

## Class Presentation #6

### State Judiciaries and Judicial Selection Systems



The purpose of this assignment is to understand how your states select their judges and assess the extent and consequences of electoral competition on your judiciaries. Go to the National Center for State Courts [here](#) which has links to all the courts of last resort.

Your first slide should include pictures of the four courts of last resort along with their official names below them so that we can see how diverse they are (if no group photo, either use a photo of Court itself or the chief justice and the gender and racial makeup of the court.

Your second set of slides should indicate whether your state judicial system is unified or not. Go to the National Center for State Courts [here](#) and click on the Court State Structure for your state. Print out the court structure for your states and bring copies of your state judicial systems to distribute to the audience (you can use the Government Department printer- code- 2431). Click on the "Printable version" button and you should get an adobe file which should look something like this-  
[http://www.ncsconline.org/D\\_Research/Ct\\_Struct/include/TX\\_p.pdf](http://www.ncsconline.org/D_Research/Ct_Struct/include/TX_p.pdf)

### **Case Analysis**

1. What is the selection method for the highest court for your states (use their proper names in your presentation)? You should be able to find this information by going to the Judicial Home section for each state on the National Center for State Courts [webpage here](#)
2. How competitive are their elections to the Supreme Court? Use Hall's measures of electoral competition (the average vote for incumbents and winners of open seats in State Supreme Court elections, the percent of close races, number of defeats) to assess the extent of electoral competition in recent supreme court races (last 10 years).
3. Are judicial campaigns "out-of-control"? Is campaign spending increasing, excessively large, not too bad? Any evidence is there of pressure to raise campaign funds (be creative in using Google searches like judicial campaigns New York or with the judge's name). Are campaign commercials out of control? What issues are being raised by both sides in their campaigns, if at all?
4. Who is contributing to campaigns? Is there a funding war between tort reform supporters and trial lawyers? Ideological interest groups?
5. If your judicial elections are politically charged, why? If not, why? It may help to look at what major issues or rulings the state Supreme Court has handed down recently and how controversial they are.
6. What seems to be the political assessment regarding the status of judicial selection in your states? Any move foot to change it?

**How to select a state--** within your region, try to select a state that has partisan or nonpartisan elections. If your region doesn't have elections (like the Northeast), you can either look if they have elections at the lower levels, try to assess whether there is politics in the operation of the Missouri System in the state, try to assess whether your state judiciary is more willing to take unpopular positions (gay marriage, death penalty, abortion, striking down initiatives or laws) because they are not accountable to voters, or choose a neighboring state that does have an elected judiciary (ie Pennsylvania)

Justice at Stake, a court reform organization, has a "[Learn about your state](#)" section where you can click on your state to find data on the judicial selection system, news and summaries relevant to the state. Also check their links to other state-oriented court reform websites. The [Brennan Center for Justice](#) also has reports on state judicial elections.