

SAN ANTONIO BAR ASSOCIATION

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September 22, 2020

**Mr. David Beck, Chair
Commission on Judicial Selection
Texas Office of Court Administration
205 W. 14th St
Austin, TX 78701**

RE: San Antonio Bar Association Judicial Selection Survey

Dear Chairman Beck:

Attached please find the results of the San Antonio Bar Association member survey regarding the Texas judicial selection process.

Thank you for choosing San Antonio as a public hearing city. We are proud to contribute to this dialogue.

Sincerely,

David M. Evans

David M. Evans, President
San Antonio Bar Association

cc: SABA Board of Directors

SAN ANTONIO BAR ASSOCIATION

Judicial Selection Survey

TESTIMONY TO THE TEXAS COMMISSION ON JUDICIAL SELECTION

SEPTEMBER 22, 2020

DAVID M. EVANS

SAN ANTONIO BAR ASSOCIATION | PRESIDENT

JUNE MOYNIHAN

SAN ANTONIO BAR ASSOCIATION | EXECUTIVE DIRECTOR

SAN ANTONIO BAR ASSOCIATION | 100 DOLOROSA, FLOOR 5 | SAN ANTONIO TX | 78205 | WWW.SABAR.ORG

JUDICIAL SELECTION SURVEY- SEPTEMBER 2020

Executive Summary

The San Antonio Bar Association conducted an anonymous SEVEN question survey to members September 15-18, 2020. The survey addressed the selection of judges in the state of Texas. There were 451 responses to the survey. The results of the survey will be presented by the SABA President to the Texas Commission on Judicial Selection at the September 22, 2020 San Antonio public hearing.

SELECTION OF JUDGES

The overwhelming majority of respondents believe that the method of selecting judges in Texas needs to change.

Nearly 90% of respondents believe that the minimum qualifications for judges needs to be adjusted. The majority favored raising the minimum amount of years of law practice required for consideration. The majority answered it was a good idea or worth exploring to require a minimum experience in particular practice areas, especially trial experience. An equal majority did not favor board certification as a minimum requirement.

ELECTIONS AND/OR APPOINTMENT

The majority of respondents favored non-partisan elections or a non-partisan appointment process. Most had concerns about an appointment process becoming partisan.

Only 10% of respondents favored the continuation of partisan elections of judge.

The majority favored non-partisan elections while two-thirds of respondents favored or answered that it was worth investigating an appointment process to become a judge.

While there was support for a bipartisan Judicial Qualification Committee, there were many who expressed reservations about how the committee would function, how the committee members would be selected, and if in reality, if it could serve in a truly non-partisan fashion. Should a Judicial Qualification Committee become part of the new process, respondents were strongly opposed to any process that could be subject to partisan influence and did not favor direct appointments by elected officials.

SITTING JUDGES

The majority of respondents answered that sitting judges must be accountable to voters through elections.

Most respondents favored that sitting judges be held accountable to voters through elections. Again, partisan elections were not favored, but there was slightly more support for retention elections versus non-partisan elections.

IMPARTIALITY OF THE BENCH

The majority believed that campaign reform would increase confidence in the impartiality of the bench.

The majority believed that some campaign funding reform needs to happen with many in the free response suggesting that law firms and attorneys should not be allowed to donate to judges, especially those they appeared before.

The majority of respondents did not favor state sponsored elections.

More than half of the respondents felt it was worth exploring or favored with reservation increasing judge compensation to more closely match compensation in private practice. 25% of the members did not favor this idea.

IDEAL TERM LENGTH FOR JUDGES

The majority were comfortable with current term lengths of the various courts.

The majority answered that terms of 4-5 years or 6-7 years were ideal. There was some support for extended terms of 8-9 years and 10 yrs.+ terms for the Appellate Courts and Sr. Courts, but not by a majority.

FREE RESPONSE BY CATEGORY

| PARTISAN MOTIVATION TO CHANGE SYSTEM | |
|---|---|
| 1 | The concern is that these changes are being considered at this time when minorities are being elected to the bench. Qualifications would have been an appropriate issue to raise many years ago as well when no minorities were on the bench. The timing of raising the thought that changes need to be made now is of concern. |
| 2 | I am simply shocked that such a politically motivated process has come this far to fruition without pause or correction. The notion that the legislative and executive branches would take such an open attack on the judicial institution is appalling. The Texas Judicial Selection Commission should apologize for such a brazen challenge to an equal branch of government and move on to productive business. |
| 3 | Now that the demographics of the state are changing and Republicans will soon be outnumbered, you seek to change the way judges are seated. You are not fooling anyone. |
| 4 | The Federal system already has a quasi nominating committee and it is highly politicized. It's no coincidence that a Democratic president was unable to appoint many judges in Texas, where the Committee (gatekeepers) were Republican. Now where the President is Republican, and so are the gatekeepers, there are many more appointments. That's a highly politicized system, why would Texas want to go to that? Our system has worked for the last hundred years and there were no issues then, what's the true motive for this push now? |
| 5 | I would like to reiterate my point that the appointment process is highly political. The appointment of a committee does not remove the politics from the process. Consider the fact that there has been a push for a new process for judicial selection for years, and only now, that the democratic party swept many benches that we are now having a conversation |
| 6 | This Commission was Governor Abbott's (and the Republican's) response to the 2018 Judicial elections. I think this motivation should be considered. The result will be fewer minorities and more Republicans on the bench. I don't think this aspect is being well advertised. |
| 7 | Changing the way judges are selected at this point in time will look like a power grab by the Republican Party. |
| 8 | Voters do not want their voting rights taken away. The Commission appears to be a sham set up by the governor. |
| 9 | |
| ELECTION VS APPOINTMENT | |
| 11 | I am NOT in favor of a Judicial Selection Commission to appoint judges. I believe it goes against the democratic process and can lead to voter suppression issues. |
| 12 | Please look at how Connecticut appoints their judges. they have a select committee and nominees go through a rigorous application and review process before being considered by the governor for appointment, and then they are reviewed every 8 years |
| 13 | Judges are impartial. They should not run for office in partisan elections. |
| 14 | It is my impression that highly competent judges have been turned out of office by comparative legal neophytes who regard judgeship as a way of finally making a living in the law. Whatever decisions the Commission makes it must counteract this impression and the reality that underlies it. |
| 15 | Due to partisan elections and minimal qualifications, the quality of the judiciary in Bexar County has never been lower. |
| 16 | Review other states which have appointment by commission. I do not have knowledge of most Judges which are on any given ballot ... how can laymen be expected to know the qualifications of Judicial candidates. |
| 17 | Partisan election of judges is a disastrous way to select the most important cog in the administration of justice. Almost any system, short of appointment by the Governor (any Governor) will be an improvement. Our system of selecting judges gets a "no confidence" vote from almost every member of the public I encounter. |

| | |
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| 18 | Any selection system must be designed to avoid the elitism and lack-of-diversity apparent in other appointment systems. The federal model makes clear that methods of "merit" selection will tend to favor big firms, Ivy league schools, while ignoring candidates with less-"elite" credentials, but who would nevertheless make brilliant jurists. |
| 19 | Nonpartisan election is important. I think it should be separate and limited in funding. Take money out and let candidates make their honest appeal to the public of why they should serve that community. |
| 20 | Each community is best suited to elect its representatives and the judiciary should not be any different. Each community should have the freedom to chose by the voice of the people the make up of their courts. |
| 21 | End the partisan election of Judges! |
| 22 | The people are served by an election. Special interests are served by appointment. |
| 23 | All should be elected on non presidential years to avoid the risk of a blue/red wave issue |
| 24 | The Judiciary should be as removed from politics as possible by having publicly funded campaigns. The public should have the opportunity to choose from a minimum of 3 candidates per bench. Candidates should have some vetting process that is not exclusively decided by the political party in power. |
| 25 | No group of elites selected by whomever will be better at selecting judges than the voters. |
| 26 | Something has to be done. Many trial attorneys are losing confidence in the system. Judges are not following the law and partisan politics are ruining or judicial system. |
| 27 | The present system is terrible Almost anything else would be better |
| 28 | Taking away the citizen's right to select their judiciary is wrong. |
| 29 | The public should choose their judges by casting their vote for judges. If the Gov or legislature wants to raise the level of qualifications then do it fairly including the Governor appointments.If you want non partisan judges then take the partisan Governor and partisan legislature out of the equation. |
| 30 | We are losing too many very well-qualified, experienced judges of both political parties due to partisan pendulum swings from election to election -- and that discourages many potentially well-qualified lawyers from even filing for office. |
| 31 | Totally unqualified candidates are winning elections based upon the political winds of change. Excellent judges from both parties are being unseated despite hard work and fair application of the laws to all parties. This needs to end! Judges who are not qualified to be on felony appointment lists are winning elections to the bench! Unconscionable! There are civil trial judges on the bench who NEVER have tried a jury trial in their career! This lunacy has to stop. The bench is not for "on the job training"! |
| 32 | please stop partisan elections |
| 33 | Being a judge is public service and relying on voter selection is still the most democratic process. Attempting to meet their expectations of fairness, respect, and knowledge of the law is a desirable goal for seeking re-election. Judges must remain accountable to the citizens they serve and not be beholdng to any other entity. Jury trials are more important than ever and are opportunities for citizens to participate and understand how we all can be part of the democratic process and increase patriotism in our communities. They are great opportunities to observe what a judge's role is and the fair application of the law. In my experience, juror participation is viewed as a privilege and a rewarding experience because of their important role in the administration of justice. |
| 34 | Would like to see retention elections but hard term limits as well. In other words, there would be an ultimate maximum length of time a judge could serve, but there would also be periodic retention elections during that time period. |
| 35 | Please eliminate partisan elections for judges. |
| 36 | The constitutional right of Texans to vote for their judges to hold them accountable is a right that should not be infringed upon without careful scrutiny regardless of the outcome of this survey. |
| 37 | We have had a tremendous loss of judicial talent due to primaries and elections favoring a single gender or ethnicity--institutionalizing discrimination. CHANGE NEEDED! |
| 38 | A data-driven approach to choosing a selection system that results in the most qualified and diverse judiciary to preserve the public's confidence in the justice system. |
| 39 | There is nothing more ridiculous that having partisan elections. We've lost so many good judges on all sides because we don't have informed voters, and they just pick whoever is on their side of the ticket. |
| 40 | Need more information on each candidate - people know the least about elected judges than other elected officials |

