February 12, 2025

Testimony on HB 44
Election Law – Circuit Court Judges – Nonpartisan Elections
Judiciary

Position: Favorable

Common Cause Maryland is in favor of HB 44, which would require circuit court judges be elected on a non-partisan basis, without regard to political affiliation.

Partisan politics have no place in our judicial elections. Common Cause strongly believes that judges should be as politically neutral as possible, and should strive to be true to the law. Partisan elections are an obstacle towards realizing this.

Partisan elections open the door for special interests to spend lots of money influencing judicial elections - and, once their preferred candidate is elected, the courts. This leads to sitting judges who weigh heavily on one side of an issue or hold in favor of a specific interest group, which becomes more and more obvious over their time spent on the bench, especially as the judge begins to prepare for re-election.

Much of the public's trust and respect in our judicial system is based on the presumption that our judges are non-partisan and independent. As nominations become increasingly dependent on sponsorship by a political party, this trust and respect is necessarily diminished.

An article penned by the Honorable Sue Bell Cobb, a former Chief Justice of the Alabama Supreme Court, makes the point that political influence from judges stems not only from party affiliation, but also from campaign donations, which have become even more necessary as the cost of campaigning for many offices continues to rise. Judicial elections deserve greater scrutiny, and eliminating any hint of partisanship from these races would encourage voters to instead focus on the ability of our judges to neutrally interpret the law.

Common Cause Maryland is in strong support of efforts to move towards an impartial judicial system that citizens can put their trust in. For those reasons, we encourage a favorable report on HB 44.