

## Should judges be elected or appointed?

Election provides too much opportunity for influence and conflicts of interest.
Actually I approved the Missouri system where out state judges are elected
Appointments are political anyways.
I have been appointed to one seat and elected to another seat. Elections, even though highly charged politically, are less political than an appointment. with an appointment, there are "behind the scenes" influences. Elections are largely in the open and not subject to deal making.
Judges should be independent and should not have to run for election. We have a code of ethics and are limited by what we can and can't say. We can't make promises and can't prejudge a case, often what those seeking political office do. Additionally, who are we most likely to raise money from? The lawyers who appear before us. Not a good practice. Running for election takes time away from doing what we are being paid to do - be fair and impartial judges, rule on cases in a timely manner, and not be swayed by public opinion - in essence be an independent judiciary.
Alaska uses a screening system to evaluate candidates with direct participation from legal communities and a council that forwards a slate of the best candidates to the appointing authority from which to choose. The system reduces the level of politicization. We have been well-served by this system.
Let the people of municipalities decide
I believe in the power of democracy and the ability to vote. Appointment is like an anointment and not good for society.
There is too much politicizing in the courts now, and that is a shame.
I AM AN ELECTED JUDGE. BUT FOR THE ELECTION I MAY NEVER BE APPOINTED.
appointments are great but usually only represent the agenda of the one doing the appointment, while elections tend to carry the incumbent unless he or she has done something wrong.
The citizens preference is to elect their judges. This is the reality in the majority of the states. The present ethics /model rules are set up premised on the appointed model of judicial service. The ethics rules in states that have elected judges need to be re written to accommodate the reality on the ground in a workable model that recognizes the dual role of elected judges, that of public elected servant and judicial officer,
The terms should be a minimum of 6 years.
Accountability and transparency matter
this avoids being "beholding" to one appointer
appointed then run on record
The cost associated with running a campaign requires a judge to raise funds. Even when a committee does this on behalf of the judge, it is unseemly to ask for money from the lawyers and parties who will be appearing before you. Campaigning requires time away the from the bench which strains a judiciary with a shortage of judges.
Both procedures have their own drawbacks, but the election process is more reliable and is fundamental in our democracy

## Should judges be elected or appointed?

Judges should be appointed using a judicial selection commission that evaluates and recommends individuals to the governor for appointment. After appointment judges should stand for a retention election 3 to 4 years after the appointment

However, the Bar Association should have some role in the process - such as making binding recommendations of 3 choices to the appointing authority.

Despite having been through a contested Judicial Election and having won, I still believe that the election process is the only check and balance to counter purely political appointments, whether the appointee is qualified (or not).

Full-time judges should be elected, but part-time judges should be appointed. It would be pointless to incur the costs of an election campaign for a part-time judgeship.

Appointed judges in my experience tend to be better qualified judges than those who run for the office. However, nominating committees need to be as non political as possible. For example, shouldn't allow the governor to appoint 1/2 the members.

Brings a broader pool of talent and removes the appearance of impropriety by seeking campaign contributions from lawyers.

Elected. Two reasons: (1) Merrick Garland; (2) Accountability to people, not system of electing executives that refuses to address money corruption of politics.

I believe they should be appointed and then run for a retention election thereafter.

Election and the fundraising necessary creates too many real or perceived conflicts.

This survey leads to totally unreliable results. In many, perhaps most states, judges feel that general jurisdiction judges should be elected because the public can easily learn about the candidates in the local area. However, I feel very strongly as do the majority of my colleagues in all but perhaps the large cities of Pennsylvania, that appellate judges should be appointed because the electorate seems to be incapable or unwilling to find out about the qualifications of judges running for higher courts. In light of that, my answer above is misleading but to respond with the only other choice available would also be misleading. There should have been a category for those who would want appellate judges to be appointed but trial court judges to be elected.

Actually in Illinois some are elected some appointed which works well

Once elected it should be for life so judges don't have to play politics

This prevents the uneasy ethical dilemmas judges may encounter with their supports in court.

I prefer the Arizona method combining appointment with retention elections.

Campaigning has its pitfalls since the candidate has to rely on those supporting their effort. Many times campaigning can provide those supporting a candidate the wrongful idea that with their support they can push forward their agenda, whether covertly or otherwise. With an appointment, the judiciary can be free of the campaign influence and remain fully unbiased. The appointment does leave many with the thought those who are appointed are influenced or beholden to the appointer, but since judges seats tend to outlive whichever political party was in place when appointed they are potentially free of that influence.

## Should judges be elected or appointed?

Contested elections create the appearance of justice for sale. This is a big enough problem with the other branches of government. Retention elections give the voters a say in a judge staying in office. The judicial system only works when it is perceived as being fair.

Contested political elections undermine the appearance of fairness.

Selection through appointment, though political, gives rise to the most-qualified candidates for state-wide and local judicial office. In my state we have both - appointment and election. I think that is a good option as well, but I wasn't given that as a choice.

all members of the judiciary including probate and assistant judges should be appointed. This would allow for a proper vetting to be accomplished and would better address potential conflicts of interests

it is all I have ever known; appointments too often become political favors.

If by elected you mean a few wealthy individuals banding together to buy a judgeship to assist with their nefarious pursuit of more wealth, then I am against it. If, however, by appointed you mean allowing the then sitting governor to appoint his friends or friends of a major donor to assist him in his reelection, or to further his political ambitions, then, again, I am against it.

Appointing judges will remove much of the politics associated with electing judges.

The primary goal is to keep politics out of the Judicial process. This can not be done with Governor appointments who are politically motivated. The Court system belongs to the people not the Court or the legislature or the governor. Let the people make their choice and deal with their selection. Maybe the public will become more concerned about all their electoral selections and representation.

Appointed are even more political. Often must be big \$ contributor, related, or from some influence or power base in many (not all) appointment systems. Elected shows trust and respect to the public. Makes judges get out amongst the fellow man they seek to sit in judgment over.

Appointed Judges allow for a more independent judiciary.

But it depends on who is doing the appointing and the criteria used

You left out BOTH

Appointed and confirmed every 8 years by the electorate.

It is the only way to truly assure Judicial Independence, a hallmark of the Rule of Law, in these troubling times for our democratic institutions.

Judges should not be involved in politics but if you are elected you just violated that.

They should be elected and reassigned to another district by appointment perhaps

The public(society) should have the opportunity to examine a candidates background and experience and make an informed decision.

An appointed judge is merely one who is elected by a small number of persons who would then have leverage over the judge. the point of elected versus appointed judges is merely who will have the power over them the people or a select number of politicians and bar members or the public they serve. Clearly, we don't want the state judges becoming a morass of political shenanigans as found in the federal courts based not on the law but on their political masters.

## Should judges be elected or appointed?

Neither system is ideal. Both can contribute important value to the system. However, elections may yield a "popularity contest" or "name recognition" result, with voters having no real idea of the candidate's legal knowledge, skill, or temperament. Appointment may be a political move, again with less value placed on the candidate's legal knowledge, skill, or temperament than on their political connections and history.

