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No Future for Men in Democratic Party? Female Dems Oust 8 Male Judges in Texas

"I don't see much of a future for men in the Democratic Party," said 179th District Judge Randy Roll of Houston, who was defeated Tuesday in Harris County's Democratic primary.

By Angela Morris | March 05, 2020



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Women lawyers who threw their hats in the ring to run for judge this primary season made a good bet.

As Texas voters in the Democratic Primary hit the polls Tuesday, it appears they picked female judge candidates.

Female Democratic challengers ousted five incumbent male judges in Houston, two in Austin and one in San Antonio. In the statewide races for the Texas Supreme Court and Texas Court of Criminal Appeals, women also beat their male primary opponents to win the Democratic nominations. This gender sweep was a Democratic Party phenomenon, and didn't happen in Republican primary judicial races.

"I don't see much of a future for men in the Democratic Party," said 179th District Judge Randy Roll of Houston, who was defeated Tuesday by Ana Martinez, a female challenger, in the Harris County's Democratic primary.

New trend

Election experts told Texas Lawyer that the trend results from Democratic primaries drawing out more female voters, who in recent elections have expressed a preference for voting for women candidates. That type of gender preference comes out strongest in down-ballot races, like judicial elections, where voters have very little information about the candidates.

Democratic campaign consultant Jovita Pardo said 54% of the electorate in the Democratic primary are women and they are choosing to vote other women into office. When it's a choice between two female candidates, voters go for the woman of color, Pardo added. This is especially true in Texas' urban counties.

"As more and more women find their voices in this political system, we will continue to have more and more women challengers," said Pardo, owner of GNI Strategies in Austin. "I think this pattern is going to continue, especially in primaries, but we are hopeful even in November of 2020."

In Harris County, incumbent Judges Larry Weiman, Randy Roll, Daryl Moore, Steven Kirkland and George Powell lost their primaries to women candidates.

In Travis County, Judge David Wahlberg and Judge Tim Sulak were ousted, while in San Antonio, Judge Michael Mery lost his primary to a female challenger.

Spontaneous decisions?

Judicial elections are very low-information elections, and it's surprising if more than 1-2% of the electorate knows any specific judicial candidate, said Josh Blank, research director of the Texas Politics Project at The University of Texas at Austin.

"Save for the few voters who take the time to educate themselves about the options all the way down the ballot, when they arrive, they are forced to make decisions based on whatever information is available to them. In this case, gender can be a signal to people," said Blank.

Women voters may think that female judges will be more liberal-minded than male judges, he guessed.

"It's probably a reflection of the political moment, also," Blank added. "The #MeToo movement is still an active discussion in Democratic Party politics, and that alone can be a reason for Democratic voters—male and female—to choose female candidates, absent any deep knowledge about these races, in order to rectify perceived gender imbalances."

Gender politics is more active in the Democratic than the Republican Party, which is why the gender sweep of the bench impacted Democratic incumbents more, he added.

Rather than being disappointed that a female challenger defeated him in Harris County's Democratic primary, Roll, one of the ousted Houston judges, said he feels relieved that he no longer has to fight against political pressure to keep his bench.

Roll said that Martinez, his opponent, has less trial experience than his seven years on the district court bench. But Roll said that he also feels his opponent is qualified for the position. Martinez didn't return a call or email seeking comment before deadline.

"I think she is very capable, even though she doesn't have a lot of experience," Roll said.

'I worked really hard'

Houston attorney Natalia Cornelio defeated incumbent 351st District Judge George Powell and faces a Republican opponent in November. She said she values the choices and priorities that voters used in the ballot box.

"I worked really hard in our campaign and tried to connect with as many voters as possible about the issues in criminal justice and the courts," said Cornelio. "I heard from voters who I introduced myself to—not just women, but men—that they wanted to vote for women."

Picking a candidate based on gender alone doesn't always make the best choice, said Kathryn McNeil, a Democratic campaign consultant in Houston who works with judge candidates.

"That doesn't speak to whether or not they are qualified, and it doesn't speak to the fact that very qualified judges lost," said McNeil, owner of K Chace Consulting.

One gender sweep sparked worry in the Austin legal community. 345th District Judge Tim Sulak of Austin, who didn't return a call or email seeking comment, lost his seat when Travis County voters picked the female candidate, Madeleine Connor.

Connor, who didn't immediately return a call seeking comment, has been sanctioned by state and federal courts and declared a vexatious litigant (<https://www.law.com/texaslawyer/2020/01/28/43000-sanction-issued-against-austin-lawyer-whos-running-for-judge/>) because of a series of lawsuits she filed against board members of a utility district.

Pardo, the Austin campaign consultant, said that other Travis County judges worry about having Connor on the bench, and there's some talk of recruiting a write-in candidate to run against her in November.

She said, "At the end of the day, the way you will defeat Madeleine Connor is signing up a woman with a better name to run against her."

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