

Center for Arizona Policy:

Thank you for your August 22, 2022 letter and attached questionnaire. I appreciate the opportunity to educate and inform Arizona's voters about my judicial philosophy. I believe the best way to describe how I decide cases as an Arizona Supreme Court justice is through a written explanation.

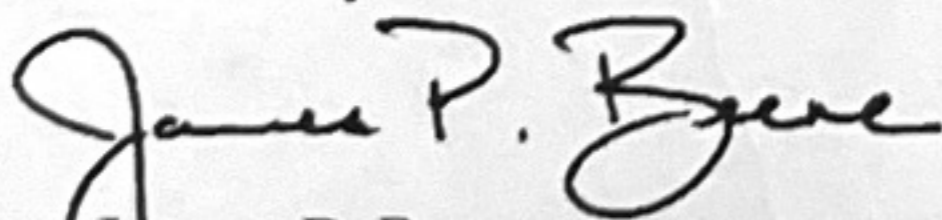
As a justice, my primary duty is to interpret the law carefully, consistently, and impartially to the facts in each case. When deciding a case, I put aside my thoughts of what I believe the law should be and give meaning to the text of the law as written. The best way to interpret the law, whether it be a constitutional provision or a law passed by the legislature or the people, is to give the words in the text their normal, ordinary meaning. This approach assists me in reaching a conclusion that ultimately gives meaning to the intent of the lawmaker.

Additionally, interpreting the law in this fashion aligns with the separation of powers doctrine that is found in both the U.S. and Arizona Constitutions. This doctrine delineates that as a jurist, I have a defined and limited role that prohibits me from making policy. The legislative branch is responsible for making new laws. The executive branch is charged with faithfully enforcing those laws. The judicial branch, which includes the justices of the Arizona Supreme Court, serve as neutral and independent decision-makers that apply the law. The duty of policymaking belongs to the legislative and executive branches of our government, not the judiciary. In short, I believe that the judiciary's role, while vitally important to our form of government, is a limited one.

The principles I have outlined here guide me as a justice and assist me in carefully examining the law and facts in each case from an unbiased and objective perspective. In every case, I strive to ensure that the U.S. and Arizona Constitutions and the laws of this state are faithfully and impartially applied. I base my decisions on the law as written without concern for my own policy preferences, and I never favor one party over another. Through this approach, I seek to faithfully carry out my constitutional duties to the best of my ability.

It has been the honor of my professional career to serve the citizens of Arizona as a Supreme Court justice. Thank you for the opportunity to provide Arizona's voters with my judicial philosophy.

Sincerely,



James P. Beene

Justice, Arizona Supreme Court