I have read, heard and discussed the merits of both methods of selecting judges, and I acknowledge the merit of appointing judges (there's only one, independence), I strongly believe that ultimately, electing judges is the only way to guard against an activist judiciary, one that sees constitutions and statutes as impediments to achieving the societal goals of a few. Only a judge with an agenda driven by his or her personal beliefs or political or societal pressure could find, within the 7500 or so words of the U.S. Constitution (and its Amendments), a right to either abortion or gay marriage. No judge who faces the approval of the American citizen at the ballot box could so twist, contort, distort and torture a document written 230 years ago in an effort to discover and enumerate such "rights."

It is a double edged sword. Obviously we all want the most qualified person and most times I believe that happens. However, many times elections are a popularity contest and appointments are a political power contest.

How can judiciary be impartial if directly subject to partisan political pressure?

From publically available list of applicants deemed eligible by bar panel. Screening process to cull out political toads, and children of famous baseball pitchers. No lifetime appointments. 10 or 15 year initial term, with possible re-appointment(s).

Trial Courts are generally broken down into an Upper trial level, which handles felonies and major civil cases and Lower trial level, which handle misdemeanors and minor civil matters. Upper trial level judges and all appellate judges should be appointed, by a Governor or Large Jurisdiction Chief Executive based upon names submitted from a broad based non-partisan committee, which screens applicants. However, I believe that Lower level trial judges, who handle misdemeanors and lesser civil cases may be elected or appointed. Lower level trial judges should thereafter be appointed to the upper level trial bench based on their experience and merit rather than from elected or appointed party politics.

You left off the third - and best choice -- appointment followed by retention elections.

No brainer. Been working on this topic for 20 years. Hawaii has the perfect system.

Uncontested retention elections after appointment are appropriate but contested judicial elections don't pass the smell test. What independence in that type of system?

Either way is political.

I believe holding elections, especially partisan election reduce the integrity of the court. Judges should be free from political bias or influence as they hear cases. It's difficult to accept money during a campaign and then hear cases of those who gave money.

General public is usually not familiar enough with the person's judicial characteristics, and name recognition rather than experience/qualifications receives the vote.

The citizenry should always have a voice in their representation of all three branches, this is how democracy has survived.

## Should judges be elected or appointed?

The question is should one or a few decide or should the community? There is no way to get the politics out of it. At least the people of the community can have a say...

Living in a county wherein we have 7 (yes 7) Judge Gallaghers (including one who had never set foot in a Courtroom prior to election) I think judicial elections should be taken out of the hands of lemming voters and Incompetent political party leadership that refuses to address the problem.

The question is too ambiguous to answer. Elected? What is the process of being placed on the ballot and how often? Appointed? By whom; for how long; does retaining the office voter approval and if so, how often and under what circumstances?

Appointment via a bipartisan commission (or nonpartisan). In the alternative, elected, but with public financing only.

After appointment a judge should face a retention election on a regular basis.

I say this primarily because I am in an elected position in Kansas. It would be inappropriate for me to quarrel with the method of my selection. That said, I understand the arguments against electing judges, but I see real benefits to electing judges. Elected judges may tend to be more down to earth and less aloof in their approach to parties and lawyers than our appointed counterparts who describe their selection method as "merit selection." In smaller jurisdictions like mine people know the folks they vote for and they know what they want in a judge.

Election of judges leads to the same corruption as found in legislatures etc. where the special monied interests buy their representatives or governor. Judges should be above the political fray and not part of it. Merit selection works well, although that can be corrupted to some extent with enough effort and money.

Judges should be elected in non partisan elections. I have too many dear friends on opposite sides of politics and was fortunate to run my first race in my State's first non partisan judicial election. I think that provides the best open opportunity for good candidates of any "registration" to apply for such important jobs to serve the actual people that choose them to task it.

Appointed for life like all of the Federal Judges and those guys in DC.

Merit based selection.

I was elected. The judge before me was appointed and was a political friend of a friend. The appointee had absolutely no legal experience--except for being a defendant. Either way, appointed or elected, it is, unfortunately, political.

It ia unseemly and productive of mischief for judges to be elected, because they have to raise money, primarily from lawyers. Much better to use the "Missouri Plan"--appointment through judicial nomination commissions. Even allowing retention elections is problematic because it chills judges from making unpopular decisions.

## Should judges be elected or appointed?

They both have merit and both processes are political. A general election still requires money and help of those with influence but a any candidate can survive if the people desire change. The last presidential election is a great example. We would hope those making the decision on merit would be more informed on issues and records but; we also know that politics involved rule the day and only limit the number of players with influence and money. It's hard to trust any system with that much power in our society today. The way federal judges are appointed are an example of a flawed system in many cases. It's simply who those in power want and merit is last on list if a consideration at all. The rate of error is the same as in an election. In a perfect world, for a position as important to the community and society as judges in all levels, the decision of judges should be made on merit. However, if it where a perfect world, it would not matter if it were election/appointment. I am an elected official and while my moral fabric is my guiding force, accountability to the public is powerful.

An judge must be free to rule, even when doing so results in an unpopular decision.

Appointed judges to often reflect the inherent bias of the appointing authority. Authorities appoint those not best or most qualified but those best reflecting the views or agendas of politically elected officials.

I have been involved in politics for years and always thought judges should be elected until I became one. Here's why I changed my mind: Lawyers, not the electorate are the folks who most know if a judge is good or bad. The electorate responds to isolated incidents, political rhetoric and other non relevant matters. In order to be elected, judges have to raise money and the only people who donate to judges (other than their families) are lawyers...and generally lawyers who practice in front of them. This has both the appearance of and the potential for undue influence. I am not naïve enough to think that appointment of judges is without politics, but it is a different set of politics. If voters want judges fearless enough to make the decision mandated by the law...not by the slings and arrows of political expediency, then they should allow judges to be appointed. I also recognize that that appointment of judges carries with the danger of "judicial activism"--this is why judges should be thoroughly vetted by competent panels of qualified persons. This, of course, would leave out Congress!

I would advocate for all judges to be selected by some type of non-partisan "merit" system. The appointment process set out in the "Missouri plan" (adopted in Missouri in the 1940's) remains the best of various alternatives. Certainly state supreme court and other appellate court judges should be appointed through a merit-selection process; and trial courts in large jurisdictions should also be appointed through a merit-selection process. A case can be made for election rather than appointment in smaller jurisdictions, because voters are more likely to know the reputations of the candidates, and are therefore less likely to be swayed by expensive media campaigns. In addition, it can be more politically palatable when the state leans strongly toward one party, but in some areas. (Where to draw the line between "large" and "small" jurisdictions is obviously a question.) However, even if judges are elected, the elections should be non-partisan.

## Should judges be elected or appointed?

The Founders of the Constitution recognized the distinction and the importance of disassociating the judiciary with partisan elections.

Judges should be appointed as a matter of course, with one potential exception--in very small communities, voters may be able to properly evaluate the candidates and make a wise choice.

Both. Idaho's magistrate system of appointment allows for choosing qualified candidates, followed by a retention vote: "Should Judge John Smith be retained as a Magistrate Judge..." every 6 years allows for some public oversight. It is the best of both worlds.

DEPENDS WHETHER OR NOT YOUR A TRIBAL JUDGE. EITHER WAY BEING A JUDGE IS RISKY. IT BECOMES A POPULARITY CONTEST, IF THE PEOPLE VOTE, OR IF APPOINTED A POLITICAL NIGHTMARE.

