

Coalition for Impartial Justice

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Dear Representative:

Judicial selection in MN has been a priority for the League of Women Voters of Minnesota (LWVMN) for many years. After a two-year study we published *Choosing Minnesota's Judges* in 1999. Then, after the White decisions of 2002 and 2005, which threatened to bring partisan politics and big money into judicial campaigns, we studied the issue again. In 2007, with 99% member consensus, we called for merit selection of all judges, judicial evaluation, and retention elections. We have lobbied and testified for this position ever since.

The League of Women Voters of Minnesota wholeheartedly endorses SF70/HF224. We believe that the retention/evaluation method (along with merit selection that exists already for Minnesota District Court judges) is the best at keeping big money and partisan politics out of judicial elections. Experience in other states shows that very little money is spent in retention elections. Performance evaluation assures that judges will be accountable to standards and that voters will get good information when they go to the polls.

We consider the threat to judicial impartiality in Minnesota to be very real. We only need to look at recent contested judicial elections in Wisconsin, where expensive, partisan races are becoming the norm. In 2008, for example, millions of dollars were spent, mostly by special interest groups, on a single Wisconsin Supreme Court race. This is ominous for Minnesota.

Minnesota needs a system that produces judges who are independent and not beholden to any special, moneyed, or partisan interest. We need judges who are accountable to the Constitution and to the rule of law, who are competent and possess integrity, and who afford fair treatment to all participants. The idea that justice could be for sale—now even more of a threat, given the Citizens United decision—is enormously destructive to democracy because it undermines public faith in government and respect for the law.

SF70/HF224 allows for a major role for the public, which LWVMN considers crucial. The evaluation system calls for citizen input, public hearings, and invites a diversity of citizens to serve on the judicial evaluation commission. Voters have the final say as to whether or not a judge will be retained and they will have good information as they make their decision.

We encourage immediate action. As retired Justice Sandra Day O'Connor has stated, "Judicial independence does not just happen all by itself. It is tremendously hard to create, and easier than most people imagine to destroy." (*National Voter*, February 2008.)

Regards,

Judy Stuthman
Co-Presidents of LWVMN

Vivian Jenkins Nelsen
Co-Presidents of LWVMN

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