



**MSBA Mailing Address**  
520 West Fayette Street  
Baltimore, MD 21201

**Canton Office**  
3700 O'Donnell Street  
Baltimore, MD 21224

**Annapolis Office**  
200 Duke of Gloucester Street  
Annapolis, MD 21401

**Bill:** HB 150 - Circuit Court Judges - Selection and Retention Elections

**Committees:** House Judiciary and Government, Labor, and Elections

**Position:** Favorable

**Date:** February 9, 2026

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The Maryland State Bar Association (MSBA) **supports** HB 150 - Circuit Court Judges - Selection and Retention Elections, proposing amendments related to the selection and tenure of circuit court judges. Through its advocacy committees and various practice-specific sections, MSBA monitors and takes positions on legislation that protects the legal profession, preserves the integrity of the judicial system, and ensures access to justice for Marylanders.

### ***MSBA Supports Judicial Nominating and Appointment Process With Bar Association Input***

For over thirty years, the MSBA has opposed the contested election of Maryland's circuit court judges. The association has supported sitting circuit judges every election season, as those individuals have been properly vetted and gone through a rigorous process based on their judicial qualities and merits. Each sitting judge has undergone a thorough evaluation process and was appointed by the Governor, after being recommended by a Judicial Nominating Commission for their qualifications, judicial abilities, and merit, with input from state, local, and specialty bar associations, including MSBA.

HB 150 would standardize the selection process for circuit court judges with appellate judges by holding retention elections and removing contested elections. Circuit and appellate judges would have a uniform appointment and retention process as well as the same term of office, a process that has served appellate judges for decades.

### ***HB 150 Would Preserve Judicial Integrity and Prioritize Judicial Security***

Several factors justify an end to contested elections for circuit court judges:

- The appearance of sitting judges accepting campaign donations from contributors, including those who have cases before them, undermines public trust in an independent judiciary and may increase perceptions of bias and partisanship.

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- Sitting judges may face additional security challenges as they campaign in neighborhoods, attend regular fundraising events, and go to polls, and may interact with litigants who appeared before them and were dissatisfied with a case outcome. Campaigns often involve publicizing activities, locations, and family and personal details that may increase security risks for judicial candidates. Sitting judges may not feel they have a choice to opt-out of these activities in order to protect their safety.
- Recent data highlights both public perception and reports from judges of rising security threats: A 2025 survey from the National Center for State Courts found that 50% of the American public surveyed believe threats against judges and public officials had increased within the last twelve months.<sup>i</sup> A 2024 survey of nearly 400 judges from 48 states demonstrates the ongoing threat across the country. Most judges worried about their safety (82.7%) or felt threatened because of a decision they made in a case (74.1%). The majority reported that they had been threatened while being a judge (56.1%).<sup>ii</sup>
- Many of the best-qualified candidates for the circuit court do not apply, because they must leave their practices with the risk of losing their judicial seat in a contested election.
- The Code of Judicial Conduct prohibits a sitting judge from taking positions as to how he or she would decide certain cases. As a consequence, a key element of the contested election process - debating the issues - is removed and the judicial campaign process becomes an inherently unfair process, because a challenger to a sitting judge does not have to comply with these restrictions.
- The contested election threatens the independence, integrity, and competence of the circuit court.

MSBA supports HB 150 and requests a favorable report.

*Contact: Shaoli Sarkar, Advocacy Director (shaoli@msba.org, 410-387-5606)*

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<sup>i</sup> NCSC 2025 State of the State Courts Poll, National Center for State Courts (December 10, 2025). <https://www.ncsc.org/resources-courts/state-state-courts-2025-public-opinion-poll-findings>

<sup>ii</sup> Perceptions and Experiences With Judicial Security Threats: A Survey of U.S. State Court Judges, Court Review (2024). <https://nationalcenterforstatecourts.app.box.com/v/AmJudgesCourtReviewArchive/file/1699377897310>