I am guessing that people will answer based upon whether they have been appointed or elected.

As much as I dislike my answer as being undemocratic and elitist, I also dislike seeing judges elected in increasingly partisan times and being fed questions about how they would rule on issues were they to come up before them. There are far too many political litmus tests today, when what you really need are fair, balanced jurists.

all judges should be appointed, except the Presiding Justice or Chief Judge. it would be much easier, faster and simpler to remove a judge by an executive or legislative board/committee for incompetence or "misfitness"; whereas, the chief judge/presiding judge can be removed by impeachment. Also, many associate judges have claimed, if they were elected, that since the people elected him/her, he/she should have the same powers / level of a chief judge - the chief should not be the supervisor to the associates. Etc., etc..

The appointive process is much more political than the elective process & the appointive process does not provide for any accountability.

I went to law school in Texas, and have practiced there, but my main practice has been in New Mexico. Texas elects all of their judges, while New Mexico elects some judges, and has a modified appointment-election-retention process for others (district and appellate). I know judges in both states who are great judges, and are a credit to the judiciary and to justice. My opinion has nothing to do with any certain judges. That said, there is no question in my mind that the election process is wrong. Judges should be appointed, and may face retention elections thereafter. Electing judges turns them into politicians trying to persuade voters, and after election, leads to the complaint (sometimes deserved) that they are ruling in order to satisfy their constituents. Judges should not have constituents. For the record, I am now a judge myself, having been appointed, elected (with no opposition) and face my first retention election in 3 years.

Politics plays a part in either option, but in a rural jurisdiction like mine candidates can still knock on doors, attend community events, participate in forums, and otherwise demonstrate their qualifications to the voters in ways that are legitimate, honorable, fair, meaningful and cost-effective.

Appointed then stand for retention. This de-politicizes the judicial branch, perhaps not completely, but far more than an elected judiciary.

## Should judges be elected or appointed?

While there are flaws with both systems, at least with an appointment system an application is completed, a background check is done, and the candidates are vetted so those appointed meet minimum standards as a qualified candidate. With election, little is known by the public about judicial candidates, and decisions are made based on appearance, signs, politics, and other factors which do not relate to which candidate is more qualified and will do a better job.

I am fine with nonpartisan retention elections after appointment, hopefully with merit screening, but judges should never be elected or ousted in partisan political elections.

As long as it's not a politicized process

Appointed using judicial selection commission with retention election afterwards best of both systems

Appointment often ends up going to the person who donated a large amount of money, or who has the most political connections. Voting let's the people decide.

The political issues of appointment aside, election has the greatest impact on judicial independence .

I think judges should be appointed, and with the voters later deciding whether the judges should be retained.

Judges shouldn't have to worry about winning a popularity contest with the electorate, but should be focused on following the law. Judges should not have to worry about losing their jobs because of unpopular, but lawful decisions.

While politics can never be completely eliminated from the process, eliminating the need for large sums of money required to run a campaign also eliminates the improper money driven influences placed upon a judiciary worrying about re-election.

The distraction and potential for conflicts of interest inherent in campaign fundraising make judicial elections extremely problematic.

Appointed after nomination by independent nonpartisan commission or similar entity, which has authority and resources to investigate suitability of candidates.

Judges, at least at the county-trial court level should be elected in order for there to be accountability to the public.

Hopefully, appointing officials will determine the qualifications of applicants to make certain that they are qualified. The election process totally fails at that.

Nominated by a citizen's non-political board based on qualifications, appointed by the governor from the nominees selected and retained thereafter at general election

This should be an easy answer-- I know most judges in merit selection states would never have run for office

Anonymous - Being elected requires the public getting to know you. Being appointed just means you knew the right people. Unfortunately, the public does not even get an opportunity initially to have any input.

With an election only to retain.

## Should judges be elected or appointed?

It is generally accepted that Judges should make decisions only on evidence properly before them and on a conscientious understanding of the law. If the judge is elected, or must stand for retention election, then the judge will be under greater pressure to promise to issue or to issue politically correct decisions. Elected judges must be cognizant of and must combat implicit bias in favor of what is politically correct, e.g., tough on crime.

The ethical issues with an elected judiciary appear to be insurmountable.

I believe that appointing judges by merit creates a higher quality bench, if the appointees have been peer reviewed. It also takes politics out of the judicial process. Judges are free to make sound legal decisions without considering for politics and reelection.

Let the people speak through our democracy.

This is complicated, but, as explained to me by our first-appointed Public Defender who spent over 50 years on that job: "We trust the electorate to decide all other positions". That's my story, and I'm sticking to it.

There are problems with both. Our appointed judges are more political than those who are elected by the public and not beholden to political powers who put them in.

Per the Missouri Plan with elections to retain/not retain. This system allows for greater judicial independence by avoiding the appearance (if not reality) of judges who are "paid for" in advance. The system also prevents the political mudslinging that comes with elections which ultimately undercuts the public perception of judicial officers.

Assuming, for courts of general jurisdiction. For others, a periodic review by the related board of commission or other governing body (with some appropriate tenure protections) should replace standard civil service protections for appointed judges.

Appointed judges have a better chance at being independent and not beholden to a party or organization.

Trial level

I have served in both capacities. I was appointed for an ALJ position for the dept of labor. The experience was very political to even get to interview and then at the interview it became even more political as to what the expectations would be. It was discouraged to be judicially independent. I left that position after serving for 1.5 years and eventually ran for my electric district court seat. Voters better understand the give and take that a judge is required to hear, weigh and consider. Voters understand implicit bias. Voters are who appear before judges more often than lawyers. More and more cases involve pro series litigants or families. Yes trial, defense, prosecutors defenders, malpractice..... lawyers help support campaigns however the actual clientele appearing before the bench are voters. Judges are human and those appointed or elected experience failures sometimes all too publicly

However, I am not in favor of a "private politics" situation like we have in Alaska. A group of individuals does the vetting and decides who gets forwarded to the Governor for appointment. It is sometimes very clear there is a political aspect to it and I think it is flat out wrong for a small group of people to be engaging in private politics.

with governing bipartisan committees

## Should judges be elected or appointed?

It's the best way to keep judges accountable to the public they serve and to avoid the pitfalls of political cronyism. And, yes, I hate raising money to run a campaign but prefer the transparency of contributions being a public record vs. the behind-the-scenes politicking that goes on in pure appointment/retention election systems.

Appointment with retention (Missouri model) provides accountability and keeps money and politics out of judicial selection.

An appointment system typically has a vetting process to assure that the individual is qualified. In an election system a candidate has to only meet position requirements, such as signatures, to get on the ballot. The appointment system is not perfect, e.g. appointment of Justice Gorsuch, but overall it is better than having the best politician becoming a judge instead of the most qualified.

Much safer

I assume you are speaking of non appellate judges. If so, they should be elected if they have successfully passed their Bar Association plebiscite. No political party should support a candidate for judge who does not have a favorable bar association rating. Appellate judges should be appointed from an independently recommended group made up of the Deans of ALL the state law schools, the President of the state bar association, the Speaker of both houses of the legislature and former members of all the appellate courts of the state. While geographical balance is desired, I don't know how it can be realistically achieved.

