

# Martin to revise judicial elections

By LAURIE DUNCAN  
Staff Writer

In an effort to improve the state's judicial system, Gov. Jim Martin said Monday he would create a task force to design a judicial election system based on merit instead of political party affiliation. Martin's press secretary said.

With a merit-based system, judicial candidates would be chosen for elections based on their qualifications, experience on the bench and knowledge of the law, press secretary Tim Pittman said.

"There are 100 different ways to (select judges on merit)," he said. "The task force would explore some of these possibilities."

Martin has asked Lt. Gov. Bob Jordan and House Speaker Liston Ramsey, D-Madison, to put together a bipartisan committee of lawyers and non-lawyers to study different election systems, Pittman said.

Jordan, a Democrat, launched a similar effort last week when he introduced a bill in the N.C. General Assembly to create his own task force to study the subject.

Judges are now elected in partisan elections.

"The governor suggested that the system could be better, but he's not criticizing the present system," Pittman said.

Jim Wallace, an attorney for the N.C. Board of Elections in Raleigh, said the present system allowed for some local influence in the initial selection of judicial candidates. He said it would be unfair to make voters accept candidates whom they did not have a say in choosing.

But Jim Exum, chief justice of the N.C. Supreme Court, said the judicial election system deserved careful study and government officials and lawyers should consider the

possibilities of change.

"I think, generally speaking, the judges (in North Carolina) favor some kind of merit-based system," Exum said.

N.C. Attorney General Lacy Thornburg said most states use some sort of merit-based system to choose judges, but said he didn't necessarily support such a system in North Carolina.

Dick Richardson, chairman of political science at UNC, said, "Merit-based selection (of judges) would let people who are more closely attached to the system make the selection of candidates instead of letting political parties choose them."

But the political battle of nominating judicial candidates would move from the people of the state to the committees of legislators and N.C. State Bar members, who would be responsible for nominating them, Richardson said.

Changing to a merit-based system would be difficult to do because it requires constitutional change, he said.

The measure may be approved eventually, but the General Assembly probably wouldn't approve it this session, he said.

Richardson said judges should not be chosen on the basis of the value system of a particular political party.

"It's not appropriate," he said. "Judges should be chosen by their objectivity and knowledge."

Partisan elections are ineffective because the law restricts candidates from discussing issues that might come up in court, and voters lose interest in the candidates, Richardson said.

Martin wants to have judicial candidates for the court of appeals elected district-wide instead of statewide, Pittman said.

## Senator criticizes Reagan's stand on Iran controversy

From Associated Press reports

WASHINGTON The former chairman of the Senate Intelligence Committee said Thursday he believes President Reagan gave advance approval to an Israeli arms shipment to Iran in August 1985, and "ought to stick with" that story he reportedly once told investigators but later retracted.

Sen. David Durenberger, R-Minn., also said embattled White House Chief of Staff Donald Regan was "just making problems" with some of his actions in the unfolding Iran-Contra controversy.

Meanwhile, members of the presidential review board dealing with the affair conducted a hospital-room interview with former National Security Adviser Robert McFarlane.

Inside the White House, spokesman Marlin Fitzwater announced that Reagan stands ready to veto any legislation halting aid to the Contra rebels fighting the Nicaraguan government.

**Avalanche victims discovered**  
BRECKENRIDGE, Colo.

### News in Brief

More than 250 mountaineers used long poles to probe the deep snow of an avalanche to recover two more bodies Thursday and continued searching for at least one more missing skier, authorities said.

A helicopter dropped explosives to release loose snow that could have caused more avalanches on Peak 7, a steep slope north of the Breckenridge ski area, where the searchers, aided by dogs, headed out Thursday.

**Baby M controversy continues**  
HACKENSACK, N.J. A woman fighting in court to keep the baby she bore under contract testified Thursday that one day she will tell the child the surrogate agreement was a mistake.

Whitehead agreed to be artificially inseminated with sperm from William Stern and to bear a child for him and his wife, Elizabeth, for \$10,000. But Whitehead changed her mind when the girl was born March 27 and fled to Florida with the baby.

## UNC not affected by State's divestment

By NICKI WEISENSEE  
Staff Writer

N.C. State University's decision Feb. 7 to divest beginning May 31 from companies doing business in South Africa will probably not affect UNC's decision to divest, UNC Endowment Board members said.

