



LEAGUE OF WOMEN VOTERS[®] OF MARYLAND, INC.

TESTIMONY TO THE SENATE COMMITTEE ON JUDICIAL PROCEDURES

SB 179 Circuit Court Judges - Selection, Qualifications and Term of Office

POSITION: Support with Amendments

BY: Nancy Soreng and Barbara Schnackenberg, Co-Presidents

DATE: February 4, 2016

The League of Women Voters of Maryland supports the merit selection and non-competitive merit retention of judges. The League opposes requiring sitting judges and new appointees to face self-selected candidates in elections. In a merit system, judges are evaluated by judicial nominating commissions. Challengers to circuit court judges do not face such vetting, and voters have little information about their qualifications and judicial temperament. Circuit court judges can be forced into an election requiring campaign appearances and requests for funding, often from the attorneys who will be appearing before them in court.

This proposed constitutional amendment retains the appointment process that is used for the selection of all other Maryland judges, eliminating contested elections. It also, however, eliminates the requirement that circuit court judges face retention elections.

The League supports retention elections for judges. The proposed amendment also requires that if the Governor appoints a nominating commission, its membership should reflect the demographic diversity of the state or the judicial circuit district, a requirement the League strongly supports. However, the League believes that the Governor should be required to appoint a nominating commission.

Overall, this amendment is a great improvement over the way that circuit court judges are selected currently.