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| 41 | The current system permits party sweeps and results in judges with little experience replacing good judges. I do not think politics should play a role in the system. The lack of straight ballot voting should help with this...time will tell. |
| 42 | Having practiced law as a trial lawyer for almost 40 years, I do not favor any public elections. Judges should be selected by equally bipartisan committees of lawyers. There should never be any "conservative" or "liberal" judges. -- a pipe dream for blind justice. |
| 43 | Judicial elections should be non-partisan. There should be no (D), (R) or (I) after the candidate's name. |
| 44 | There's no perfect method. Changes to the current system shouldn't be undertaken without clearly justifying why a new system would be an improvement. For instance, many people are not independently wealthy, and partisan elections help them raise funds to reach the bench while not forcing them to cozy up to the "right people" in positions of political power (e.g., the governor, members of a judicial-selection board) as is often true in other states. And, moreover, most judges leave their partisanship at the door even under our current system. Furthermore, partisan elections may bring in some people who have no business being a judge, but they just as often sweeps those same people out. These points should be kept in mind when determining whether a new system is warranted. |
| 45 | NOT IN FAVOR OF APPOINTING JUDGES!! WOULD LEAD TO FAVORITISMS, POLITICAL INFLUENCE, AND GOOD OLD BOY/GIRL SYSTEM!!! |
| 46 | There should never be partisan elections of judges in Texas. It is amazing that this state took so long to ban straight ticket voting. The same can be said for partisan elections. Judges should be impartial and as such, should not be affiliated with a party; otherwise, it creates an appearance of bias. We continuously lose excellent jurists during an election sweep and it discourages many judges from seeking election. The public does not educate itself on judicial candidates and votes by party or name. As a result, we continue to have a very weak judiciary. This is such an easy solution. |
| 47 | Partisanship will not help advance equity in the judiciary. Nor will appointments of judges by partisan, elected officials. The Best method would almost be to have a lottery of interested candidates for particular positions who have been thoroughly vetted, and have a history of non- partisan activity. You can have an opinion about the many economic and social issues without subscribing to one party or the other. |
| 48 | A change in the method of selecting judges is critically needed. Clean sweeps of judges by partisan elections are untenable. No one, including lawyers, knows how to vote on a slate of 45 judges. |
| 49 | The Commission would do the residents of Texas a huge favor if they managed to accomplish non-partisan election of judges, along with raising some qualifications. |
| 50 | We should not have partisan elections. Judges are routinely elected based on their designated party without regard to their qualifications. Excellent judges from both parties have lost elections to much less qualified opponents only because they are from the wrong party. |
| 51 | Proponents of the current partisan election of judges tout "accountability" and "transparency." But there is little of both at political association meetings and fundraisers--the hallmarks of partisan elections. |
| 52 | People have selected Judges based off of partisanship to reflect their own values and the values they would like to see their judges hold. If you have a Republican or Democratic Governor select committee members you still will not be able to eliminate politics. |
| 53 | I am strongly opposed to judges being appointed. |
| 54 | As a trial attorney with over 200 civil jury trials in almost four decades of practice, I have seen how partisan elections have robbed the citizenry of too many wonderful jurists — from BOTH political parties. At the very least, we must end partisan election of judges and justices before the quality of our benches sinks to an irretrievable low point, even if it takes amending the Texas Constitution. |
| 55 | While I would like to see judges "selected" because they are competent and understand and follow the law (not create it), elections have selected judges based on their ethnicity and political persuasion, none of which should be permitted in electing a judge who should be blind to those characteristics. I have seen outstanding judges of one political party totally wiped out every 4 years and replaced with incompetent, inexperienced persons just because they are of one political persuasion or ethnicity. Disgusting! |
| 56 | I oppose the election of judges in partisan elections. The judge's party affiliation should be irrelevant. Only the judge's qualifications should count, not his or her politics. It is time to end partisan election of judges in Texas. |
| 57 | I strongly support a system that involves nomination/confirmation; in other words a checks and balances system |

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| 58 | The partisan waves have resulted in vast loss of judicial experience. And even with the political polarization of most counties (few are competitive in the general election) it means judges are subject to primaries where often candidates seek to be further right or left than an incumbent - resulting in an even more politicized judiciary. |
| 59 | we need to stop electing judges. exhibit A: Joe Brown |
| 60 | Election of judges has proven to be extremely problematic. It leads to unqualified judges, many of whom are highly partisan (both conservative and liberal depending on which area of the state you examine). |
| 61 | Judicial elections have invited partisanship into Texas jurisprudence. Texas was once among the leader in national jurisprudence is now largely a vehicle for partisan agendas and wealthy donors. It is difficult to imagine how small constituencies and the poor can find justice in the present system. |
| 62 | I suspect the ideal system will consist of a counterbalancing between selection criteria and term in office. For example, the less private practice experience required and/or the more partisan the election, the shorter the term. Conversely, the more experience required and/or the less partisan the election (or appointment), the longer the term on the bench. |
| 63 | the most important thing is to stop electing judges, so their decisions will be based on experience and principle, not fear of angering the electorate. |
| 64 | Taking the "politics" out of judicial races by replacing election with appointment cedes the power of the judicial branch to either the legislative and/or executive branches of government. It not only denies equal opportunity for an individual to seek a judicial position but denies the people to select who should serve in an equal branch of government. The federal system of partisan selection of judges is far from the system to emulate. To paraphrase Winston Churchill, "The election of judges is the worst form of selection, except for all the others." |
| 65 | No matter the result, if elections are continued as the method of selection, identification as "Republican" or "Democrat" should be dropped and any such identification prohibited in any literature or publicity. |
| 66 | Partisan elections must go. They detract from the appearance of a judge's impartiality, and sweep good judges out of office based on political trends. Any other method of selection would be preferable. |
| 67 | People should not be deprived of their right to vote. What we want to avoid is partisan sweeps of down-ballot judicial races, but without losing the public's right to choose. That's why I favor non-partisan elections, and re-elections every 4 years. |
| 68 | Too many times judges are appointment because of a favor for a friend that is ridiculous. I also think every year or two judges should be reviewed on their performance. |
| 69 | The judges cannot appear to be selected in a partisan manner. If the process changes, the state needs to protect the bench from appointments from politicians and lobbyists. |
| 70 | Given the divided nature of the voters, judges need to be removed from the partisan election process. |
| 71 | We have got to stop the looting of great judges by the seesaw election process. It is detrimental to the judiciary, to the counties, and most importantly to the general public who depend on the judicial system. I don't think the general public has any idea how many inexperienced lawyers we have on the bench - or about the skill set/experience set needed to make a competent judge. |
| 72 | We must put a stop to partisan elections. |
| 73 | Anything to end partisan elections that have nothing to do with qualifications of candidates. |
| 74 | Please eliminate parties on the ballot for judges |
| 75 | |
| 76 | LOCAL BAR /PEER REVIEW |
| 77 | The local bar select three qualified candidates who would stand for election in a nonpartisan election with the selection committee having the option of retention of the setting judge so we can keep the good one. |
| 78 | Provisions regarding peer review and retention should be part of the equation |
| 79 | Eliminate partisan elections and please incorporate some mechanism of minimum but not insubstantial attorney peer approval in the nomination process that guards against both politicking as a way onto the bench and the ability for a small minority with a vendetta or agenda to sabotage a judge's initial nomination or current seat on the bench. |
| 80 | |

