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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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SB703
Circuit Court Judges – Selection and Tenure

Chairman Smith, Vice Chair Waldstreicher, and Members of Judicial Proceedings Committee:

Thank you for the opportunity to discuss Senate Bill 703, Circuit Court Judges – Selection and Tenure.

SB 703 changes the appointment process for Circuit Court Judges. It requires the judicial applicant to be vetted by the nominating commission, appointed by the Governor and approved by the Executive Nomination Committee and receive 80% of the full Senate vote, if they fail to receive 80% of the Senate vote they will stand for a competitive election, just as they do now. This gives the Senators every opportunity to be certain that the appointed judges are competent and represent diversity in gender, ethnicity, and experience.

Why do we need this bill? The playing field is not level. Currently Circuit Judges face a very different selection process than other judges in the State. After they are appointed, and give up their jobs, they must run in a contested election; frequently facing an un-vetted candidate. Their opposition pays \$25 to file, may have a better alphabetical ballot position, can raise money and campaign, making claims of how they will decide cases before the court. The sitting judge is at a true disadvantage, they cannot discuss their positions, are dependent on others to fund raise for them and most donations are from practicing attorneys appearing before them.

We must take action to remedy this procedure. I believe that SB 703 accomplishes this. It is a true compromise between the current procedure and a retention election that has failed to pass the General Assembly for at least 10 years.

I respectfully request a favorable report for SB703.