the court, and one more media bonanza for Rod Blagojevich. Here's the beginning of the *Times*' second paragraph: "But others in this deficit-ridden state disagree, including the governor."

Like White and Topinka before them, the justices have unwittingly made Blagojevich a hero yet again. What voter doesn't want politicians to cut their budgets?

Every time someone complains about the governor's actions, Blagojevich is able to convince the public that the protests are coming from old-style politicians who put their own interests before the public's. So, like the others, the Supremes ended up holding the smelly end of the PR stick. The justices finally backed down later in the week, removing the threat of prison from Hynes' head, and agreeing to allow a case to work its way through the system. But the damage to their image had already been done.

Why was this year so different from last year? When the General Assembly voted to kill their COLAs last year, they issued no strident orders to reinstate their raises or face the full wrath of the co-equal judicial branch.

No constitutional crisis was forced.

The comptroller was not threatened with imprisonment.

Instead, the robed ones lobbied the legislature to get what they wanted.

But when Blagojevich vetoed their raises and scolded them for daring to ask for more swag during a fiscal meltdown, they completely lost their cool and overreacted, issuing pre-emptive orders without a hearing and declaring the action unconstitutional with not a sentence of public debate.

Blagojevich just does this to people. Nobody on the inside trusts him, and they despise the way he slams everyone who won't fall into line by essentially calling them a bunch of tired old hacks. To them, he builds himself up at everyone else's expense.

The amazing thing is that nobody seems to learn from everyone else's failures. Maybe they

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just can't help themselves. Bill Clinton always won when his hyper-infuriated enemies inevitably took their revenge a step too far. Clinton's enemies never learned, either.

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