The high cost of running a campaign discourages some really talented attorneys from running for office. It seems to be a real conflict when the person running for a judicial position asks for contributions from attorneys in their area knowing those attorneys will likely appear before that judge. When the judges are appointed there is a greater likelihood that they are competent to serve. I was originally appointed to my position and thereafter had to run to retain the position. Neither option is ideal but having appointed judges seems to better serve the public.

I'm really not certain there is a nickel's worth of difference between elected and appointed. Which of these notions is the lesser of the two evils: that elected judges are beholden to the electorate majority, big campaign spenders and politically popular principles; or that appointed judges are beholden to the elected officials who make and approve the appointments, political party insiders and politically correct commitments? I went through a contested election at my first term and have been through three uncontested elections since then. So I have been able to stay out of the political fray and maintain judicial independence and objectivity. But if appointing authorities could somehow be insulated from pressures and involvement of political parties and other outside forces, then I believe that appointing judges would be the preferable process for filling judgeships with more intelligent, dignified and qualified candidates and would instill greater public confidence in the judiciary.

Appointment can lead to corruption, favors and paybacks

Trial court judges should be elected, in part because a diligent candidate can reasonably acquaint himself of herself with the electorate. However, appellate court judges should (probably) be appointed.

## Should judges be elected or appointed?

The general public has no idea and no valid information upon which to place an intelligent vote.

Actually, I like the Missouri plan. Judges in smaller circuits are elected. Judges in large metropolitan areas are appointed. In smaller circuits, the candidates are known and accessible. Their reputation is known to everyone. Large circuits are different. It is very expensive to run a campaign, and reputation is not as easily ascertainable.

Use Missouri/Alaska appointment method with a Judicial qualification recommendation and later retention vote only.

The public should be entitled to elect their judges on a non-partisan basis, free from the vagaries of the swings of political fortune.

Meritorious appointment is the appropriate mode that ensures justice. Elected officers are often subject to the political intrigues of the party under which they were elected.

Although appointment doesn't take the politics out of selecting judges, it does take a lot of the campaigning and fundraising away and minimizes conflicts or appearances of impropriety.

judicial independence

I am an appointed judge. I cannot fathom how an elected judge could be expected to remain neutral in a case where one of the parties was a significant contributor to his or her election. Also, I find it difficult to understand how elected judges could campaign without disclosing how he or she would be likely to rule on certain issues that could come before them.

Not even a close question.

RUNNING AN ELECTION BORDERS ON CONDUCT CONTRADICTORY TO OUR RULES OF PROFESSIONAL RESPONSIBILITY - REQUIRES REQUEST FOR FUNDS, WHICH MUST BE DONE BY OTHERS, BUT THE WHOLE AFFAIR RESULTS IN REQUIREMENTS THAT POLITICIZE A POSITION THAT IS SUPPOSED TO BE NEUTRAL - IT IS UNCOMFORTABLE AT BEST - A RETENTION ELECTION WOULD BE BETTER THAN A GENERAL ELECTION

The answer to this question depends on the type of judgeship at issue. Judges in specialty fields (i.e. Bankruptcy, Admiralty, Probate, etc) should always be appointed from among candidates qualified to practice in their specialized fields. This allows efficiency in proceedings as the judge and the parties will all be familiar with the applicable law and shorthand terms used in the field. General law judges can be appointed or elected, there are weaknesses in both methods. A reasonable balance may be a process where general law judges are appointed, and then subsequently stand for retention elections.

Appointing a judge takes the politics out of the job. Easier on the conscientious.

Both! I'm surprised this isn't an option. Appointed judges are insulated from voters whims, but elected judges won't stay in office if they're lazy or judicial activists.

Merit based selection far and wide better provides for fair and impartial judges unhindered by feelings of obligation to donors/contributors in a judicial campaign. Further, it keeps politics out of the judiciary.

## Should judges be elected or appointed?

Either system produces the same share of both excellent and terrible judges. There exists valid arguments for both systems but both involve politics in the selection process. You must either choose the politics of the few or the many

Election is the only way judges may ultimately be held accountable to and by the people they serve.

Either system has its advantages and disadvantages. In the end, I chose "elected" because I would rather put the issue in the hands of the voters rather than a bureaucracy. Both systems have availability for corruption. I wish there were more limits on the amount of money that can be spent on judicial elections. Right now, if you have enough family money you can buy a bench, in an election. If you have enough money you can also buy a bench in an appointed system, because you can contribute money to those elected officials that make the appointments. In the end, I have to trust the voters more.

The current political climate should remind us all of how independence of the judiciary and the perception of that independence is so critical to the rule of law. Although I know many of my colleagues in other states are elected and their character is beyond reproach, the perception of undue influence is harmful to the judicial branch as a whole. Recent comments I have heard that Supreme Court Justices and others on the federal bench should be elected are indicative of the perception that the election of judges allows the public to hold sway over judges and the substance of their decisions.

Getting judges out of the political arena by doing away with elections- whether by party or non partisan- can only lead to more impartial judiciary

let the people pick who will judge them

I believe it is the best system when it's done right with a bipartisan nominating committee made up of lawyers and non lawyers.

Judges should be appointed in a non-partisan manner.

An elected judiciary does very, very little to promote confidence among the public that we will be willing or able to protect the minority from the tyranny of the majority.

Although, I am elected, I believe that an appointed judge scenario is better as long as there is a retention vote. Unfortunately, either appointed or elected you have the potential for cronies or unqualified individuals getting onto the bench.

Elections make the judicial selection process too political. I believe that really compromises the perceptions of our impartiality.

I think judges should be elected but I don't think they should campaign!

Judges should reflect the communities they serve, which does not necessarily happen under an appointment system. Voters should be the ultimate decision maker.

Judges should not have a platform to run upon

Election by definition make judicial officers subject political pressure. The federal model provides more assurance of separation of the judicial branch from the legislative and executive branches. A judge should not have to consider the political fall out. S/he should only be focused on precedent and equity, if s/he has general jurisdiction.

I feel strongly that judges should overwhelmingly be hired based on merit. Elections are popularity contests that may usher in unqualified applicants.

## Should judges be elected or appointed?

Judges should be appointed to avoid having politics play too big a role. While politics never will be completely eliminated, appointment involves less.

Judges need to be held accountable to the public they serve.

The primary argument against elected judges is that they are subject to partisanship issues. However, my experience is that in practice the opposite is more true. My experience is that appointed judges are more likely to act out on their political bias because they are not accountable to being voted out for such. In contrast, elected judges know that, in general, the public expects the judge to be nonpartisan and to always act in an independent and judicially fair way. Therefore, if an elected judge lets his politics into his decision making, he has the reality he will likely not be reelected. I think this is especially true with the philosophy some judges have in that the Constitution is an "evolving" document. In short, that would mean that the law is subject to change as our "understanding" changes or becomes more enlightened. That ideology is ripe for judicial abuse as it can allow a judge's political leanings to influence his decision making instead of some objective standard of the plain meaning, or truth of the original intent and purpose, of the constitution or law.

