



## **TESTIMONY TO THE HOUSE JUDICIARY COMMITTEE**

### **HB 75 – Election Law – Circuit Court Judges – Nonpartisan Elections**

**POSITION: Support**

**BY: Lois Hybl and Richard Willson – Co-Presidents**

**Date: February 24, 2021**

The League of Women Voters of Maryland supports the appointment of judges by the Governor based on recommendations of judicial nominating commissions, with voters involved through nonpartisan retention elections. HB 75 takes a small step toward that goal by making the election of Circuit Court Judges nonpartisan, but it leaves in place the use of contested judicial elections.

The percentage of unaffiliated voters has increased significantly in recent years and excluding them from the nomination of judges in the primary election is not consistent with democratic principles. In recent years, contested primary elections have resulted in nearly identical slates of judicial nominees with occasional differences between the parties, but the process has led to significant voter confusion.

The mission of the League of Women Voters is to encourage informed and active participation in government. Underlying that mission is our belief that it is essential that the legislative and executive departments of government be responsible to the voters. Under our system of separation of powers, however, it is equally essential that the judicial branch be insulated from political pressures. No person on trial should have concern that the judge in their case will be tempted to consider how any ruling would be construed by an opponent in a contested election. Accordingly, we reiterate our view that the General Assembly should enact legislation to eliminate the contested election of Circuit Court Judges. Removing judges from the partisan nomination process, however, would be an incremental improvement.

We urge a favorable report on HB 75.