



Chair Thompson and Members of the Committee,

We appreciate this opportunity to submit **proponent testimony for SCR 1611 - Giving Kansans the Right to Choose State Justices**, which proposes the direct election of Kansas Supreme Court justices, abolishing the nominating commission and allowing justices to engage in political activities, with elections starting in 2028 and occurring every six years. We hold the following position on SCR 1611:

1. Kansas Has a Unique but Elitist Judicial Selection System
2. There is Public Support for Judicial Elections
3. SCR 1611 Restores Accountability, Transparency, and Public Trust

Kansas Has a Unique but Elitist Judicial Selection System.

Kansas is one of the only states in the nation where a small, unelected group of attorneys holds outsized influence over the selection of our state supreme court justices. Under the current system, a lawyer-dominated nominating commission selects candidates in a process primarily shielded from public scrutiny. The Governor then appoints justices from that list with no legislative oversight. This system:

1. *Limits Voter Input* – Kansans have no meaningful say in who sits on the highest court in the state.
2. *Encourages Judicial Activism* – Justices, unaccountable to voters, are free to make sweeping policy decisions that should be left to the legislature.
3. *Creates a Power Imbalance* – The judiciary wields significant influence over state policy yet faces no direct democratic check.

There is Public Support for Judicial Elections.

Polling consistently shows that Americans favor electing state supreme court justices over appointment-based systems. An American Justice Partnership Foundation survey found that most respondents prefer judicial elections, underscoring the public’s desire for direct involvement in selecting their judges. Similarly, a Kansas poll estimated that 67% of Kansas voters favor direct elections of Kansas Supreme Court Justices.

Given this strong public support, it is time for Kansas to align with the majority of the public that trust themselves to choose their judiciary.

SCR 1611 Restores Accountability, Transparency, and Public Trust

SCR 1611 proposes a constitutional amendment giving Kansans the right to directly participate in selecting their state supreme court justices. By supporting this resolution, you will:

1. *Enhance Accountability* – Justices will be answerable to voters, not a closed-door commission.
2. *Restore Checks and Balances* – The judiciary will be less likely to overstep its role if it is subject to democratic oversight.
3. *Align Kansas with National Best Practices* – Twenty-four states elect their supreme court justices, with 14 states using nonpartisan elections. This approach ensures direct accountability to voters, aligning judicial selection with democratic principles.

This is not a partisan issue; it is a **fundamental question of self-governance**. Kansans deserve the same rights as citizens in other states, who have a direct say in who interprets their laws.

I urge this committee to advance SCR 1611 and let the people of Kansas decide how they wish to select their state supreme court justices.

Sincerely,

Tanner Tempel

Deputy State Director- AFP-KS