I think we have better opportunity for having qualified judges when there is a bi-partisan commission process, made up of diverse individuals with expertise/experience in a given area of law where you have specialized divisions in the court. There has to be a process of accountability however, and retention elections may provide that balance. Finally, some systems perform best under a dual process that provides for screening of qualified applicants and an election process. However, to ensure the impartiality of the judiciary it would be beneficial to have public financing for such positions, and perhaps longer terms than 2-4 years.

Appointment takes some of the politics out of the equation. Fundraising for a judicial position is just so unseemly!

D.C. has a nomination commission that must submit 3 names to the appointing authority (in our case the President of the U.S., elsewhere it would be the governor). This has worked very well for over 40 years. It is a much better system than elections or naked appointment by the appointing authority. Judicial independence is essential; elections undermine it.

I believe there is greater diversity with elections. However, I'm beginning to think that a hybrid of the two would be the best choice.

There is no perfect system for selecting judges; however, I still think that the local voters should be the check and balance on the system. A judge that does not function well personally or professionally will always be replaced by the electorate. Might not happen when appointments are made on a more political level.

I was appointed initially and then elected every four years. I don't know that I could have competed against a good politician at the polls. We do have open elections in my jurisdiction. Occasionally we get a candidate who has more money than qualifications. Thankfully they rarely win but the thought of having some of these ideological candidates seize a judgeship by appealing to popular themes is frightening.

## Should judges be elected or appointed?

Appointment after a rigorous review process (as exists in some states, including Alaska) that includes public input with periodic retention elections thereafter works very well and strikes a fair balance between depoliticizing the bench and yet allowing for significant public involvement (especially in the retention process).

Judges are to be independent and not beholden to anyone, especially people or entities which help them get elected.

elected in counties. appointed for state wide positions on appeals courts

Certainly, if provided for in their state constitutions.

In order to maintain an independent judiciary judges need to be non-partisan and attain the bench in a manner other than political appointments of the executive and legislative branches, which by their nature are partisan. Open elections obviously benefit the wealthy or those with access to financial backing, and the introduction of dark money into the election process has made all of us elected judges and those subject to retention elections sitting ducks. Elections are not perfect, but until someone comes up with a non-political appointment process and a more efficient way to remove judges from the bench that should not be there, elections will have to suffice.

I think appointment with voter retention is the right way to go. It ensures that politics stay out of the selection process but allows the voters to vote against retention if someone is not doing a good job.

The qualification and experience of a judge is vital to his/her appointment. Also, the temperament must be considered. Conversely, the election of a judge is more of a popularity vote. It does not consider the judge's overall experience, decision making, and temperament.

We are one of the few counties in Kansas that are elected. Another county typically has multiple election races and they spend a considerable amount of money. Guess we realize where the funds come from.

Your question does not give the option of a system like the State of Colorado has. In Colorado, the judges are appointed for an initial term of 3 years and then the voters have the opportunity to decide if the judge should be retained. If the judge receives a favorable vote, then he or she is reappointed for a term of 7 years. I do like the system, but if I have to choose I would select appointed. One unpopular decision by a judge, even though it was a fair trial and follows the law, can get him or her voted out of office. An appointment process relieves some, but not all of, the politics.

FOR OPEN SEATS: Elected after being rated by a judicial rating committee.

The goal is qualified, fair, independent judges. Elections work against this goal.

The judiciary should be free from political retribution in performing its duty.

The judiciary should be a meritocracy, not a popularity contest subject to fundraising.

Both have their advantages and disadvantages however as a bottom line I trust the people to pick more than the politicians

## Should judges be elected or appointed?

Hybrid appointment. 50% appointment, 50% lottery and hybrid appointment. Election bring into play politics, money and the appearance of quid pro quo. On the other hand appointments open the door to favoritism and nepotism. I think that there should be some appointments and a lottery. Objective qualifications crafted to be in the judicial lottery should be established such as, licensure, number of years practiced, specialty if any, etc., similar to the qualifications for presidency. This allows for a diverse group of judges (not just prosecutors) to be selected based upon the criteria crafted. Then once the lottery is finished then the subjective interviews are held. Not based upon factual evidence of the objective criteria but more towards judicial demeanor, bias, judicial qualities, etc. The judicial lottery should also include a locale component so that judges are selected from diverse communities.

First, candidates vetted by an impartial committee. Next, names sent to executive office to choose.

Trial judges should be elected every 4 years; Appellate judges should be appointed with 6 year retention ballots; Supreme Court Judges should be appointed for life. The more red the state, the greater need for life tenure.

Improves accountability.

The role of a judge requires an individual to intellectually and dispassionately discern the facts and to faithfully apply the law according to those facts. Elections undermine confidence in the judiciary as it is impossible not to assume that elected judges may feel beholden to the undue pressure of a vocal and/or powerful constituency. Elections create an inherent conflict of interest for a judge when called upon to make an unpopular decision.

I am an elected judge on a partisan ballot about to run for my third term. This is no way to obtain a judge. Other than party affiliation and incumbency, voters have little if any clue as to the merits of a particular judge or candidate for a judgeship. It would seem to me that merit selection and retention election would be the better alternative.

I am an appointed Judge. In this state the Governors have been very good not to let partisan politics or specific issues influence appointments. Concern about ethics of fund raising in elected judges jurisdictions.

The election of judges can and will result in a significant erosion of judicial independence. The public should not have to worry about lady Justice losing her objectivity during election season by peeking out from under her blindfold to see which way the political winds are blowing, especially in times when political leaders have decided they may gain political advantages by being critical of dedicated public servants who serve the judicial branch.

Appointed judges are carefully vetted through selection committees and input is obtained from numerous sources involved with the judicial branch. They therefore tend to be consistently better qualified and not beholden to the special interest groups responsible for putting and keeping them in office.

Elected Judges must solicit money from contributors (via a sham committee) and are potentially tainted and beholden to contributors.

## Should judges be elected or appointed?

Our founding fathers had it right by appointing federal judges rather than subjecting them to elections. Appointments are political but having the political influence at the front end of the process at least insulates judges from political influences down the road that might actually affect their judgments. I have seen far too many judges issue rulings based upon considerations of how that judgment will impact upon their chances for re-election. Considerations of politics should never enter into judicial decision-making. Politicians should agree on a bi-partisan appointment committee with representatives from the bar, the community, and other sectors to make appointment decisions. While that process is not perfect, it safeguards the candidate once they are a judge from political influence. Having to campaign every term and raise money from lawyers and others corrupts the process. Judges should not have to seek financial support from any players in the system or in the community. Work on fine-tuning the appointment process to make sure it is open and accessible to all sorts of candidates and that it is immune from control by one party or the other. But take the politics out of the process of judging completely.

Appointed is way more of a political game.

After a fair and unbiased, lol, process. A thorough process that the public can participate.

My vote is based on the assumption that judicial candidates would be thoroughly screened by an impartial, nonpartisan committee, and that the governor would be obligated to select from those candidates recommended by the committee.

Merit selection brings greater diversity to the bench than both partisan and non-partisan elections and encourages exceptionally well qualified individuals to apply who otherwise would not.

With a retention vote every so often (6 years) the appointment of judges creates balance reduces the inherent conflict created by electing judges.

Judges should be independent of all political pressures and base their decisions on the facts and the law rather than popular opinion.

