

Testimony to House Judiciary Committee
Judicial Selection Process
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On behalf of The Greater Kansas City Chamber Of Commerce
January 17, 2013

Chairman Kinzer and Other Honorable Representatives:

This written testimony is given on behalf of The Greater Kansas City Chamber of Commerce, an organization with over 2,500 members, 40% in Kansas. Our public policy agenda has for many years contained a standing position supporting the current merit based or non-partisan system of selecting judges in Kansas. Our members believe the current system has served the business community well and there is no sufficient reason to change the system. The current constitutional article was adopted in 1958 after public outcry when a defeated governor resigned early and had himself appointed to the Supreme Court.

The KC Chamber is not opposed to restructuring the existing nonpartisan nominating commission. It could certainly be changed to allow more public members (non-attorneys), and/or to permit involvement of more elected officials, for instance.

The KC Chamber also believes the legislature needs to give considerable thought before passing constitutional amendments and other legislation binding on future legislatures. Kansas has alternated between Republican and Democratic governors for at least the last 40 years. With that history it's not surprising that some nominees have been rejected as unqualified or having conflicts of interest. Most appointments are not time sensitive but in the case of the Supreme Court with seven members, protracted disagreement over appointments could leave the Court without a majority capable of deciding some critical cases. In short, even the delay possible under this legislation could be an issue someday.

Thank you for the opportunity to express our concerns about changes in the judicial selection process.