A Primer on

STATE JUDICIAL SELECTION REFORM

by the Committee for Economic Development

WHY REFORM?

1. Judicial Elections
   - Can threaten the impartiality and integrity that citizens expect from their judges.

2. Judicial Elections
   - Can open the judiciary to a floodgate of money from special interest groups.

3. Judicial Elections
   - Can discourage companies from conducting business. Objective courts are essential to a free-market economy.

70% of businesses say their decisions are affected by the litigation environment in their state.

90% of all legal cases initiated in the United States are handled in state courts.

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SOLUTIONS

COMMISSION-BASED APPOINTMENTS

Nonpartisan commissions responsible for recruiting, reviewing, and recommending eligible nominees for judicial office.

JUDICIAL PERFORMANCE EVALUATIONS

Independent bodies to periodically conduct comprehensive, objective reviews of judges’ performance to ensure accountability.

STRONGER RECUSAL STANDARDS

An effective means of avoiding bias or conflict of interest in cases that may involve a campaign donor or major source of financial support.

FOR MORE INFORMATION

view CED’s report, “Choosing Justice? Judicial Selection Reform” at ced.org/judicialselection

SOURCES OF CONTRIBUTIONS to State Supreme Court Candidates ($ millions)

- Lawyers/Lobbyists: $8.6
- Business: $6.2
- Political Party: $3.3
- Unknown: $1.9
- Organized Labor: $0.3
- Candidate Contributions: $1.9
- Ideology/Single Issue: $0.4
- Unitemized Contributions: $0.3
- Other: Retired Persons, Civil Servants, Local or Municipal Elected Officials, Tribal Governments, Clergy, Nonprofits, Military Persons


38 STATES have some type of judicial elections.

AK, AL, AR, AZ, CA, CO, FL, GA, IA, ID, IL, IN, KS, KY, LA, MD, MI, MN, MO, MS, MT, NC, ND, NE, NM, NV, OH, OK, OR, PA, SD, TN, TX, UT, WA, WI, WV, WY

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