In some states, the governor and the legislative body are far too political to be making decisions about justice; they both favor friends and seek revenge on those in opposition. Too often, the vast majority of the people want one thing, but the elected officials who would nominate and affirm judges are obligated to vote a certain way in order to get their own legislation passed. Let the people decide!

Promises to the people are too easy to give up when elected.

Elections cost money. Any time there's money involved there's always the question of impartiality and whether or not a campaign contribution influenced or appeared to influence a judge's decision.

## Should judges be elected or appointed?

Appointed judges go through a vigorous vetting process. Although the appointment process is not perfect and give better chances to those who have the right political connections, it is still a far better process than through election. Whereas, with an election, the public is not necessarily well informed about the candidates and the individuals with money for slates and mailers tend to come out ahead. Also, with an election process, the judicial position become politicized. Judicial candidates are often called upon to take positions on issues (e.g. abortion, gun control, death penalty...etc) that judicial candidates should not ethically give. Unless and until there is a method in which judicial elections are not politicized and a campaign limit is placed on the judicial electoral process, the appointment method is by far more superior.

Why should Judges be above democracy?

Both are the same, the only difference is the size of the electorate.

With appointments allowed for midterm vacancies. Limit on campaign contributions would be nice. Let the people decide not well funded PAC's.

it depends on the jurisdiction and what is important to the citizens of that community

This is complex but I feel that a combination of appointment with some political accountability is appropriate. In my state, the Governor has the ability to fill most vacancies by appointment; however, the new judge must then stand for a retention election. Additionally, judges must run for re-election every six years. I believe this system -- when combined with strict, non-partisan judicial ethics rules that apply to any electoral candidate for the position -- is the best I have seen. I am interested to see the opinions of my colleagues and to learn more about what the best system might be.

Judges are to be neutral. Why do persons running for justice of the peace have to run under a party affiliation? It gives an appearance of impropriety I believe. Doesn't the judge have to serve all people? in a voting ballot, why is the Superior Court judge not under a party affiliation like a JP is?

I can't imagine being an elected judge, with the attendant contested elections, necessary fundraising and related realities. Merit based commission/appointment/retention seems to me to be best suited to result in qualified judicial applicants, and to minimize the political parts of the process.

I believe if you are elected, it would be difficult to be fair and neutral or at least have the perception as such for those that donate to your campaign.

I can see negatives inherent in either method. As an Associate Magistrate for an elected Chief, I can tell you definitively and with MANY concrete examples in support of my position, that at least in my experience, the elected "politician Chief" was not truly or properly interested in any concept even remotely resembling "justice" wherein certain "protected" individuals (including family/extended family) were concerned. The result being repeated egregious and otherwise inexplicable miscarriages. The holding of office became nothing more than a quid pro quo popularity contest having no semblance of judicial ethics adherence behind the public facade.

## Should judges be elected or appointed?

The electoral process allows an uninformed electorate to vote on candidates based on opinions shaped by marketing campaigns and campaign contributions from special interest groups.

Appointed with a retention election.

Judges of state and appellate jurisdiction should be elected. Judges of limited jurisdiction such as municipal court and juvenile court should be appointed.

Elections inject politics into the judicial process, which leaves many with the feeling that justice isn't blind. By having to worry about being re-elected, judges may make decisions that will receive majority support, not that actually serve the greatest good. Also, elections require money; money means seeking donations; donations leave the impression that judicial decisions can be bought.

An elected judge will be known by the community and will likely know his/her history as a community member as well as legal experience.

While both systems have issues, an appointed bench from which applicants are vetted by an independent merit-based selection/retention process is preferred over a system which incorporates all of the political aspects of the election process, i.e., fundraising, campaigning, advertising, potential & actual conflicts of interest, as well as, perceived & actual impact on independent judicial decision-making, etc., ..... Although the appointing authority, either the governor, chief justice or some other independent body, is perfectly entitled to make the selection which may not be entirely free from political influence, the candidate selected nonetheless will have come from a list of applicants deemed qualified for judicial office based upon the breadth & quality of their legal work, their demeanor & temperament, as well as, other relevant personal and professional traits.

Difficult question without more information but on the whole they should be appointed with a term-limit of some duration in the order of 20 years; lifetime appointments are not a good thing for too many reasons to list here. Caveat - courts of limited jurisdiction, where attorneys are not required, should have an initial non-partisan election with retention elections and term-limits.

Elected amounts to a Judge running in a popularity contest. A true appointment process should include testing and interviews to determine the candidate's qualifications.

Elected. It's my understanding that if appointed, there is a fee involved for slating. That's the "all about the money" problems we have in politics today.

Accountability. Too political if appointed. Non-partisan elections give the candidate and the public the ability to assess qualifications. Either way, a not-so-qualified person could get the job.

According to our revised Yakama Nation Law and Order Code - they are appointed either 2 or 4 years depending on the Yakama Tribal Council.

I prefer election. The same clowns running our state and local government in the grounds would be appointing our judges. They would run our judicial system in the ground as well.

Until someone can show me a system exists that does not involve politics (the politics of popularity, professional allegiance or partisanship) I say let the voters decide. They are the ones that will have to live with the result.

## Should judges be elected or appointed?

subject to retention election (i.e., the Missouri Plan)
Appointed
But only if the appointment is made by a politically neutral body which includes judges, lawyers and those who work in the justice system. Appointment involving governors or legislators is not effective. In the absence of a politically neutral selection system, election is required.
But only in nonpartisan elections. (Partisan elections are the worst form of judicial selection system.)
I have been appointed for life, with no retention proceedings. Having now attended several NJC course with judges who must stand for election over and over again and therefore are forced to conduct campaigns, I cannot understand how any state can support a system which embodies a constant threat to the independence of its judicial officers. I am so grateful for my appointment and for my state's appreciation of the importance of a truly independent judiciary.
Since state judges are involved with the general public, it is right and appropriate that we are elected, not appointed. It's also a good check and balance of judicial power and authority.
Appointed after a rigorous review process by a nonpartisan council, then subject to periodic retention elections.
after going through the Judicial Nomination Commission process.
I believe they should be appointed, but subject to a yes or no vote for retention every 4 years.
By groups capable of selecting judicial traits and qualities.
Whether it is by appointment or by election the process is political.
Appointed but stand for retention by election. Appointment, is frequently viewed as "political" but the vetting process is typically better than an election process for a first-time judge. However, because judges at the state level are not appointed for life, reviewing the judge's performance in a retention election is probably a good idea.
The appointment process is a significant protection against judges being beholden to any person or group of people who have assisted in their election and to allow them to make their decisions unrestrained by the fear of public disagreement with an outcome. Those terms ought to be lifetime (or age mandated) for the greatest protection.
This is a bad survey question. Each has its merits and each has its issues. Also, each situation (appellate, trial, small claims, traffic, etc) may call for a different selection method. Smaller voting districts seem to do fine with elections. Larger ones - not so much. Also does nothing to differentiate what kind of appointment - executive, commission, legislative, other.(?)
Depends on the level of judge. It should always be non-partisan. Judges of limited jurisdiction courts should be elected if serving multiple precincts (cities). Judges of Court of Record should be appointed.
A system of appointment with electoral "retention" is the best.

