

Stop Political Parties from Nominating Supreme Court Candidates

To the Editor:

I urge the State Bar of Michigan to take this rare opportunity to recommend that the legislature pass a resolution to place on the ballot an amendment to our Michigan Constitution that would change how we nominate our Michigan Supreme Court justices. The most glaring problem I see under our current system is the *nomination* of candidates for the Supreme Court by *our two major political parties*.

We constantly read in the press about how the “majority of four Republican justices” voted one way and the “Democrats,” with or without “maverick Republican” Justice Weaver, voted another way. I’m sure the public believes that the justices are all non-partisan and should not be voting in individual cases on the basis of politics. The same should be true when they vote among

themselves to select a chief justice. We hear members of the public, attorneys, and even judges say that the Republicans have been in control and elected a Republican chief justice for the last 10 years. This is wrong. Justices should not be considered Democrats or Republicans.

Our judiciary must
be independent
or it will lose
public confidence.

All trial judges and Court of Appeals judges circulate nominating petitions, run on a nonpartisan ballot, and are elected as nonpartisans. We are not beholden to any

political party for re-nomination for our next term. If it works for trial judges and Court of Appeals judges, it certainly should work for Supreme Court justices.

All justices, as well as the chief justice who is selected by fellow justices, should be elected not because of any party affiliation, but on the bases of credentials, independence, fairness, and knowledge of the law. Political parties, labor, business groups, defense attorneys, plaintiffs’ attorneys, and other special interests should not influence decisions by our judiciary. To be truly non-partisan, we must eliminate the nomination of justices by political parties.

Justice Betty Weaver has proposed a very interesting plan to limit justices’ tenure to one eight-year term with appointment by the governor from a nonpartisan list submitted by a judicial qualification commission. This would remove the need for justices to campaign and encourage decisions to be based on the facts and law in each case rather than politics.

Now is the time for the press to support Justice Weaver’s plan or to at least develop a plan that eliminates political parties from trying to control the independence of our judiciary through the nominating process.

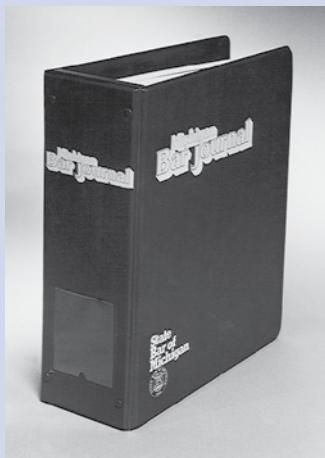
If someone wants to run for the Supreme Court, circulate nominating petitions. Stop political parties from nominating Supreme Court candidates. Our judiciary must be independent or it will lose public confidence—and public confidence is essential if we want the system to work.

Hon. Eugene Arthur Moore
Pontiac

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