Bobo Tanner, chairman of the UNC Board of Trustees and an Endowment Board member, said he is still against divestment.

"I think we can help the people of South Africa by having the (U.S.) companies there hire them," Tanner said. "If we pull out, then we have no say-so whatsoever about what goes on there."

Tanner said the Endowment Board had talked about funding scholarships for blacks in South Africa as an alternate way of aiding them, but nothing ever came of it.

UNC has approximately \$4.5 million, or 4 percent of its endowment, invested in U.S. corporations in South Africa.

The Endowment Board, scheduled to meet Feb. 20, postponed

its meeting until May 15.

UNC Chancellor Christopher Fordham, a member of the Endowment Board, said he didn't know what the Board would decide to do, but nothing has changed their minds so far.

"We'll have to wait and see," Fordham said. "Maybe the more people closer to home that decide to divest, the more it will affect UNC."

Rev. Leon Sullivan of Philadelphia, the author of the Sullivan Principles, a code for racial equality in hiring, recently called for all U.S. companies in South Africa to withdraw from that country by May 31.

The U.S. companies in South Africa which agree to follow the Sullivan Principles report annually to Sullivan.

Jim Hackney, chairman of the NCSU Board of Trustees and an Endowment Board member, said NCSU used Sullivan's judgments to guide them in investment decisions in the past and decided respond to

his call for withdrawal.

"This action by the Board was the second (action taken by the Board)," Hackney said. "We first considered the question of divestment in fall 1985. At that time, we decided to invest only in U.S. companies in South Africa which adhered to the Sullivan Principles. In fall 1985, we began an orderly process of divestment from (U.S.) companies which did not follow these principles. By the end of 1986 we had completed this transaction."

Hackney said the NCSU Student Government passed a resolution in Nov. 1986 calling for the BOT and the Endowment Board to divest in all companies.

After an attorney investigated the legal aspects of divestment, the Endowment Board met and made its decision to divest.

Hackney said he feels divestment will not help the black South Africans. He refused to divulge the amount of money affected by divestment.

UNC Student Body President

Brian Bailey said, "I think (divestment is) a positive move for State. I hope the UNC Endowment Board and Board of Trustees will look at (their decision) and follow suit."

Bob Fubanks, vice chairman of the Board of Trustees and an Endowment Board member, said, "I think it's a horrible decision (to divest). I've taken the position all along that it's an impractical use of endowment money to fight political and social problems. The money belongs to the University and should be invested (in the interests of) the people who contributed, the people of North Carolina. And the people of North Carolina have not asked us to divest; the students and faculty have."

Fubanks said he doesn't agree with Sullivan, N.C. State, or Duke University, which divested last year.

"As a concerned human being, I don't think divestment is a positive move to end apartheid. I think it will hurt the blacks, not help them," he said.

## Elections Board lax with campaign poster policy

By MARK FOLK  
Staff Writer

The Elections Board has not begun enforcing its policy of fining candidates for not removing campaign posters on time. Elections Board Chairman Steve Lisk said Tuesday.

Although candidates can be fined one dollar for each poster still on campus 96 hours after the Feb. 3 or Feb. 11 elections, no fines have been made, Lisk said.

"Though we don't like fining

candidates for leaving their posters up too long, it's something that has to be done," he said. "They're simply taking up too much space."

Even though the Elections Board hasn't followed a set procedure for collecting the posters, Lisk estimated that 35 to 40 posters have been found. The number will probably increase once Lisk's staff starts looking for the posters, he said.

Elections Board workers haven't looked for posters yet because they haven't had enough time to do so,

Lisk said. Candidates from the first election should have taken their posters down by 7 p.m. on Saturday, Feb. 7.

But the candidates whose posters are still up have not been penalized yet, Lisk said.

"The staff just hasn't had enough time to get out and search for posters yet," he said. "The only posters that we have now are the ones that have either been brought to us or have been found by some of us in classrooms."

Rob Friedman, the Rules and Judiciary Committee chairman, said he wasn't sure whether the Elections Board had a legal right to fine candidates for leaving posters up past the deadline.

