

February 16, 2022

Testimony on HB 306
Election Law – Circuit Court Judges – Nonpartisan General Elections
Judiciary

Position: Favorable

Common Cause Maryland is in support of HB 306 which would establish a method of electing judges to the circuit court on a nonpartisan basis, without regard to political party affiliation.

Partisan politics have no place in our judicial elections. We believe that judges are to be true to the law, but partisan elections get in the way of their being able to do that. 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 judges who lean strongly on one side of an interest group which can become obvious over their time on the bench, especially as they begin to prepare for re-election.

Much of the public's trust and respect for our judicial system is based in the idea 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.

In an article penned by the Honorable Sue Bell Cobb, a former Chief Justice of the Alabama Supreme Court, she makes the point that political influence from judges not only comes from party affiliation, but also from campaign donations, which become even more necessary as the cost of campaigning for many positions continue to rise. Judicial elections deserve greater scrutiny and eliminating the partisanship from these races would encourage us 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.