

Gillett Testimony, January 2013

TO Senator Jeff King, Chairman Senate Judiciary Committee, and Lance Kinzer, Chairman
Senator Judiciary Committee

FROM Donna R. Gillett (Mrs.), 517 S. 21st St., Leavenworth, KS 66048
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SUBJECT: Judiciary Committee Hearings on judicial selection.

My first inkling that this issue might come up early in the 2013 legislative session was when Chief Justice Nuss started writing political columns to the newspapers. Then came the Bar's invitations to House and Senate members for lunch, dinner, and Smiling Bull presentations. This was followed by the Chief Justice requesting to speak before a joint session of the House and Senate.

I believe that as self-governing people in a constitutional republic Kansans should elect all judges in their state; but since Kansas is so far from that ideal, I came to speak for the next best thing which is to have our appellate justices and judges appointed by our elected governor with confirmation by our senators who were elected by the citizens. This would be a great improvement.

Non-lawyer citizens in Kansas have an inadequate voice in any judge being seated on either of our state's two appellate courts. My vote is valued less than a lawyer's because a lawyer gets to play a role in selecting ALL 9 members of the nominating commission but I and the people for whom I am standing up only get to play an indirect role in selecting 4 of the commission members. The bill you introduced deserves support because it will eliminate a nominating commission that was not elected by the people and where there is no public record of how each member of the Commission voted.

In appellate court selection, for too long lawyers in Kansas have had more say than lawyers have in any of the other 49 states. That must change.

The Kansas Supreme Court and Court of Appeals have too much influence on the lives of ordinary citizens to be selected in a way that gives insufficient voice to those citizens.

The system is broken. I hope that you will pass this bill out of committee and work for its passage so that no Kansas citizens will have their votes devalued simply because they are not lawyers.