



TESTIMONY TO THE HOUSE JUDICIARY COMMITTEE

HB 518 Judges - Selection, Election, Tenure, and Continuance in Office

POSITION: Support

BY: Lois Hybl and Richard Willson, Co-Presidents

DATE: February 12, 2020

Since 1964, the League of Women Voters has supported the appointment of judges by the Governor based on recommendations of judicial nominating commissions, with voter confirmation in nonpartisan merit retention elections. In subsequent studies of the judiciary, this position was reaffirmed in 1967, 1970, and 2009.

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, or at least face Senate confirmation after being nominated by the Governor. 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 other Maryland judges, eliminating contested elections. This bill does not mention the use of a nominating commission, which the League supports. If the Governor does appoint such a commission to make recommendations about judicial appointees, we believe its membership should reflect the demographic diversity of the state or the judicial circuit district.

We urge a favorable report on HB 518.