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| 81 | INCREASE MINIMUM QUALIFICATIONS |
| 82 | Removal of partisan politics and minimum experience are a necessity. |
| 83 | In my experience, appellate court judges are often figureheads with their staff doing the thinking and the work. The 4th court of appeals, for example, is full of judges who lack a work ethic, lack knowledge of the law, and are too inclined to rule in favor of their friends in the court house. |
| 84 | The minimum age limit to run should be increased to 50 plus as it takes into consideration maturity and experience. For a criminal judge at any level they should have experience as a prosecutor and a defense Counsel. It would improve perspective. |
| 85 | Texas' system of electing judges is corrupted on many levels. What is most concerning as of late is the number of judges elected that barely meet minimum requirements and have no experience, but ran because a judicial salary is the highest salary they will ever earn and because there are great maternity benefits. And yes, I am female and Hispanic. |
| 86 | I would very much like to see change towards impartial, non political selection of judges who must meet pre-determined qualification standards. No more talk. Action. Kids are running the court system. Their lack of experience is disturbing. The profession needs to take charge of the judicial system and restore public faith in it by the impartial, qualified administration of justice. |
| 87 | Increasing the minimum requirements ensures qualified candidates. Increasing a term to 6 years allows the judge to focus on work instead of campaigning. |
| 88 | There should not be a single Judge on the bench who is "learning as they go." I have heard that from multiple inexperienced and untried lawyers who have made it to the bench. It is not ok to have a Judge who doesn't understand judicial construction or the Texas Rules of Civil Procedure. |
| 89 | There has to be a better way than what we have now. It will be really difficult to keep the politics out, but it is not difficult to raise the qualifications standards and experience. I have always voted bi-partisan in Judicial races because fair outcomes result from experience and competence. |
| 90 | Elected judges are very hard working, usually, and some are excellent. It just seems some come in with too little experience and may have run for the wrong reasons, even not expecting to win. |
| 91 | |
| 92 | PRACTICE AREA EXPERIENCE |
| 93 | There's enough family law judges. We need more judges specialized to handle commercial, PI, govt, consumer, and real estate, or just anything other than family law |
| 94 | We have too many judges with no trial experience, little experience practicing law and there is no accountability. Judges do not show up to work and never get disciplined. |
| 95 | Need to take politics out of judiciary and need to firm up the requirements for a judge to be elected to a certain bench. Too many judges being elected who do not have the proper background and experience for a particular bench, i.e. electing probate judges with little experience in probate or litigation, etc. |
| 96 | |
| 97 | RETENTION |
| 98 | There should be a way for the Commission to take into consideration overall performance of the Judge, which factors in knowledge, skill, exhibited bias, and willingness to follow the law! The current system lacks any method to take this into account. |
| 99 | |
| 100 | CAMPAIGN REFORM |
| 101 | You asked about efforts to "Set campaign maximum collection and spend limits." Campaign collection and spending limits already exist. |
| 102 | If nothing else changes, prohibit attorneys from contributing to judicial campaigns. |
| 103 | Campaign fundraising and spending limits already exist. I believe any lack of confidence in the judiciary related to campaign fundraising is more of a perception problem than a problem in reality. |

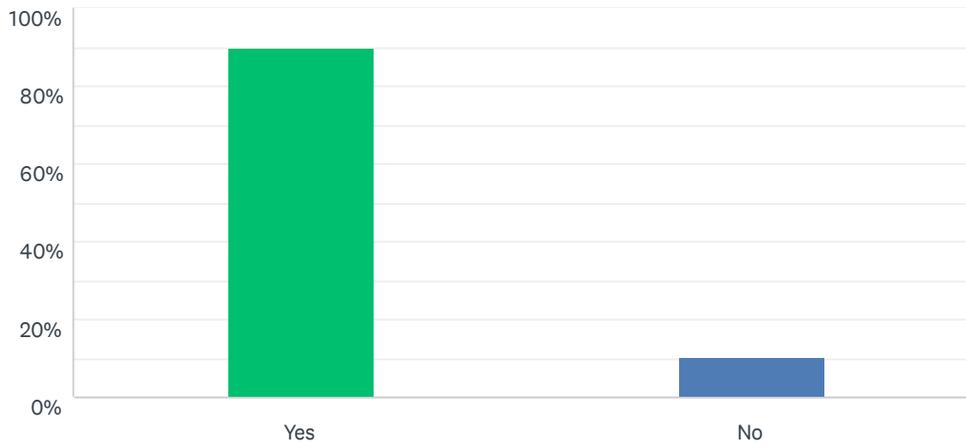
| | |
|-----|---|
| 104 | Get money out of judicial elections. The State should distribute equal amounts to candidates and no more. Eliminate party affiliation, it is an incredible distraction. Increase civil service benefits for attorneys leaving private practice so competent attorneys will want to serve and so that judges are compensated fairly for public service. Frankly, there are a lot of good attorneys who want to serve and they should not be running against each other but rather for the office. If the attorney who loses is well qualified, they should serve after one six-year term by the winning attorney. After all, this is about public service not civil-service. |
| 105 | Your question 6 assumes "confidence in the impartiality of the bench" is impacted by the amount or source of money (if any) financing of the campaign. I think that assumes facts not in evidence, especially with an appointment-type selection process. |
| 106 | Licensed attorneys should not be allowed to make political contributions to Judges or judicial candidates. |
| 107 | Too many judges are put on the bench by certain attorneys and law firms who contribute as individuals but do it as an unofficial bundling group expecting favorable rulings. |
| 108 | The public's perception of the judiciary is that "justice is for sale" in this state. Every effort should be made to make the selection of judges non-partisan. Perhaps limit the amount of money which can be spent on campaigns. |
| 109 | The present system with campaign contributions is not working in Bexar County or in other parts of Texas where I have practiced. |
| 110 | I think attorney's and law firms should not be allowed to donate to a judicial campaign period. This would remove the appearance of any buying of judges. |
| 111 | prevent law firms from donating money to judicial election campaigns |
| 112 | Judges should not receive campaign contributions from lawyers who practice in their court. |
| 113 | if there were only retention elections, that would significantly limit the amount of money in the system |
| 114 | |
| 115 | COMPENSATION |
| 116 | Glad for this effort. I have long held the opinion that a salary raise is the single biggest factor to improve the bench. None of the experienced lawyers I know would run. Too much of a pay cut, for starters. "Glass Half Full," by Tennessee law professor Ben Barton, highlights some of the problems. Judicial salaries, years and years ago, were many multiples of private practice. |
| 117 | The joke is in this proposal: "Increase judge compensation to be competitive with private practice." Judges receive a salary, health insurance, holidays, supplies, equipment, staff (courtroom deputy, bailiff), courtroom, office, paid parking. Anything else? Judges do not have to work as hard as lawyers do-the lawyers and parties and witnesses bring the hearings, the trials to the judges. The judges wait for the case to be delivered to them by the lawyers, parties, witnesses. Lawyers have to pay for health insurance, don't get to take as many holidays if they are really working lawyers, pay for their office, supplies, equipment, staff, parking. With just the salary, judges make more than the average lawyer-I bet. What is the result of research? But with all of the perks, judges are way ahead of the average lawyer. You guys are way out of touch with what lawyers are making these days. |
| 118 | I do not think judges should make more money. By and large, very few attorneys earn over \$100,000 per year with benefits WITHOUT OVERHEAD. Attorneys might regularly make more than \$100,000 per year, but not without careful, mindful effort and qualified staff. Judge pay is exactly where it should be. Private practice lawyers have no guaranteed income whereas a judge will get paid no matter what and may ask for visiting judges if there is a case or trial the elected judge doesn't want to handle. |
| 119 | |
| 120 | TERMS |
| 121 | NO LIFETIME APPOINTMENTS! If these changes were implemented I believe the Texas Civil and Criminal Judicial system would have a brighter future. More citizens would realize increase favorable treatment of their legal matter, even if they lose at trial. I believe elected Judges muddle the freedom of very good Judges to be overtly independent for fear of being voted out. Thank you for this survey. |
| 122 | Questions 7 & 8 are if a candidate is elected - no option for comments, but I voted for shorter terms b/c of that. If judges were appointed - with attorney/peer input - I would support longer terms. |
| 123 | I think judges should have two years on the bench and have to be reconfirmed. |
| 124 | I think removing politics is necessary for finding qualified judges. Also, limiting them to a single, longer term prevents the influence and distraction from running for office again. |

| | |
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| 125 | Term limits should be imposed. |
| 126 | |
| 127 | OTHER |
| 128 | Get rid of Associate Judges. |
| 129 | The public and many attorneys feel judges turn a blind eye to perjury in civil cases and all police misconduct in criminal cases. |
| 130 | Texas must re-evaluate the structure of its judiciary and create a chancery court for commercial litigation, especially complex commercial litigation. |
| 131 | I experienced a voir dire proceeding where panel members (plural) confronted the presiding judge about partiality towards and in favor of opposing counsel. We cannot afford to have the community lose trust in our system of justice. |
| 132 | Public should also be surveyed; their take is very different than that of attorneys/judges. |
| 133 | Change the system. You can not imagine how frustrating it is to practice in this state |
| 134 | This entire process is an insult to those who earned their benches and earned the trust of Texas voters. To those who are pushing new protocols, what a bunch of cry babies! |
| 135 | I'm happy to see that the commission has issued this survey |
| 136 | There are so many bad judges/justices at the district and court of appeals levels who are in office only because they rode a partisan wave. Many are unfit to even practice law. |
| 137 | The current system of partisan elections has been broken by the partisan, straight ticket voting of the past 20 years. Most of our trial and intermediate appellate Judges are held in very low esteem by those who have to practice before them. |
| 138 | Godspeed. |
| 139 | People have less of an idea who they're voting for now in down ballot races than ever. Keeping politics out of judicial selection as much as possible is essential to protecting the integrity of the judiciary from special interests and demagogues who were born with a familiar name or changed their name accordingly |
| 140 | The Missouri Plan is worth serious consideration. |