## Should judges be elected or appointed?

Anyone can be appointed. I don't care if you're a democrat, republican, independent, people has a right to elect any official who they think can do the job.

Appointed and stand for retention

Through a rigorous examination and qualification process with two steps: an appointing authority (can be governor, a body, a judicial commission) and then a confirmation process (legislative body) with a one year probationary period or for a term of years (10 years and re appointment process).

Appointment is a political process. The public knows nothing about the judge who is appointed. However, running a campaign is an arduous process and could dissuade legitimate candidates. There really is no good system for the path to the bench. Both options have their negative pitfalls.

My thinking on this issue has evolved, I now believe a modified Missouri plan is best--this allows voters some input, while limiting the need for judges to campaign for retention.

It is absolutely necessary to maintain an independent branch of government not controlled by ALEC, the Koch brothers or any other extremists with the money to buy election results and elected officials.

Election of judges is the worst way to pick them...except for every way else...

Ideally, all judges should be elected. Practically only trial court judges should be elected, because they are closest to the people they serve, and intermediate appellate judges should be elected, because they operate in a rather invisible sphere; and, at both levels, so far money has not usurped the people's will. However, because expenditures by third parties have taken the votes away from the citizens of the state, state supreme court justices should be appointed by a nonpartisan commission based on merit.

It is understood that both have political ties. However, elections, as we have just seen have built in issues that should be avoided at all costs.

Appointed after bi-partisan - Non-partisan judicial nominating committee screens thoroughly.

Transparency and having input from the public and legal profession in an application process is more fair and mitigates the favoritism of a political appointment. At least those making the short-list under the Missouri model are qualified. Judicial elections have devolved into politics and special interests and the money that comes with them. The same negatives associated with non-judicial elections spill over (uninformed, voter bias, PACs) and judicial candidates are limited in how they can respond. Qualifications should be more than having a pulse & a bar license and paying the filing fee. A highly qualified felony court judge in a busy urban court with many years of experience -- but a Hispanic surname - ran for the highest appellate court in the state. His sole opponent was a white male attorney who had very little experience even as a lawyer, but had a generic Anglo-Saxon surname: He won in the conservative rural areas of the state.

both

Appointed -- but with safeguards like in Alaska, where an independent council evaluates candidates and sends at least two of the most qualified candidates to the governor, and where judges stand for retention before voters at least every four years.

## Should judges be elected or appointed?

The method used in a variety of states which provides for referendum seems like a reasonable compromise for State Court Judges if appointment is not accepted. That reduces the political nature of the position, although not totally eliminating that aspect.

Appointed but re-elected under "Missouri Plan"

They should be appointed as long as the appointment system is one that screens judges based on merit and not political affiliation loyalty to the appointing authority.

Both the election method and the appointment method of selecting judges have drawbacks. Appointing judges often means that political contributions to the party holding power "count" more than merit, and that judicial seats may go to the highest contributors. On the other hand, electing judges means that candidates must campaign for office, often in contested elections. Judicial candidates may be tempted to announce their positions on issues or topics - something judges are prohibited from doing in many cases due to the canons of judicial ethics. Overall though, I believe appointment is the better method of selecting judges, provided that they are not lifetime appointments, and are subject to periodic renewal, or challenge.

Election of judges adds the unwanted spectre of political partisanship, implies judges decide cases based on political affiliation, and feeds the misconception commonly described as "activist judges." The election process also automatically creates an appearance of impropriety due to the perception that elected judges will somehow be beholden to their electorate. Election of judges utterly denigrates the independent and impartial mandate on which judges assume the bench.

All appellate judges should be appointed. Trial judges should be appointed also. However, if judges must run for election, it should be completely nonpartisan with no association with any political party.

If judges were only appointed then I myself an African American female would not have had the opportunity in a predominantly white male political environment. Judges would not be as independent when having to rely on political appointment. There is no way to control the politics of such a system. And, judges who do not care for the public but only the position can surface.

I believe in merit selection, which means an appointment should be based upon the candidates qualifications, not political expediency.

by a non-partisan committee

I really it should be both as it is here in Florida. Once a judge is appointed he or she must run in the next general election (however not sooner than 1 year). However, minorities face a great hurdle in elections because of the costs. It's a mixed bag. I also feel that the appointed judges face less ethics complaints than the elected judges.

Whether elected or appointed, the term should be 12 years or more in order to assure judicial independence

## Should judges be elected or appointed?

I have been on both sides of the appointment process (appointing authority and appointee). There are arguments on both sides, but I can say that the appointment process is much more "political" than the electoral one. So, I think arguments can be made for each. Simply, I don't think it matters much which system is used. This argument has continued for 241 years and is bound to continue into the future.

Judges should not be politicians and should not campaign. Each presents both the appearance and the real possibility of ethical problems that should be avoided.

I lean to appointment. Ten years ago I would have said elected. However, I have watched a colleague make a mess and he is elected. He flat out says he will do what he pleases and say what he pleases until someone stops him. He treats staff and public terrible. Because he is elected the City does nothing. That is why I now lean towards an appointed judge.

Actually, I like the Israeli model. Lawyers go to school to become judges. They then start at the bottom rung of the ladder, and advance up the ladder based upon their performance. No politics involved at all!!!

Leads to potential conflicts and the appearance of conflict due to the money injected into judicial election campaigns.

The appointive process allows the consideration of professional qualifications. However, the appointments should be made by an elective executive (Governor, President) to ensure input from the people.

There really is no clearly ethical way for judges to raise money in a campaign, an absolute necessity.

Appointments are too easily controlled by the political whims of the appointing entity. This leads to judges more prone to rule on ideology and not the law.

Neither process is perfect, but in my opinion the electoral process has greater flaws. I think a comment made in response to a sentencing hypothetical I pose during a class I was teaching at the college clearly supports my position. That question asked what sentence the participants would impose in a case with considerable political implications, and the candid response by one of the participants was "how close to the next election was the sentencing being imposed".

Non-partisan election. Give the people the power to elect their judges, but without the political identification. Making judicial candidates identify with a political party is anathema to the ethical obligations of judges. If political partisanship plays no role in the judicial function, why do we require it of a candidate for judicial office?

Local and state bars need to educate the public on how to evaluate candidates' qualifications and performance. Candidates and judges likewise need to remain mindful of the threat voters pose to our judicial process.

Our state Constitution requires election with appointment as a means to fill a vacancy. Voters must retain judges after that by vote on the general ballot. Appointments can be just as political as elections but do not allow the public to vet their candidates. Judicial campaigns should be kept as a-political and nonpartisan as possible and yet allow the people to decide.

## Should judges be elected or appointed?

Appointed for a significant term with the possibility of re-appointment(e.g. U.S. Magistrates). Appointment by the chief executive officer following nominations from a Bar/Business/Citizens committee and thorough background investigation/vetting.

Bi-partisan nomination with retention vote at reasonable intervals after appointment.

I firmly believe we must leave this up to the people - The people want to play a role and do their civic duty.

Merit selection is the best way to ensure a respected,qualified judiciary Most important in these times of judicial bashing

the people need to elect, not just a selected hand full of people that may not have any concept of the workings of the justice system. Also make the judges possession a non partisan possession.

