

Testimony before the House Committee on the Judiciary

NAME: Joseph Nicholas

TITLE: Private Citizen

BILL NUMBER: SCR 1611

PROPONENT, OPPONENT, or NEUTRAL: Opponent

ORAL or WRITTEN ONLY TESTIMONY: Written Only

DATE OF HEARING: March 13, 2025

Chair Humphries & members of the committee,

Thank you for the opportunity to submit testimony in opposition to SCR 1611. My name is Joseph Nicholas, and I am a Kansas resident. I strongly oppose this resolution because it is a blatant power grab designed to politicize our judiciary, retaliate against Kansans for exercising their constitutional rights, and undermine the integrity of our courts.

A Direct Attack on Judicial Independence

SCR 1611 seeks to eliminate Kansas' merit-based judicial selection process and replace it with partisan elections or political appointments. This change would strip our courts of their impartiality and subject judicial decisions to the influence of political donors, party bosses, and special interest groups. Our judiciary exists to uphold the rule of law, not to serve as an extension of any political party's agenda.

Kansas' current system ensures that judges are selected based on qualifications, experience, and legal expertise—not political loyalty. By moving to a partisan model, SCR 1611 would make our courts more vulnerable to corruption, backroom deals, and pressure from political operatives who prioritize ideology over justice.

Retaliation Against Kansans' Constitutional Rights

This resolution is not about improving the judicial selection process - it is about punishing Kansas voters for standing up for their rights. In recent years, our courts have protected:

- **Reproductive Freedom** - The Kansas Supreme Court ruled that our state constitution protects a woman's right to make personal healthcare decisions. Voters reaffirmed this in 2022 by rejecting a constitutional amendment that would have eliminated those protections. SCR 1611 is a clear attempt to stack the courts with partisan judges who will overturn that precedent.
- **Voting Rights** - Our courts have played a critical role in blocking voter suppression efforts that make it harder for Kansans to cast their ballots. Moving to a politically controlled judicial

selection process puts these protections at risk.

- **LGBTQ+ Rights & Civil Liberties** - The judiciary has ensured equal treatment under the law for all Kansans. A partisan takeover threatens hard-fought civil rights and opens the door to discriminatory policies.
- **Public Education Funding** - The Kansas Supreme Court has repeatedly upheld the state's constitutional obligation to fund public schools adequately and equitably. This resolution aims to install judges who will rubber-stamp cuts to education and undermine our children's future.

Kansas voters have repeatedly shown that they want a fair and independent judiciary - one that upholds constitutional rights, not political agendas. SCR 1611 is a direct assault on that principle.

Judicial Elections Open the Door to Dark Money & Special Interests

In states that have moved to partisan judicial elections, we have seen a flood of dark money from outside groups trying to influence judicial decisions. Special interests, corporate lobbyists, and extremist organizations will pour millions into campaigns, turning our courts into political battlegrounds rather than places of justice. Kansas should not follow this dangerous path.

Conclusion

SCR 1611 is nothing more than an attempt to consolidate power and dismantle judicial independence in Kansas. It is retaliation against voters who have spoken loudly and clearly in favor of reproductive rights, voting access, LGBTQ+ protections, and education funding. The people of Kansas deserve fair, impartial courts that uphold the rule of law - not partisan judges handpicked to serve a political agenda.

I strongly urge this committee to reject SCR 1611 and preserve the integrity of our judicial system.

Thank you for your time and consideration.

Sincerely,

Joseph Nicholas
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