SURVEY RESULTS

Q1 Should minimum qualifications for judges be changed? If your answer is no, please go to question 3

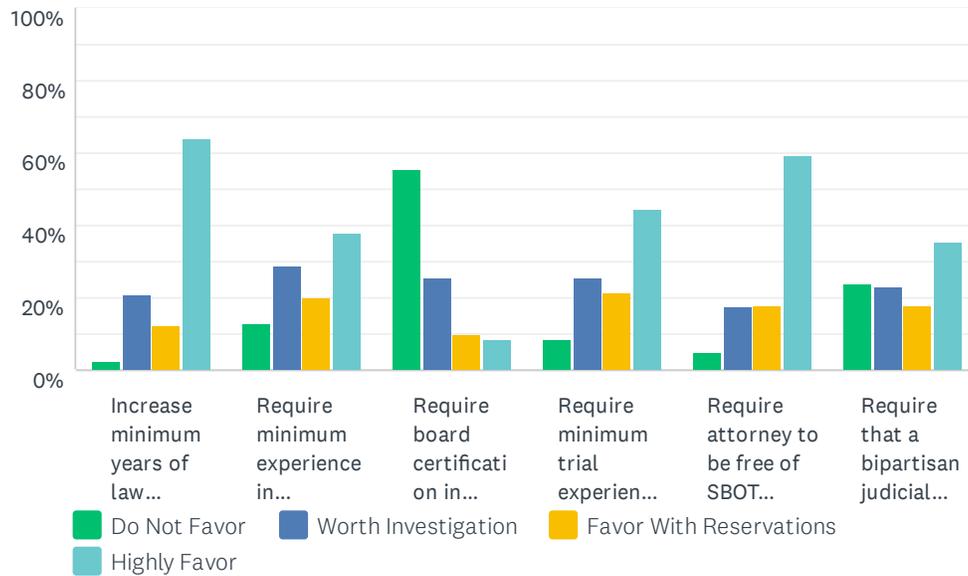
Answered: 451 Skipped: 0



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|-----|
| Yes | 89.58% | 404 |
| No | 10.42% | 47 |
| TOTAL | | 451 |

Q2 What do you think of these minimum qualifications requirements for judges?

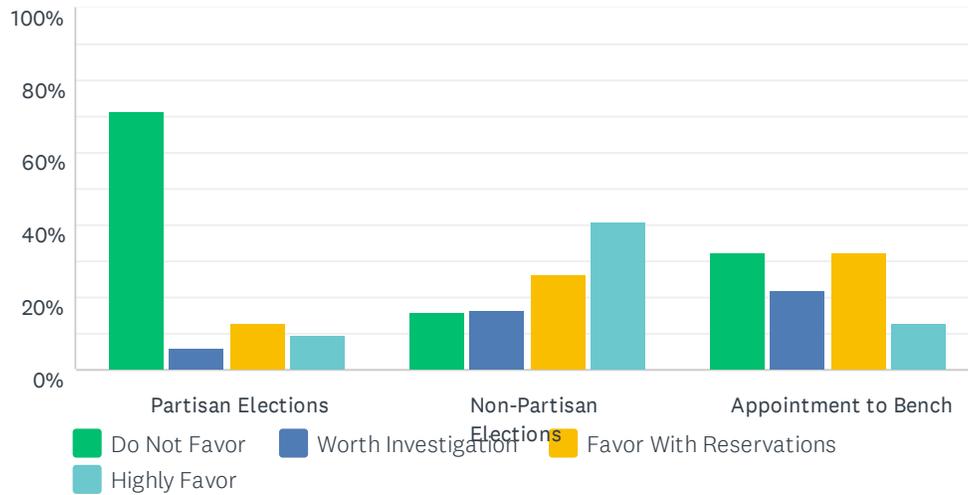
Answered: 421 Skipped: 30



| | DO NOT FAVOR | WORTH INVESTIGATION | FAVOR WITH RESERVATIONS | HIGHLY FAVOR | TOTAL | WEIGHTED AVERAGE |
|--|---------------|---------------------|-------------------------|---------------|-------|------------------|
| Increase minimum years of law practice | 2.39% 10 | 21.05% 88 | 12.44% 52 | 64.11% 268 | 418 | 3.38 |
| Require minimum experience in particular practice area | 12.90% 53 | 28.95% 119 | 19.95% 82 | 38.20% 157 | 411 | 2.83 |
| Require board certification in certain practice | 55.58% 229 | 25.73% 106 | 10.19% 42 | 8.50% 35 | 412 | 1.72 |
| Require minimum trial experience for trial court judges | 8.45% 35 | 25.60% 106 | 21.26% 88 | 44.69% 185 | 414 | 3.02 |
| Require attorney to be free of SBOT discipline history for a set number of years | 5.01% 21 | 17.42% 73 | 18.14% 76 | 59.43% 249 | 419 | 3.32 |
| Require that a bipartisan judicial qualifications committee approve candidates for judge | 24.04% 100 | 22.84% 95 | 17.79% 74 | 35.34% 147 | 416 | 2.64 |

Q3 There are various methods to seat judges in the United States. In general, what is your opinion of the options below? (Questions regarding the details will follow).

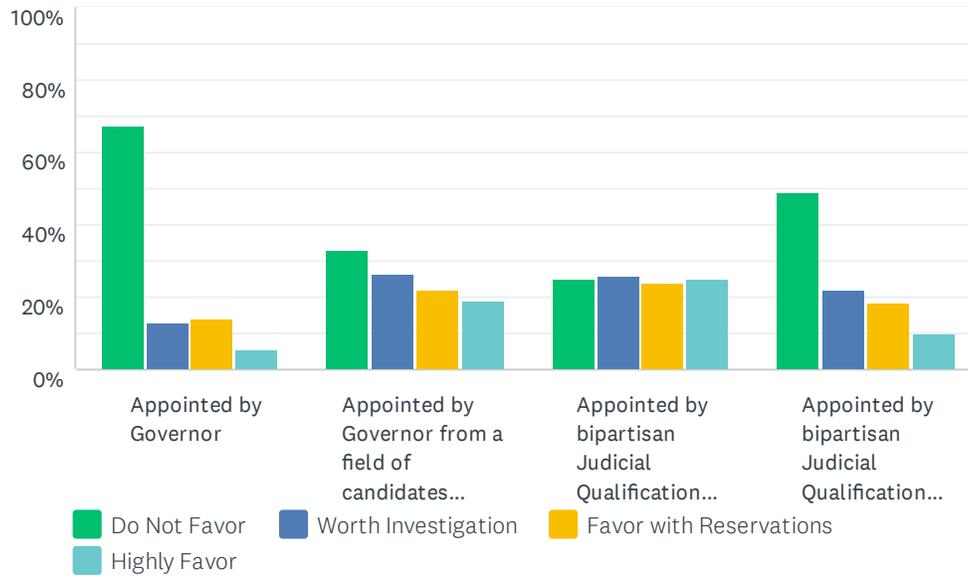
Answered: 449 Skipped: 2



| | DO NOT FAVOR | WORTH INVESTIGATION | FAVOR WITH RESERVATIONS | HIGHLY FAVOR | TOTAL |
|------------------------|---------------|---------------------|-------------------------|---------------|-------|
| Partisan Elections | 71.53% 289 | 5.94% 24 | 13.12% 53 | 9.41% 38 | 404 |
| Non-Partisan Elections | 15.75% 66 | 16.71% 70 | 26.73% 112 | 40.81% 171 | 419 |
| Appointment to Bench | 32.54% 136 | 22.25% 93 | 32.30% 135 | 12.92% 54 | 418 |

Q4 If judges are appointed, who should make the appointment?