The overwhelming majority of the public has no idea of either who their judges are or what they have done over all. It is awkward at best and unseemly for judges seeking re-election to be forced to fund-raise and perhaps pander to the public. A properly politically- balanced (neutral/independent) appointing authority process can properly vet the best-qualified individuals for appointment to the bench.

Appointed with retain/don't retain on the ballot at general elections. In Wyoming (Missouri plan) we were able to disapprove two district judges and a supreme court judge whom we thought temperamentally unsuited to their positions. System worked well. In Montana, we have the sickening spectacle of partisan big-money ads trying to pack our courts with judges who will decide cases on ideology over the rule of law. Judges should never have to raise campaign money or go about speechifying to retain their seats. Fair and impartial judges are at a disadvantage when opposed by big money's dirty politics and bumper-sticker slogans that take five minutes careful explication to refute. Prominent are ads excoriating a judge for coddling a criminal when she was upholding the Constitution against improper acts by law enforcement personnel. Both systems have their vices, but the problems with appointment and retention ballots are not as severe as those of pure elections.

Politicians are even less trusted than the judicial system. Why add to the skepticism? Let the people "Jude".

There are both identifiable and less obvious pressures on the judiciary....fundraising and the campaign are , in today's world, unjustifiable risks to the independence of the judiciary and create an indisputable appearance of impropriety. The other two branches of government provide more than adequate "public impute."

I've been elected and appointed and see the benefits of both. However, in a system where there is a well-respected commission that vets nominees and passes those names on to the Governor for appointment, you will end up with only the most well-qualified individuals. Elections are not as effective for the judiciary because the electorate is not as informed about Judges and Judges are prohibited from giving too much information about their beliefs. Judicial races are much more susceptible to being decided based on non-meritorious criteria such as race, sex, 1st on the ballot.

The Appointed Judges in my State have much fewer incidents of complaints then the Elected judges.

## Should judges be elected or appointed?

As an appointed judge in a tribal court setting, allowing the membership to elect judges would give the larger membership an opportunity to provide a vote of confidence and also prevent the tribal court judges from being beholden to the elected body.

An appointed judge system would work well as long as the candidates are well vetted by the local or state bar association and appointed in compliance with their recommendations and away from politics as much as possible.

Although political....still more Independent than appointment

With a retention vote thereafter on a regular basis.

No system is perfect. I am an elected judge and I dread the stress related to an upcoming filing period and potential election. But since there is no way to avoid the potential issues associated with an appointment for a political or personal motivation i believe and have faith in the electorate process.

But it depends!

Merit selection is important. It is much better than having the ability to raise money for a campaign or having name recognition to win an election.

Not enough of the voting public have any ideal who they would vote for. I believe less that 10 percent vote when there are election for county court judges.

Elections do not allow for judicial autonomy in decision making. When an unpopular decision is made, although legally correct, the judicial officer who must worry about being re-elected may not make the legally correct decision. The appointing authority must be legitimate and non-partisan and the removal/retention practice must be robust.

I am elected and feel it puts you in an akward position to ask people for money or support and then see them in Court.

through appropriate process - nomination committee - backgrounds etc. -

Several states have systems in place to shield the process from being overly political. Judges who are elected and who depend on campaign contributions and votes to be reelected will always have the appearance of a conflict of interest.

I vote this way with great reservations. Now that dark money is insinuating itself into judicial elections, I am rethinking this. But overall, I think elections are cleaner than appointments. There is no way to take the politics out of appointments. Non partisan elections still work better.

I trust the people more than I trust the politicians.

Based on recocommendation of a non-partisan selection commission.

Judges should be appointed after a judicial appointment committee makes recommendations for potential gubernatorial appointment, but all so selected and appointed judges should stand for a non-partisan retention vote on each successive term.

I have no problem with electing judges on a local level, but I think statewide appellate judges should be appointed. The electorate seems indifferent to these races, and they cost tons of money, which places judges and candidates in the untenable position of raising funds.

Appointment is more inherently political than election....just different group of "political". At least election is a form of safeguarding the process.

## Should judges be elected or appointed?

<p>Elected judges are subject to political pressures. A system of appointment with periodic retention votes, as in Colorado, assures an independent judiciary.</p>
<p>Iowa has a system in which judges are nominated by a commission and the governor chooses between the nominees. I believe this system supports the selection by merit and has served our state well.</p>
<p>I like the citizens having the opportunity to vote/elect their representatives.</p>
<p>A layer of discretion by an appointing entity, which itself presumably was created by elected officials, adds a check on the volatility of pure democracy.</p>
<p>Judicial elections are very bad for the judicial system and for society at large. Appointing judges is a much better way to go.</p>
<p>Appointed, but with security that the legislative or executive branch cannot remove a judge solely because of the dominant party's political philosophy. Appointed judges should be subject to a fair and impartial review process that is free from political meddling.</p>
<p>both was not an option, but I think both.</p>
<p>I believe the appointment of judges leads to greater involvement with politics. In a small county, it is easy to campaign on appropriate judicial issues like case management and temperament, and leave partisan politics out of consideration for purposes of election. If I had not run for office 19 years ago, I would not be a judge today. I have no strong connection to a political party, and I would have been overlooked as a woman of 35 in a pool which included 5 other candidates, all male, ages 48-50, running in the two primaries for an open seat.</p>
<p>There is simply no way to cure the bad perception raised by fundraising among lawyers who appear before judges running for re-election.</p>
<p>Most of the general public do not know anything about the Judges backgrounds or views to make an informed decision on who to vote for. I see this time and time again in the state I live in. Although politically fueled, I still feel it would be in the best interest of justice to appoint Judges. To be appointed, the judges should not be allowed to make any political contributions to those who appoint.</p>
<p>Elected. With all its faults, public election is still the best way to insure accountability. Public election also raises the level of trust people have in their judges.</p>
<p>Judges shouldn't have to enter the political world. They should be independent and not have to go on a campaign to persuade voters as to what or how they would rule in particular situations.</p>
<p>Depends on the level of judge too.</p>
<p>An election for judges would be generated by the biggest family vote.</p>
<p>There is a clear need to keep politics and party influence out of the Judiciary.</p>
<p>Makes little difference: If elected, they are subject to the political pressures of the voters and political parties. If appointed, they are subject to the political pressures of the politicians and political parties. Either way, judges just have to do the "right thing" and hope they're not ousted for doing so.</p>
<p>Judges must be allowed to stay above the political fray and be beholding to no one, but lady justice.</p>

## Should judges be elected or appointed?

It is the only way to defeat the corrupt legislatures and governors appointing unqualified judges.

Elected, at least at the state court level. Perhaps replace the regular contested elections with retention elections after someone has initially been elected.

Appointed thru a non-partisan process, along with retention elections and substantive juridical evaluations reports.

Trial court level. Appellate & Supreme Court should be appointed.

I am an elected judge. People voted for me because they liked my smile, my signs, or knew someone who recommended me. Many voted for me because they knew me, too. Ethical limitations on campaigning make it difficult for voters to vet judicial candidates. I was nominated the year before I was elected. The nomination process is rigorous and appropriate for vetting judicial candidates.

Campaign financing at all levels is out of control and puts judges in difficulty in fundraising.

but if not, then the Missouri plan