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[More Recusal Motions Coming in Texas Appeals](#)

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This morning's release of the U.S. Supreme Court's 5-4 decision in [Caperton v. A.T. Massey Coal Co.](#) (No. 08-22) could open the door to more recusal motions in Texas appellate courts (and possibly trial courts).

In *Caperton*, the Court held that due process required a West Virginia Supreme Court of Appeals justice to recuse himself from a case in which his largest single campaign contributor was a party. The story reads much like John Grisham's *The Appeal* (discussed [here](#) and [here](#)) in which a litigant set out to purchase a state supreme court seat to swing the necessary votes its way.

Texas also elects its judiciary, and the issue of judicial campaign finance is an ongoing source of controversy. I'll leave more detailed analysis of *Caperton* to the SCOTUS pundits, but it is difficult to imagine that this decision won't have a significant trickle-down effect.

Update: Don Cruse has reviewed the case in more detail over at [The Supreme Court of Texas Blog](#).