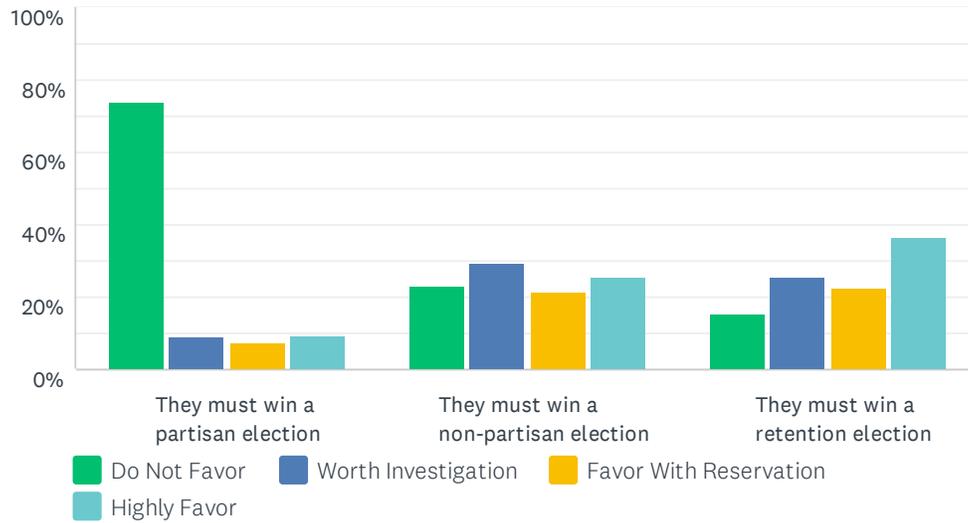
Answered: 445 Skipped: 6



| | DO NOT FAVOR | WORTH INVESTIGATION | FAVOR WITH RESERVATIONS | HIGHLY FAVOR | TOTAL | WEIGHTED AVERAGE |
|--|---------------|---------------------|-------------------------|---------------|-------|------------------|
| Appointed by Governor | 67.51% 266 | 12.94% 51 | 13.96% 55 | 5.58% 22 | 394 | 1.58 |
| Appointed by Governor from a field of candidates selected by a bipartisan Judicial Qualification Committee | 32.85% 137 | 26.38% 110 | 21.82% 91 | 18.94% 79 | 417 | 2.27 |
| Appointed by bipartisan Judicial Qualification Committee | 25.00% 105 | 26.19% 110 | 23.81% 100 | 25.00% 105 | 420 | 2.49 |
| Appointed by bipartisan Judicial Qualification Committee subject to confirmation by Texas Legislature | 49.03% 202 | 22.09% 91 | 18.69% 77 | 10.19% 42 | 412 | 1.90 |

Q5 If a judge has been appointed, how should they retain their seat?

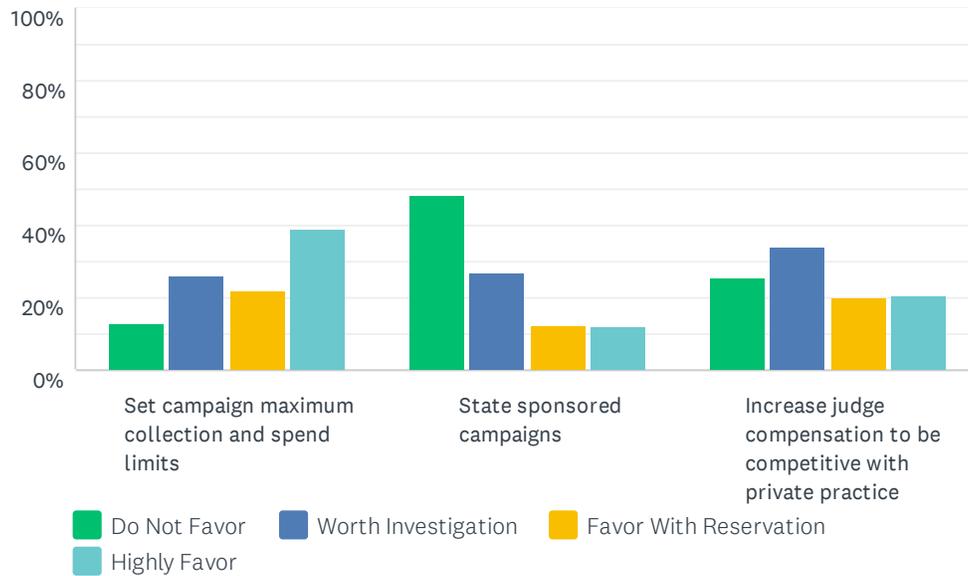
Answered: 445 Skipped: 6



| | DO NOT FAVOR | WORTH INVESTIGATION | FAVOR WITH RESERVATION | HIGHLY FAVOR | TOTAL | WEIGHTED AVERAGE |
|---------------------------------------|---------------|---------------------|------------------------|---------------|-------|------------------|
| They must win a partisan election | 73.89% 283 | 9.14% 35 | 7.57% 29 | 9.40% 36 | 383 | 1.52 |
| They must win a non-partisan election | 23.21% 94 | 29.63% 120 | 21.73% 88 | 25.43% 103 | 405 | 2.49 |
| They must win a retention election | 15.46% 64 | 25.60% 106 | 22.46% 93 | 36.47% 151 | 414 | 2.80 |

Q6 What is your opinion regarding the following ideas to increase confidence in the impartiality of the bench?

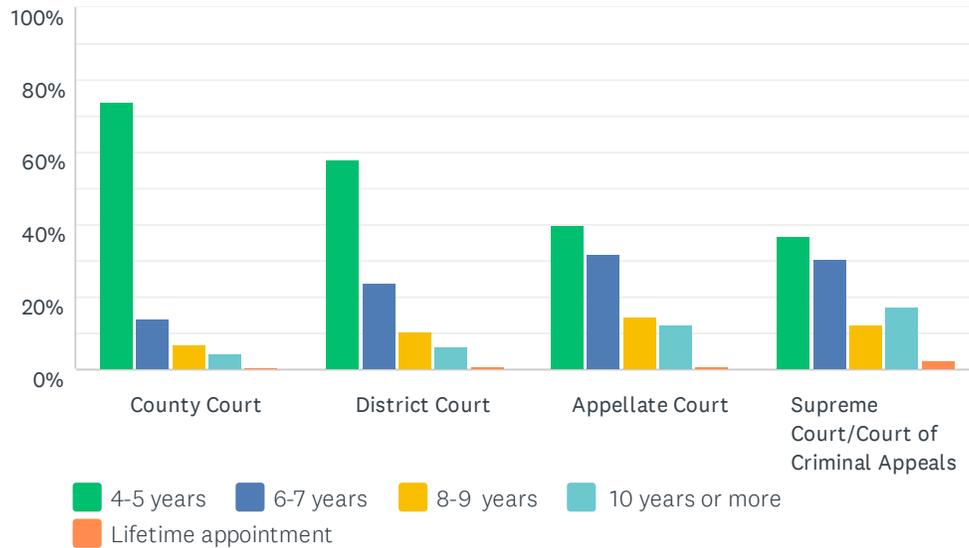
Answered: 448 Skipped: 3



| | DO NOT FAVOR | WORTH INVESTIGATION | FAVOR WITH RESERVATION | HIGHLY FAVOR | TOTAL | WEIGHTED AVERAGE |
|---|---------------|---------------------|------------------------|---------------|-------|------------------|
| Set campaign maximum collection and spend limits | 12.81% 56 | 26.09% 114 | 21.97% 96 | 39.13% 171 | 437 | 2.87 |
| State sponsored campaigns | 48.32% 201 | 27.16% 113 | 12.50% 52 | 12.02% 50 | 416 | 1.88 |
| Increase judge compensation to be competitive with private practice | 25.47% 109 | 34.11% 146 | 19.86% 85 | 20.56% 88 | 428 | 2.36 |

Q7 What is the ideal term length for the following benches:

Answered: 441 Skipped: 10



| | 4-5 YEARS | 6-7 YEARS | 8-9 YEARS | 10 YEARS OR MORE | LIFETIME APPOINTMENT | TOTAL |
|---|---------------|---------------|--------------|------------------|----------------------|-------|
| County Court | 74.14% 324 | 13.96% 61 | 6.86% 30 | 4.35% 19 | 0.69% 3 | 437 |
| District Court | 57.86% 254 | 24.15% 106 | 10.48% 46 | 6.38% 28 | 1.14% 5 | 439 |
| Appellate Court | 40.09% 176 | 31.89% 140 | 14.58% 64 | 12.30% 54 | 1.14% 5 | 439 |
| Supreme Court/Court of Criminal Appeals | 36.90% 162 | 30.30% 133 | 12.53% 55 | 17.54% 77 | 2.73% 12 | 439 |

Q8 Is there anything you would like to add to share with the Texas Judicial Selection Commission?

