

Janice Miller Karlin

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Chair Warren, Vice Chair Wilborn, Ranking Member Haley and Members of the Committee:

Thank you for this opportunity to present testimony regarding SCR1621 and SCR 1622, both of which have been offered for testimony, and hearing, with very little time for appropriate consideration. These bills suggest that we eliminate the present Judicial Nominating Commission in favor of the political election of our judges. As a now retired judge, I can tell you that these are very bad ideas if the goal is to select the most competent and experienced judges to serve on the Court.

These are the characteristics we should all want in our judges:

Integrity: A judge should be honest and committed to the rule of law.

Professional Competence: A judge should have extensive legal knowledge.

Judicial Temperament: A judge should be neutral, respectful, and composed.

Experience: A judge should have a strong record of excellence in the law.

Commitment to Service: A judge should be committed to all aspects of the administration of justice

Presently, the members of our Nominating Commission conduct a thorough investigation of judicial candidates. They interview each candidate, they study their qualifications, they check references, and then they send the three most qualified finalists to the Governor, who makes a final decision. It is imperative that our justice have ALL of the above-noted characteristics. There is frankly no way voters would be able to conduct the same in depth investigation of political candidates as the Commission does. By way of example, every election year, friends, neighbors, and family members beg me to tell them what I know about sitting judges up for retention, as they have no way to determine whether they should be retained. The same would be true for the selection of judges under the proposed legislation.

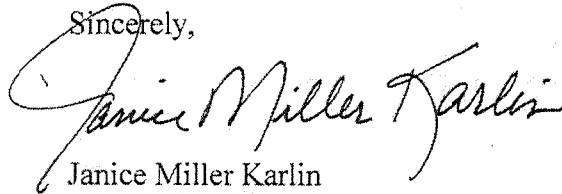
Further, Kansans want judges who are not beholden to a political party. Judges should be chosen based on their qualifications, not partisan politics. Kansans want judges to make fair decisions based on the law, reason, and fact, and not on what is politically popular that week.

Politics must be kept out of judicial selection in Kansas. This legislation, if adopted, would directly inject politics into judicial appointments, thereby weakening judicial independence. Such a system would inevitably lead to judges being selected based upon political ideology and political connections (and possibly partisan campaign contributions) rather than their unique qualifications. Some imminently qualified lawyers would never subject themselves to a political campaign, while less qualified lawyers who are politically connected might. Just because one is

an effective campaigner, or just because the lawyer has the support of a political party, does not necessarily make them the best candidate for the judiciary. Campaigning, and judging, have entirely different skill sets.

We have a good, working, merit-based system that has responsibly chosen justices . It does not deserve to be radically reformed from what Kansans chose in 1958. Please vote no to any attempt to elect justices.

Sincerely,

A handwritten signature in cursive script that reads "Janice Miller Karlin". The signature is written in dark ink and is positioned above the printed name.

Janice Miller Karlin

cc: Senator Marci Francisco