Summary of conclusions: workshops on commission system

A. There was virtual unanimity that we need improvements.

B. Four of the six workshops voted on whether to adopt a commission system.
   • In three of the four workshops, participants strongly favored a commission system.
   • One of the four strongly favored making substantial improvements to current system.

C. Composition of commission
   • Suggested models:
     o the Walsh Commission recommendations
     o election of commissioners
     o a lottery to select commissioners
     o appointments to insure diversity
     o a hybrid combining a lottery for some commissioners and a lottery for others.
   • Unanimity that the commission should have significant non-lawyer members.
   • Significant sentiment for a commission dominated by non-lawyers.

D. Advantages of commission system
   • Appointments more open, transparent, and accountable
   • Minimizes politics
   • Minimizes effect of money
   • Recognizes current reality that most judges are appointed.
   • Should attract more candidates
   • Controls governor’s discretion
   • More fair.
   • More involvement of public
   • More informed choices

E. Disadvantages of commission system
   • Difficulty of amending constitution
• Still have politics in retention elections
• Risk of politics with selection of commission members
• Must assure diversity, both ethnic and geographic
• Actual effect depends on composition of commission.
• Risk that commission will be controlled by "elites"

F. Improvements to current system if we cannot adopt a commission system

• KCBA evaluation committee should include more non-lawyers
• More citizen group evaluation of candidates
• Better public education about candidates
• Clarify or modify Canon 7
• Adopt minimum qualifications for judges
• Longer terms for judicial office
• Campaign finance limitations or public financing