

Judicial Selection Reform in the States: 2009 Trends and Initiatives

State	Issue	Forum	Proposal	Current Practice	Status	Information
IL	Public funding of judicial elections; disclosure of campaign contributions	State Assembly	<ul style="list-style-type: none"> • IL H.B. 7: Creates a Public Financing of Judicial Elections Task Force to assess the need for developing a system of public financing for judicial elections 	<ul style="list-style-type: none"> • Judicial public financing passed the Illinois Senate in each of the last three legislative sessions, but has never been called for a vote in the House • In 2004, groups spent a combined \$9.3 million in 5th Judicial District in most expensive statewide Supreme Court election in national history 	<ul style="list-style-type: none"> • IL H.B. 7: 6/30/2009 Sent to Governor for signature (5/31/2009 Passed both houses) • Task force to submit report to Governor, General Assembly, and state Supreme Court by 1/1/2012 	<ul style="list-style-type: none"> • IL H.B. 7 (See Amendment 2)
NV	Judicial selection	State Senate	<ul style="list-style-type: none"> • SJR 2: Creates merit selection system for Supreme Court justices and district court judges; requires retention elections for sitting judges 	<ul style="list-style-type: none"> • State holds nonpartisan elections for Supreme Court and trial courts 	<ul style="list-style-type: none"> • SJR 2: 5/22/2009 Enrolled and delivered to Secretary of State 	<ul style="list-style-type: none"> • SJR2 (as enrolled) • Bill history
NC	Judicial selection	State Assembly	<ul style="list-style-type: none"> • H.B. 414: Creates merit selection for judicial vacancies on state Supreme Court and courts of appeals 	<ul style="list-style-type: none"> • State holds partisan elections for Supreme Court and intermediary appeals courts, and nonpartisan election for trial court judges 	<ul style="list-style-type: none"> • H.B. 414: 3/5/2009 Referred to House Committee on Rules 	<ul style="list-style-type: none"> • H.B. 414
PA	Judicial selection	State Senate	<ul style="list-style-type: none"> • S.B. 860: Creates, by means of constitutional amendment, merit selection system for appellate courts in the state; provides for Appellate Nomination Commission as well as for retention elections 	<ul style="list-style-type: none"> • State holds partisan elections for intermediate appellate courts 	<ul style="list-style-type: none"> • S.B. 860: 5/11/2009 Referred to Senate Judiciary Committee 	<ul style="list-style-type: none"> • S.B. 860
PA	Judicial selection	State Senate	<ul style="list-style-type: none"> • S.B. 861: Creates 14 member Appellate Court Nominating Commission; specifies composition of commission 	<ul style="list-style-type: none"> • State holds partisan elections for intermediate appellate courts 	<ul style="list-style-type: none"> • S.B. 861: 5/11/2009 Referred to Senate Judiciary Committee 	<ul style="list-style-type: none"> • S.B. 861

Judicial Selection Reform in the States: 2009 Trends and Initiatives

State	Issue	Forum	Proposal	Current Practice	Status	Information
TN	Judicial selection	State Legislature	<ul style="list-style-type: none"> • S.B. 1573 (H.B. 1448): Creates new judicial nominating commission (effective July 1, 2009) and takes away the mandated appointments from the state bar association and other various attorney groups across the state that had been integral to the previous nomination system. 	<ul style="list-style-type: none"> • <i>Through June 30:</i> Judicial nominating commission consists of 17 members: 8 appointed by speaker of senate, 2 drawn from a list submitted by Tennessee trial lawyers association, 3 from a list submitted by Tennessee association of criminal defenders, 1 non-lawyer, and 1 lawyer not nominated by a group. 	<ul style="list-style-type: none"> • S.B. 1573: signed into law by governor 6/25/2009; effective 7/1/2009 • Accepting applications for new 17-member judicial nominating commission through 7/31/2009 	<ul style="list-style-type: none"> • H.B. 1448/S.B. 1553 • Related Press: Chattanooga Times Free Press (7/8/2009)
WV	Judicial selection	State Assembly	<ul style="list-style-type: none"> • H.B. 3309: Creates a system for public funding of election campaigns for candidates for the West Virginia Supreme Court of Appeals; candidates would have to abide by both restrictions on campaign contributions from private sources and limits on campaign spending 	<ul style="list-style-type: none"> • State currently lacks public financing for judicial elections; H.B. 3309 would add entirely new provisions to state election code 	<ul style="list-style-type: none"> • H.B. 3309: 5/31/2009 Session ended without bill's passage 	<ul style="list-style-type: none"> • H.B. 3309 (introduced version)

Judicial Selection Reform in the States: 2009 Trends and Initiatives

State	Issue	Forum	Proposal	Current Practice	Status	Information
WI	Public funding of judicial elections; disclosure of campaign contributions	State legislature	<ul style="list-style-type: none"> • A.B. 63: Increases disclosure requirements for individuals or organizations engaged in electioneering communications within 2 months of an election • A.B. 65: Creates public funding for judicial elections • S.B. 221: Modifies certain public finance and disclosure requirements; expands definition of political communication in context of judicial elections 	<ul style="list-style-type: none"> • Current Wisconsin law does not explicitly characterize communication as political if it mentions any candidate by name within 60 days of election • Limits can be imposed on candidate spending or campaign funds only if candidates accept government funded grants (See Wisconsin Election Campaign Fund) 	<ul style="list-style-type: none"> • A.B. 63: 6/16/2009 Executive action taken; 5/27/2009 Public hearing held • A.B. 65: 6/16/2009 Executive action taken; 5/27/2009 Public hearing held • S.B. 221: 5/26/2009 Sent to Senate Judiciary Committee 	<ul style="list-style-type: none"> • A.B. 63 • A.B. 65 • S.B. 221 • Related Press: Wisconsin Lawyer (4/2009)