Answered: 137 Skipped: 314

| # | RESPONSES | DATE |
|----|--|--------------------|
| 1 | The concern is that these changes are being considered at this time when minorities are being elected to the bench. Qualifications would have been an appropriate issue to raise many years ago as well when no minorities were on the bench. The timing of raising the thought that changes need to be made now is of concern. | 9/18/2020 2:49 PM |
| 2 | NO LIFETIME APPOINTMENTS! If these changes were implemented I believe the Texas Civil and Criminal Judicial system would have a brighter future. More citizens would realize increase favorable treatment of their legal matter, even if they lose at trial. I believe elected Judges muddle the freedom of very good Judges to be overtly independent for fear of being voted out. Thank you for this survey. | 9/18/2020 1:52 PM |
| 3 | There's enough family law judges. We need more judges specialized to handle commercial, PI, govt, consumer, and real estate, or just anything other than family law | 9/18/2020 1:27 PM |
| 4 | I am NOT in favor of a Judicial Selection Commission to appoint judges. I believe it goes against the democratic process and can lead to voter suppression issues. | 9/18/2020 1:07 PM |
| 5 | Please look at how Connecticut appoints their judges. they have a select committee and nominees go through a rigorous application and review process before being considered by the governor for appointment, and then they are reviewed every 8 years | 9/18/2020 12:11 PM |
| 6 | Removal of partisan politics and minimum experience are a necessity. | 9/18/2020 11:55 AM |
| 7 | I already shared my comments under the appropriate questions. | 9/18/2020 11:46 AM |
| 8 | Judges are impartial. They should not run for office in partisan elections. | 9/18/2020 11:13 AM |
| 9 | 1. I am unfamiliar with #6 State sponsored campaigns and how that would work. 2. Judges without courtroom experience should not be eligible candidates as on the job training is not provided. 3. Thank you for working to better this situation. | 9/18/2020 11:10 AM |
| 10 | Law firms (attorneys, attorneys' families, & employees of law firms) should not be allowed to contribute. I believe the individual maximum contribution limits have been manipulated. | 9/18/2020 10:58 AM |
| 11 | Your question 6 assumes "confidence in the impartiality of the bench" is impacted by the amount or source of money (if any) financing of the campaign. I think that assumes facts not in evidence, especially with an appointment-type selection process. | 9/18/2020 10:52 AM |
| 12 | It is my impression that highly competent judges have been turned out of office by comparative legal neophytes who regard judgeship as a way of finally making a living in the law. Whatever decisions the Commission makes it must counteract this impression and the reality that underlies it. | 9/18/2020 10:27 AM |
| 13 | For question 7 - period should be subject to retention election | 9/18/2020 10:25 AM |
| 14 | Due to partisan elections and minimal qualifications, the quality of the judiciary in Bexar County has never been lower. | 9/18/2020 10:13 AM |
| 15 | Review other states which have appointment by commission. I do not have knowledge of most Judges which are on any given ballot ... how can laymen be expected to know the qualifications of Judicial candidates. | 9/18/2020 9:34 AM |
| 16 | Partisan election of judges is a disastrous way to select the most important cog in the administration of justice. Almost any system, short of appointment by the Governor (any Governor) will be an improvement. Our system of selecting judges gets a "no confidence" vote from almost every member of the public I encounter. | 9/18/2020 9:33 AM |
| 17 | In my experience, appellate court judges are often figureheads with their staff doing the thinking and the work. The 4th court of appeals, for example, is full of judges who lack a work ethic, lack knowledge of the law, and are too inclined to rule in favor of their friends in the court house. | 9/18/2020 9:29 AM |
| 18 | Any selection system must be designed to avoid the elitism and lack-of-diversity apparent in other appointment systems. The federal model makes clear that methods of "merit" selection will tend to favor big firms, Ivy league schools, while ignoring candidates with less-"elite" credentials, but who would nevertheless make brilliant jurists. | 9/18/2020 9:22 AM |
| 19 | The minimum age limit to run should be increased to 50 plus as it takes into consideration | 9/18/2020 9:18 AM |

maturity and experience. For a criminal judge at any level they should have experience as a prosecutor and a defense Counsel. It would improve perspective.

| | | |
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| 20 | Nonpartisan election is important. I think it should be separate and limited in funding. Take money out and let candidates make their honest appeal to the public of why they should serve that community. | 9/18/2020 9:02 AM |
| 21 | I am simply shocked that such a politically motivated process has come this far to fruition without pause or correction. The notion that the legislative and executive branches would take such an open attack on the judicial institution is appalling. The Texas Judicial Selection Commission should apologize for such a brazen challenge to an equal branch of government and move on to productive business. | 9/18/2020 8:56 AM |
| 22 | Glad for this effort. I have long held the opinion that a salary raise is the single biggest factor to improve the bench. None of the experienced lawyers I know would run. Too much of a pay cut, for starters. "Glass Half Full," by Tennessee law professor Ben Barton, highlights some of the problems. Judicial salaries, years and years ago, were many multiples of private practice. | 9/18/2020 8:46 AM |
| 23 | Each community is best suited to elect its representatives and the judiciary should not be any different. Each community should have the freedom to chose by the voice of the people the make up of their courts. | 9/18/2020 8:43 AM |
| 24 | End the partisan election of Judges! | 9/18/2020 8:40 AM |
| 25 | Thank you for doing this. | 9/18/2020 8:27 AM |
| 26 | Now that the demographics of the state are changing and Republicans will soon be outnumbered, you seek to change the way judges are seated. You are not fooling anyone. | 9/18/2020 8:26 AM |
| 27 | The people are served by an election. Special interests are served by appointment. | 9/18/2020 8:25 AM |
| 28 | No | 9/18/2020 8:24 AM |
| 29 | All should be elected on non presidential years to avoid the risk of a blue/red wave issue | 9/18/2020 8:20 AM |
| 30 | The Judiciary should be as removed from politics as possible by having publicly funded campaigns. The public should have the opportunity to choose from a minimum of 3 candidates per bench. Candidates should have some vetting process that is not exclusively decided by the political party in power. | 9/18/2020 8:18 AM |
| 31 | No group of elites selected by whomever will be better at selecting judges than the voters. | 9/18/2020 8:16 AM |
| 32 | No | 9/18/2020 8:06 AM |
| 33 | Something has to be done. Many trial attorneys are losing confidence in the system. Judges are not following the law and partisan politics are ruining or judicial system. | 9/18/2020 8:05 AM |
| 34 | No | 9/18/2020 8:02 AM |
| 35 | The present system is terrible Almost anything else would be better | 9/18/2020 8:00 AM |
| 36 | Get rid of Associate Judges. | 9/18/2020 7:56 AM |
| 37 | N/A | 9/18/2020 7:55 AM |
| 38 | Not at this time. | 9/17/2020 3:37 PM |
| 39 | The public and many attorneys feel judges turn a blind eye to perjury in civil cases and all police misconduct in criminal cases. | 9/17/2020 1:30 PM |
| 40 | Taking away the citizen's right to select their judiciary is wrong. | 9/17/2020 1:12 PM |
| 41 | Questions 7 & 8 are if a candidate is elected - no option for comments, but I voted for shorter terms b/c of that. If judges were appointed - with attorney/peer input - I would support longer terms. | 9/17/2020 11:52 AM |
| 42 | The public should choose their judges by casting their vote for judges. If the Gov or legislature wants to raise the level of qualifications then do it fairly including the Governor appointments. If you want non partisan judges then take the partisan Governor and partisan legislature out of the equation. | 9/17/2020 11:14 AM |
| 43 | We are losing too many very well-qualified, experienced judges of both political parties due to | 9/17/2020 10:42 AM |

partisan pendulum swings from election to election -- and that discourages many potentially well-qualified lawyers from even filing for office.

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| 44 | The local bar select three qualified candidates who would stand for election in a nonpartisan election with the selection committee having the option of retention of the setting judge so we can keep the good one. | 9/17/2020 10:04 AM |
| 45 | Texas must re-evaluate the structure of its judiciary and create a chancery court for commercial litigation, especially complex commercial litigation. | 9/17/2020 9:07 AM |
| 46 | Totally unqualified candidates are winning elections based upon the political winds of change. Excellent judges from both parties are being unseated despite hard work and fair application of the laws to all parties. This needs to end! Judges who are not qualified to be on felony appointment lists are winning elections to the bench! Unconscionable! There are civil trial judges on the bench who NEVER have tried a jury trial in their career! This lunacy has to stop. The bench is not for "on the job training"! | 9/17/2020 9:07 AM |
| 47 | please stop partisan elections | 9/17/2020 8:16 AM |
| 48 | Being a judge is public service and relying on voter selection is still the most democratic process. Attempting to meet their expectations of fairness, respect, and knowledge of the law is a desirable goal for seeking re-election. Judges must remain accountable to the citizens they serve and not be beholding to any other entity. Jury trials are more important than ever and are opportunities for citizens to participate and understand how we all can be part of the democratic process and increase patriotism in our communities. They are great opportunities to observe what a judge's role is and the fair application of the law. In my experience, juror participation is viewed as a privilege and a rewarding experience because of their important role in the administration of justice. | 9/16/2020 10:19 PM |
| 49 | Would like to see retention elections but hard term limits as well. In other words, there would be an ultimate maximum length of time a judge could serve, but there would also be periodic retention elections during that time period. | 9/16/2020 5:07 PM |
| 50 | Please eliminate partisan elections for judges. | 9/16/2020 4:32 PM |
| 51 | The constitutional right of Texans to vote for their judges to hold them accountable is a right that should not be infringed upon without careful scrutiny regardless of the outcome of this survey. | 9/16/2020 3:07 PM |
| 52 | We have had a tremendous loss of judicial talent due to primaries and elections favoring a single gender or ethnicity--institutionalizing discrimination. CHANGE NEEDED! | 9/16/2020 2:49 PM |
| 53 | I experienced a voir dire proceeding where panel members (plural) confronted the presiding judge about partiality towards and in favor of opposing counsel. We cannot afford to have the community lose trust in our system of justice. | 9/16/2020 1:43 PM |
| 54 | The Federal system already has a quasi nominating committee and it is highly politicized. It's no coincidence that a Democratic president was unable to appoint many judges in Texas, where the Committee (gatekeepers) were Republican. Now where the President is Republican, and so are the gatekeepers, there are many more appointments. That's a highly politicized system, why would Texas want to go to that? Our system has worked for the last hundred years and there were no issues then, what's the true motive for this push now? | 9/16/2020 1:29 PM |
| 55 | A data-driven approach to choosing a selection system that results in the most qualified and diverse judiciary to preserve the public's confidence in the justice system. | 9/16/2020 1:25 PM |
| 56 | There is nothing more ridiculous than having partisan elections. We've lost so many good judges on all sides because we don't have informed voters, and they just pick whoever is on their side of the ticket. | 9/16/2020 11:20 AM |
| 57 | Need more information on each candidate - people know the least about elected judges than other elected officials | 9/16/2020 10:47 AM |
| 58 | The current system permits party sweeps and results in judges with little experience replacing good judges. I do not think politics should play a role in the system. The lack of straight ballot voting should help with this...time will tell. | 9/16/2020 10:25 AM |
| 59 | Having practiced law as a trial lawyer for almost 40 years, I do not favor any public elections. Judges should be selected by equally bipartisan committees of lawyers. There should never be | 9/16/2020 10:05 AM |

