

heard next week by the Judiciary Committee. That piece of legislation would change our Constitution and provide that the Legislature would have confirmation authority over judicial appointments in the future. This change in our role and the process of judicial appointments I think is an important one and a fundamental issue that needs to be brought up and I'm glad this body did not rule to overrule the Chair so that we could have the chance to discuss it. You know, clearly, there are the three branches of government...if I could, Mr. Speaker.

SPEAKER BARRETT: Senator Wesely.

SENATOR WESELY: I would like...

SPEAKER BARRETT: (Gavel.) Proceed.

SENATOR WESELY: Thank you. We have spent a little time looking at this issue and what we found is that our system in this state of having a nonelection of judges, which I do agree with, 24 states do elect their judges so about half of the states do elect directly by the people the judges that serve them in the judicial branch. But in the other types of systems that are more similar to our own, Legislatures, by and large, do confirm judicial appointments. We are very unique by not only taking the people out of the election process and having some say-so over who serves in the judicial branch but in addition taking the legislative branch out of that decision-making process. We take several steps back to one of the most restrictive, in terms of public input, systems of selecting individuals to serve in judge roles as any state in the country. And every state has different ways of doing it but I will give you a couple of examples. Rhode Island and South Carolina have the Legislature appointing judges in some different courts. And in other situations you have different courts appointed in different fashions but there are at least seven states where the Governor does appoint, as we do, but the senate confirms. Now that's what the federal government does. The President appoints judges, the Senate confirms. If we're going to somewhat of that model in our judicial system, which is what is being proposed under this plan, it would seem absolutely to make sense to allow the Legislature to have a chance to confirm judicial appointments. Now what do you gain by doing that? What you gain is, I believe, greater accountability, greater public input, because at this point there could be no more closed branch of government than the judicial branch of government in