

# JUDICIAL SELECTION/ELECTION SYSTEMS

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## LIFETIME APPOINTMENTS

1. **Rhode Island**--Governor appoints with merit system for life
2. **New Hampshire**--Governor appoints to age 70 without merit system, subject to approval of executive council (State considering constitutional amendment to have legislative review every 10 years, judicial commission to recommend appointees to Governor)
3. **Massachusetts**--Governor appoints with merit selection to age 70

## LEGISLATIVE/COMMISSION REAPPOINTMENTS (NO ELECTIONS)

1. **South Carolina**--Merit commission recommends 3 candidates to General Assembly; majority vote to appoint; Reappointed by legislature--  
NO GOVERNOR ROLE
2. **Virginia**--Legislature selects and reappoints all judges--NO GOV. ROLE
3. **New Jersey**--Gov appoints without merit, reaptd by Gov after 7 years to age 70 with advise and consent of Senate
4. **Vermont**--Merit selection, retained by vote of General Assembly every 6 years
5. **Maine**--Governor appoints without merit to 7 year term; reaptd by gov, subject to legislative confirmation
6. **Connecticut**--Merit selection to 8 year term; commission reviews performance on noncompetitive basis; Gov renominates and leg confirms
7. **Delaware**-- Merit selection for 12 year term; Reapply and compete with others; Gov. reapts, Senate confirms
8. **District of Columbia**--Apptd by Pres; confirmed by Senate for 10 year term; reaptd by commission;
9. **New York**--COURT OF APPEALS ONLY--incumbent reapplies to nominating commission and competes with others for nomination by Gov; Senate confirms; (Supreme, circuit court partisan)
10. **Hawaii**--Merit selection for all courts; reaptd by commission to 10 year term

## NONPARTISAN ELECTIONS

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|---------------------------------------|--|
| 1. <b>Georgia</b> --all courts        | 10. <b>Nevada</b> --all courts               |
| 2. <b>Florida</b> --trial court       | 11. <b>North Carolina</b> --trial court only |
| 3. <b>Idaho</b> --all courts          | 12. <b>North Dakota</b> --all courts         |
| 4. <b>Indiana</b> --some trial courts | 13. <b>Oklahoma</b> --district court only    |

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|--|---|
| 5. <b>Kentucky</b> --all courts  | 14. <b>Oregon</b> --all courts                |
| 6. <b>Maryland</b> --trial court   | 15. <b>South Dakota</b> --district court only |
| 7. <b>Minnesota</b> --all courts   | 16. <b>Washington</b> --all courts            |
| 8. <b>Mississippi</b> --all courts   | 17. <b>Wisconsin</b> --all courts             |
| 9. <b>Montana</b> --all courts<br>(Retention election if no opponent files!) | 18. <b>Arkansas</b> --all courts              |

## **RETENTION ELECTIONS**

1. **Alaska**--Merit selection, then retention election all courts; judicial evaluation
2. **Arizona**--merit selection most courts; then retention most courts; judicial evaluation
3. **California**--governor appts without merit; retention for appeals/supreme only; nonpartisan for superior (trial) court; UNCONTESTED IN SUPERIOR COURT DO NOT APPEAR ON BALLOT
4. **Colorado**--Merit for all courts; retention elections for all courts
5. **Florida**--Merit for Supreme and Court of Appeals, then retention (circuit court nonpartisan election)
6. **Illinois**--Retention election follows partisan election for all courts
7. **Indiana**--Supreme, Appeals merit selection, then retention, same in some local courts
8. **Iowa**--Merit selection, then retention election--all courts
9. **Kansas**--Merit for Supreme/Appeals/ half district courts; retention elections
10. **Maryland**--Merit selection for all, retention for Supreme/Appeals (Nonpartisan for trial courts)
11. **Missouri**--Merit selection for Supreme/Appeals, 4 counties, followed by retention; (partisan election in some trial courts)
12. **Montana**--Retention for all judges, all courts IF no opponent files-- nonpartisan election if opponent files
13. **Nebraska**--Merit for all courts, then retention election all courts
14. **New Mexico**--Merit for all, then partisan election, then retention election for all future elections
15. **Oklahoma**--Supreme/Appeals merit, then retention (district ct. nonpartisan)
16. **Pennsylvania**--Partisan for all courts, then retention all courts
17. **So. Dakota**--Supreme merit, then retention; Circuit nonpartisan election
18. **Tennessee**--Supreme/Appeals merit, then retention; district partisan
19. **Utah**--Merit for all courts, then retention elections all courts
20. **Wyoming**--Merit for all courts, then retention election all courts

Summary: Retention all courts: **Alaska, Colorado, Iowa, Nebraska, Utah, and Wyoming**

Appellate retention, some trial: **California, Florida, Arizona, Indiana, Kansas, Maryland, Missouri, Oklahoma, So. Dakota, Tennessee**

Retention follows partisan: **Illinois, Pa., New Mexico**

Retention only if no opponent: **Montana**

## **PARTISAN ELECTIONS**

1. **Alabama**--all courts; merit selection for circuit courts for interim apptmts
2. **Illinois**--first election partisan, then retention election--all courts
3. **Indiana**--only for some circuit and superior courts
4. **Kansas**--half of district courts only
5. **Louisiana**--all courts (party affiliation on ballot, but open primaries, do not solicit party support)
6. **Missouri**--all circuit courts, except 4 counties
7. **New Mexico**--Merit apptmt, then partisan election, retention election for subsequent terms
8. **New York**--Supreme Court/county court only;(Appeals court has legislative confirmation)
9. **North Carolina**--Supreme/Appeals court only (trial court nonpartisan)  
Proposed constitutional amendment to appoint appellate judges with legislative confirmation, then retention election
10. **Pennsylvania**--Partisan election, then retention election--all courts
11. **Ohio**--Say they're nonpartisan, but primaries partisan; general election has party endorsement--all courts
12. **Michigan**--campaign like partisan elections, nominated at party conventions, endorsements--all courts
13. **Tennessee**--trial court only
14. **Texas**--all courts
15. **W. Virginia**--all courts