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| | any "conservative" or "liberal" judges. --a pipe dream for blind justice. | |
| 60 | Texas' system of electing judges is corrupted on many levels. What is most concerning as of late is the number of judges elected that barely meet minimum requirements and have no experience, but ran because a judicial salary is the highest salary they will ever earn and because there are great maternity benefits. And yes, I am female and Hispanic. | 9/16/2020 9:59 AM |
| 61 | You asked about efforts to "Set campaign maximum collection and spend limits." Campaign collection and spending limits already exist. | 9/16/2020 9:54 AM |
| 62 | I would very much like to see change towards impartial, non political selection of judges who must meet pre-determined qualification standards. No more talk. Action. Kids are running the court system. Their lack of experience is disturbing. The profession needs to take charge of the judicial system and restore public faith in it by the impartial, qualified administration of justice. | 9/16/2020 9:40 AM |
| 63 | I would like to reiterate my point that the appointment process is highly political. The appointment of a committee does not remove the politics from the process. Consider the fact that there has been a push for a new process for judicial selection for years, and only now, that the democratic party swept many benches that we are now having a conversation | 9/16/2020 8:54 AM |
| 64 | Judicial elections should be non-partisan. There should be no (D), (R) or (I) after the candidate's name. | 9/16/2020 8:10 AM |
| 65 | If nothing else changes, prohibit attorneys from contributing to judicial campaigns. | 9/16/2020 7:50 AM |
| 66 | This Commission was Governor Abbott's (and the Republican's) response to the 2018 Judicial elections. I think this motivation should be considered. The result will be fewer minorities and more Republicans on the bench. I don't think this aspect is being well advertised. | 9/16/2020 12:34 AM |
| 67 | Increasing the minimum requirements ensures qualified candidates. Increasing a term to 6 years allows the judge to focus on work instead of campaigning. | 9/16/2020 12:17 AM |
| 68 | There's no perfect method. Changes to the current system shouldn't be undertaken without clearly justifying why a new system would be an improvement. For instance, many people are not independently wealthy, and partisan elections help them raise funds to reach the bench while not forcing them to cozy up to the "right people" in positions of political power (e.g., the governor, members of a judicial-selection board) as is often true in other states. And, moreover, most judges leave their partisanship at the door even under our current system. Furthermore, partisan elections may bring in some people who have no business being a judge, but they just as often sweeps those same people out. These points should be kept in mind when determining whether a new system is warranted. | 9/15/2020 9:24 PM |
| 69 | Campaign fundraising and spending limits already exist. I believe any lack of confidence in the judiciary related to campaign fundraising is more of a perception problem than a problem in reality. | 9/15/2020 8:20 PM |
| 70 | We have too many judges with no trial experience, little experience practicing law and there is no accountability. Judges do not show up to work and never get disciplined. | 9/15/2020 8:06 PM |
| 71 | NOT IN FAVOR OF APPOINTING JUDGES!! WOULD LEAD TO FAVORITISMS, POLITICAL INFLUENCE, AND GOOD OLD BOY/GIRL SYSTEM!!! | 9/15/2020 7:40 PM |
| 72 | Get money out of judicial elections. The State should distribute equal amounts to candidates and no more. Eliminate party affiliation, it is an incredible distraction. Increase civil service benefits for attorneys leaving private practice so competent attorneys will want to serve and so that judges are compensated fairly for public service. Frankly, there are a lot of good attorneys who want to serve and they should not be running against each other but rather for the office. If the attorney who loses is well qualified, they should serve after one six-year term by the winning attorney. After all, this is about public service not civil-service. | 9/15/2020 7:36 PM |
| 73 | Provisions regarding peer review and retention should be part of the equation | 9/15/2020 7:34 PM |
| 74 | Licensed attorneys should not be allowed to make political contributions to Judges or judicial candidates. | 9/15/2020 7:15 PM |
| 75 | Too many judges are put on the bench by certain attorneys and law firms who contribute as individuals but do it as an unofficial bundling group expecting favorable rulings. | 9/15/2020 7:09 PM |
| 76 | There should be a way for the Commission to take into consideration overall performance of | 9/15/2020 6:35 PM |

the Judge, which factors in knowledge, skill, exhibited bias, and willingness to follow the law!
The current system lacks any method to take this into account.

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| 77 | There should never be partisan elections of judges in Texas. It is amazing that this state took so long to ban straight ticket voting. The same can be said for partisan elections. Judges should be impartial and as such, should not be affiliated with a party; otherwise, it creates an appearance of bias. We continuously lose excellent jurists during an election sweep and it discourages many judges from seeking election. The public does not educate itself on judicial candidates and votes by party or name. As a result, we continue to have a very weak judiciary. This is such an easy solution. | 9/15/2020 6:15 PM |
| 78 | Partisanship will not help advance equity in the judiciary. Nor will appointments of judges by partisan, elected officials. The Best method would almost be to have a lottery of interested candidates for particular positions who have been thoroughly vetted, and have a history of non-partisan activity. You can have an opinion about the many economic and social issues without subscribing to one party or the other. | 9/15/2020 5:36 PM |
| 79 | There should not be a single Judge on the bench who is "learning as they go." I have heard that from multiple inexperienced and untried lawyers who have made it to the bench. It is not ok to have a Judge who doesn't understand judicial construction or the Texas Rules of Civil Procedure. | 9/15/2020 5:16 PM |
| 80 | A change in the method of selecting judges is critically needed. Clean sweeps of judges by partisan elections are untenable. No one, including lawyers, knows how to vote on a slate of 45 judges. | 9/15/2020 5:15 PM |
| 81 | Public should also be surveyed; their take is very different than that of attorneys/judges. | 9/15/2020 5:09 PM |
| 82 | The Commission would do the residents of Texas a huge favor is they managed to accomplish non-partisan election of judges, along with raising some qualifications. | 9/15/2020 5:04 PM |
| 83 | The public's perception of the judiciary is that "justice is for sale" in this state. Every effort should be made to make the selection of judges non-partisan. Perhaps limit the amount of money which can be spent on campaigns. | 9/15/2020 5:03 PM |
| 84 | We should not have partisan elections. Judges are routinely elected based on their designated party without regard to their qualifications. Excellent judges from both parties have lost elections to much less qualified opponents only because they are from the wrong party. | 9/15/2020 4:58 PM |
| 85 | I think judges should have two years on the bench and have to be reconfirmed. | 9/15/2020 4:43 PM |
| 86 | Proponents of the current partisan election of judges tout "accountability" and "transparency." But there is little of both at political association meetings and fundraisers--the hallmarks of partisan elections. | 9/15/2020 4:40 PM |
| 87 | People have selected Judges based off of partisanship to reflect their own values and the values they would like to see their judges hold. If you have a Republican or Democratic Governor select committee members you still will not be able to eliminate politics. | 9/15/2020 4:38 PM |
| 88 | I am strongly opposed to judges being appointed. | 9/15/2020 4:37 PM |
| 89 | As a trial attorney with over 200 civil jury trials in almost four decades of practice, I have seen how partisan elections have robbed the citizenry of too many wonderful jurists — from BOTH political parties. At the very least, we must end partisan election of judges and justices before the quality of our benches sinks to an irretrievable low point, even if it takes amending the Texas Constitution. | 9/15/2020 4:35 PM |
| 90 | The joke is in this proposal: "Increase judge compensation to be competitive with private practice." Judges receive a salary, health insurance, holidays, supplies, equipment, staff (courtroom deputy, bailiff), courtroom, office, paid parking. Anything else? Judges do not have to work as hard as lawyers do--the lawyers and parties and witnesses bring the hearings, the trials to the judges. The judges wait for the case to be delivered to them by the lawyers, parties, witnesses. Lawyers have to pay for health insurance, don't get to take as many holidays if they are really working lawyers, pay for their office, supplies, equipment, staff, parking. With just the salary, judges make more than the average lawyer-I bet. What is the result of research? But with all of the perks, judges are way ahead of the average lawyer. You guys are way out of touch with what lawyers are making these days. | 9/15/2020 4:33 PM |
| 91 | No | 9/15/2020 4:30 PM |

