

KATHLEEN M. DUMAIS

Legislative District 15
Montgomery County

—
Vice Chair

Economic Matters Committee

—
Chair

Property and Casualty Insurance
Subcommittee

—
House Chair

Joint Committee on Legislative Ethics



The Maryland House of Delegates
6 Bladen Street, Room 231
Annapolis, Maryland 21401
410-841-3052 · 301-858-3052
800-492-7122 Ext. 3052
Fax 410-841-3219 · 301-858-3219
Kathleen.Dumais@house.state.md.us

The Maryland House of Delegates

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Testimony in Support of House Bill 518 – Judges – Selection, Election, Tenure, and Continuance in Office

Good afternoon Mr. Chairman and members of the committee. Thank you for the opportunity to speak to you on behalf of **House Bill 518 – Judges – Selection, Election, Tenure, and Continuance in Office**.

This bill provides for the same manner of filling vacancies in Maryland appellate and circuit courts. The governor, with the advice and consent of the Senate, appoints a judge to fill the vacancy. Retention of the appointed judge occurs by ballot during the general election that follows the appointment. Specifically, the approval or rejection by the voters occurs at the next general election following the expiration of one year after the occurrence of the vacancy. An appellate or circuit court judge is subject to retention ballot every 14 years thereafter. If the judge is not approved by the voters, then the judgeship is vacant and the appointment process begins anew.

Foundational to our rule of law is the concept of impartial judges. Subjecting members of the judicial branch to electoral pressures – to please fleeting public passions and to court special interest and corporate donors – undermines the appearance of impartiality. Indeed, it endangers impartiality on its face. House Bill 518 seeks to shore up faith in our justice system and ensure that lady justice remains blind-folded with balanced scales.

I respectfully request a favorable report for House Bill 518.