

January 17, 2013

To: Kansas House Committee on Judiciary

From: Paul Babich

RE: Testimony on HB 2019, HB 2020, HCR 5002, HCR 5003, HCR 5004, etc.

I am Paul Babich from Wichita, and I am the current Fourth District lay person on the Kansas Supreme Court Nominating Commission. I was appointed by Gov. Parkinson in 2009 and have been involved with the Commission in nominating five Appeals Court judges and one Supreme Court justice. I want to briefly share with the Committee two important points that I always try to make when folks ask me about my experiences on the Commission.

Many ask me if the lawyers dominate the lay members of the Commission. The answer is absolutely not. I cannot even imagine the current lay members sitting still for any one or any group of the attorneys trying to dominate the Commission in any way. The lawyers have the expertise on the law to help us define legal terms and describe legal procedures, but they are our peers on the Commission. We have a great working relationship between the lawyers and lay persons on the current Commission, but no one group or individual dominates.

The other point I like to make when people ask me about the Commission is the pride I have in Kansas and the confidence I have in our state's future because of the impressive quality of the applicants who come before the Commission to interview for court vacancies. These people, many of them relatively young, are so intelligent, professional, accomplished and successful, yet each is willing to serve our state rather than becoming a highly paid attorney in Kansas City, Wichita or elsewhere in our state. More than one of these impressive, accomplished attorneys has begun or ended the interview by thanking the Commission and then telling us about their support for the current merit system of judicial selection. They tell us that if the selection were by election or political appointment they would not apply because, "I am a jurist. I am not a politician." That statement has made a deep impression on me; and, at the end of the day, I think Kansans want jurists not politicians on the bench. Our current system is best suited to provide Kansas those jurists.