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| 92 | While I would like to see judges "selected" because they are competent and understand and follow the law (not create it), elections have selected judges based on their ethnicity and political persuasion, none of which should be permitted in electing a judge who should be blind to those characteristics. I have seen outstanding judges of one political party totally wiped out every 4 years and replaced with incompetent, inexperienced persons just because they are of one political persuasion or ethnicity. Disgusting! | 9/15/2020 4:30 PM |
| 93 | There has to be a better way than what we have now. It will be really difficult to keep the politics out, but it is not difficult to raise the qualifications standards and experience. I have always voted bi-partisan in Judicial races because fair outcomes result from experience and competence. | 9/15/2020 4:29 PM |
| 94 | Change the system. You can not imagine how frustrating it is to practice in this state | 9/15/2020 4:25 PM |
| 95 | I oppose the election of judges in partisan elections. The judge's party affiliation should be irrelevant. Only the judge's qualifications should count, not his or her politics. It is time to end partisan election of judges in Texas. | 9/15/2020 4:25 PM |
| 96 | I strongly support a system that involves nomination/confirmation; in other words a checks and balances system | 9/15/2020 4:24 PM |
| 97 | The partisan waves have resulted in vast loss of judicial experience. And even with the political polarization of most counties (few are competitive in the general election) it means judges are subject to primaries where often candidates seek to be further right or left than an incumbent - resulting in an even more politicized judiciary. | 9/15/2020 4:21 PM |
| 98 | This entire process is an insult to those who earned their benches and earned the trust of Texas voters. To those who are pushing new protocols, what a bunch of cry babies! | 9/15/2020 4:21 PM |
| 99 | we need to stop electing judges. exhibit A: Joe Brown | 9/15/2020 4:20 PM |
| 100 | No. | 9/15/2020 4:18 PM |
| 101 | Election of judges has proven to be extremely problematic. It leads to unqualified judges, many of whom are highly partisan (both conservative and liberal depending on which area of the state you examine). | 9/15/2020 4:15 PM |
| 102 | no | 9/15/2020 4:14 PM |
| 103 | No | 9/15/2020 4:13 PM |
| 104 | Judicial elections have invited partisanship into Texas jurisprudence. Texas was once among the leader in national jurisprudence is now largely a vehicle for partisan agendas and wealthy donors. It is difficult to imagine how small constituencies and the poor can find justice in the present system. | 9/15/2020 4:12 PM |
| 105 | I do not think judges should make more money. By and large, very few attorneys earn over \$100,000 per year with benefits WITHOUT OVERHEAD. Attorneys might regularly make more than \$100,000 per year, but not without careful, mindful effort and qualified staff. Judge pay is exactly where it should be. Private practice lawyers have no guaranteed income whereas a judge will get paid no matter what and may ask for visiting judges if there is a case or trial the elected judge doesn't want to handle. | 9/15/2020 4:10 PM |
| 106 | I suspect the ideal system will consist of a counterbalancing between selection criteria and term in office. For example, the less private practice experience required and/or the more partisan the election, the shorter the term. Conversely, the more experience required and/or the less partisan the election (or appointment), the longer the term on the bench. | 9/15/2020 4:09 PM |
| 107 | the most important thing is to stop electing judges, so their decisions will be based on experience and principle, not fear of angering the electorate. | 9/15/2020 4:08 PM |
| 108 | Eliminate partisan elections and please incorporate some mechanism of minimum but not insubstantial attorney peer approval in the nomination process that guards against both politicking as a way onto the bench and the ability for a small minority with a vendetta or agenda to sabotage a judge's initial nomination or current seat on the bench. | 9/15/2020 4:08 PM |
| 109 | Taking the "politics" out of judicial races by replacing election with appointment cedes the power of the judicial branch to either the legislative and/or executive branches of government. It not only denies equal opportunity for an individual to seek a judicial position but denies the | 9/15/2020 4:07 PM |

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| | people to select who should serve in an equal branch of government. The federal system of partisan selection of judges is far from the system to emulate. To paraphrase Winston Churchill, "The election of judges is the worst form of selection, except for all the others." | |
| 110 | No matter the result, if elections are continued as the method of selection, identification as "Republican" or "Democrat" should be dropped and any such identification prohibited in any literature or publicity. | 9/15/2020 4:04 PM |
| 111 | Partisan elections must go. They detract from the appearance of a judge's impartiality, and sweep good judges out of office based on political trends. Any other method of selection would be preferable. | 9/15/2020 4:01 PM |
| 112 | Elected judges are very hard working, usually, and some are excellent. It just seems some come in with too little experience and may have run for the wrong reasons, even not expecting to win. | 9/15/2020 3:59 PM |
| 113 | The present system with campaign contributions is not working in Bexar County or in other parts of Texas where I have practiced. | 9/15/2020 3:58 PM |
| 114 | People should not be deprived of their right to vote. What we want to avoid is partisan sweeps of down-ballot judicial races, but without losing the public's right to choose. That's why I favor non-partisan elections, and re-elections every 4 years. | 9/15/2020 3:57 PM |
| 115 | Too many times judges are appointment because of a favor for a friend that is ridiculous. I also think every year or two judges should be reviewed on their performance. | 9/15/2020 3:56 PM |
| 116 | The judges cannot appear to be selected in a partisan manner. If the process changes, the state needs to protect the bench from appointments from politicians and lobbyists. | 9/15/2020 3:56 PM |
| 117 | I think attorney's and law firms should not be allowed to donate to a judicial campaign period. This would remove the appearance of any buying of judges. | 9/15/2020 3:50 PM |
| 118 | I'm happy to see that the commission has issued this survey | 9/15/2020 3:49 PM |
| 119 | prevent law firms from donating money to judicial election campaigns | 9/15/2020 3:48 PM |
| 120 | Given the divided nature of the voters, judges need to be removed from the partisan election process. | 9/15/2020 3:47 PM |
| 121 | Judges should not receive campaign contributions from lawyers who practice in their court. | 9/15/2020 3:45 PM |
| 122 | Need to take politics out of judiciary and need to firm up the requirements for a judge to be elected to a certain bench. Too many judges being elected who do not have the proper background and experience for a particular bench, i.e. electing probate judges with little experience in probate or litigation, etc. | 9/15/2020 3:43 PM |
| 123 | I think removing politics is necessary for finding qualified judges. Also, limiting them to a single, longer term prevents the influence and distraction from running for office again. | 9/15/2020 3:42 PM |
| 124 | There are so many bad judges/justices at the district and court of appeals levels who are in office only because they rode a partisan wave. Many are unfit to even practice law. | 9/15/2020 3:41 PM |
| 125 | no | 9/15/2020 3:41 PM |
| 126 | The current system of partisan elections has been broken by the partisan, straight ticket voting of the past 20 years. Most of our trial and intermediate appellate Judges are held in very low esteem by those who have to practice before them. | 9/15/2020 3:41 PM |
| 127 | Changing the way judges are selected at this point in time will look like a power grab by the Republican Party. | 9/15/2020 3:40 PM |
| 128 | Godspeed. | 9/15/2020 3:40 PM |
| 129 | People have less of an idea who they're voting for now in down ballot races than ever. Keeping politics out of judicial selection as much as possible is essential to protecting the integrity of the judiciary from special interests and demagogues who were born with a familiar name or changed their name accordingly | 9/15/2020 3:40 PM |
| 130 | We have got to stop the looting of great judges by the seesaw election process. It is detrimental to the judiciary, to the counties, and most importantly to the general public who depend on the judicial system. I don't think the general public has any idea how many | 9/15/2020 3:40 PM |

inexperienced lawyers we have on the bench - or about the skill set/experience set needed to make a competent judge.

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| 131 | if there were only retention elections, that would significantly limit the amount of money in the system | 9/15/2020 3:38 PM |
| 132 | We must put a stop to partisan elections. | 9/15/2020 3:38 PM |
| 133 | The Missouri Plan is worth serious consideration. | 9/15/2020 3:37 PM |
| 134 | Voters do not want their voting rights taken away. The Commission appears to be a sham set up by the governor. | 9/15/2020 3:37 PM |
| 135 | Anything to end partisan elections that have nothing to do with qualifications of candidates. | 9/15/2020 3:37 PM |
| 136 | Term limits should be imposed. | 9/15/2020 3:36 PM |
| 137 | Please eliminate parties on the ballot for judges | 9/15/2020 3:35 PM |