"I think that something needs to be done to make candidates take their posters down, but I'm not sure if fining them is the right thing," Friedman said.

Jaye Sitton, who ran for student body president, said she thinks that all of her posters are down, but she isn't sure because she and her supporters put up about 2,500 of them.

"Since we put up so many posters, we're not sure where some of them are," Sitton said. "I just hope we find them before the Elections Board does."

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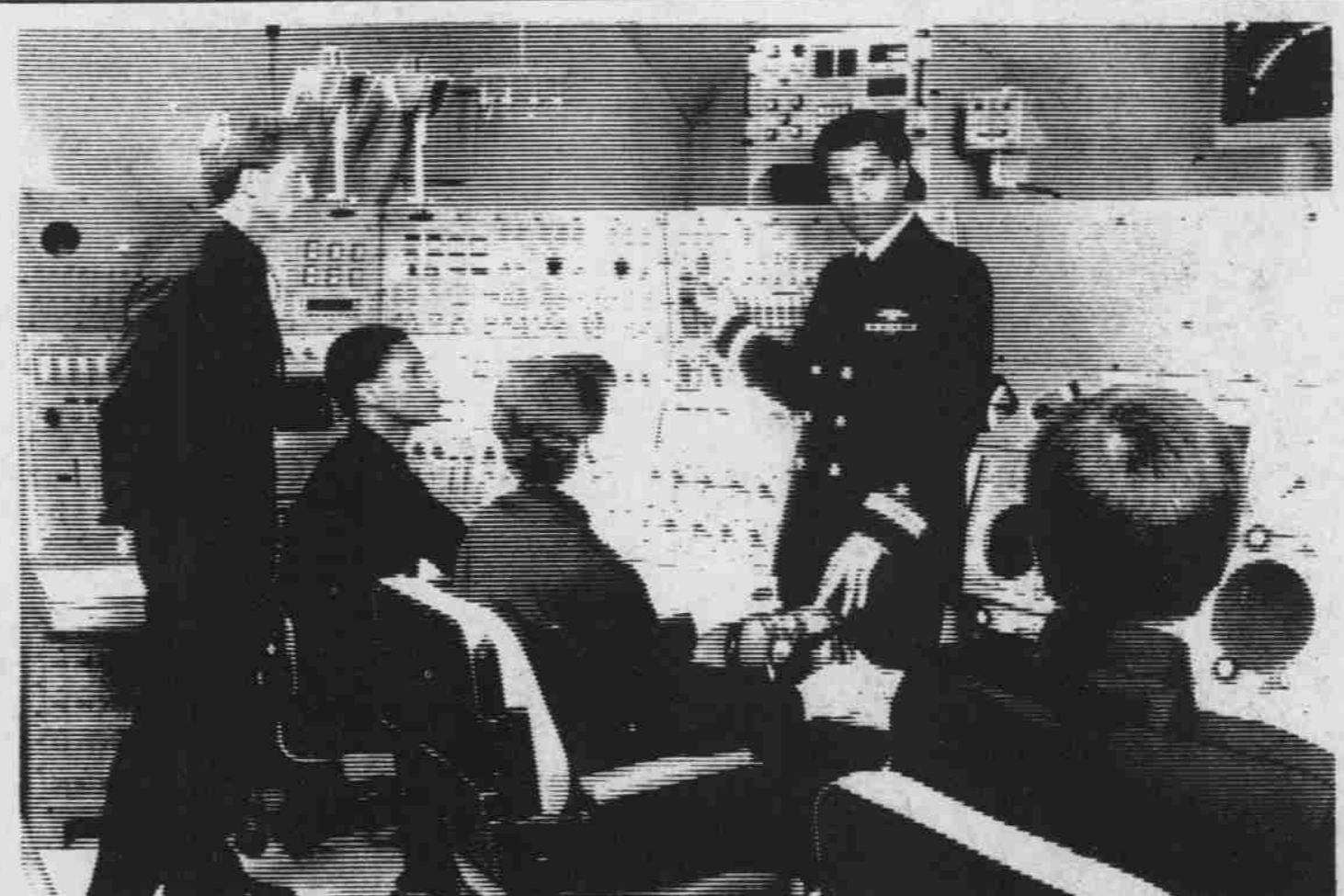
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