



TESTIMONY TO THE HOUSE JUDICIARY COMMITTEE

HB 1402 Circuit Court Judges - Selection and Tenure

POSITION: Oppose

BY: Lois Hybl and Richard Willson, Co-Presidents

DATE: February 26, 2020

The League of Women Voters applauds the stated intent of this proposed constitutional amendment to increase diversity on the court and agrees that any nominating commission that advises the Governor on appointments to the court should reflect the demographic diversity of the jurisdiction where it serves.

However, the League has, since 1964, opposed requiring judges to face self-selected candidates in contested elections. This constitutional amendment requires new appointees to the circuit court, who are approved by a majority of the Senate but less than a super majority of 80 percent, to compete in elections at the general election one year after appointment. The new judges are forced into in election requiring campaign appearances and requests for funding, often from attorneys who will be appearing before them in court.

An appointed circuit court judge has been recommended by a judicial nominating commission and approved by a majority of the Senate. A self-selected challenger, in contrast, has undergone no such vetting, and the voters have little information about a challenger's qualifications or judicial temperament. Judges appointed to courts other than the Circuit Court are not required to face contested elections.

We urge an unfavorable report on HB 1402.