

State of Kansas
Senate Vice President

DISTRICT OFFICE:
113 S. 8TH ST.
P.O. BOX 1211
INDEPENDENCE, KANSAS 67301
(620) 714-1881

ROOM 341-E, STATE CAPITOL
TOPEKA, KANSAS 66612
(785) 296-7361
E-Mail: jeff.king@senate.ks.gov



JEFF KING
SENATOR, FIFTEENTH DISTRICT

February 19, 2013

**Testimony to the House Judiciary Committee
In Support of SB 8**

Chairman Kinzer and Members of the House Judiciary Committee,

Thank you for the opportunity to appear before you to offer testimony in support of Senate Bill 8. SB 8 provides the benefits of an independent review panel within the context of the senate confirmation model of selecting appellate judges. Since the founding of our country, the method of selecting judges through nomination by the chief executive and confirmation by the Senate has fostered a strong federal judiciary. It has instilled a system of checks and balances between executive nomination and legislative oversight that has helped insulate judicial selections from the excesses of any one party or President.

SB 8 helps create a similar system in Kansas while combating two of the primary critiques of the federal model. The first of these criticisms of the federal model, especially in recent years, is that gridlock in Washington has caused substantial delay in filling judicial vacancies. By requiring the review process by the Commission on Judicial Nominations to occur within 30 days of the nomination and the review by the Senate Judiciary Committee to occur during the next thirty days, SB 8 would ensure that the use of the senate confirmation model in Kansas would occur without the delays seen in Washington. Furthermore, because Kansas appellate courts can designate judges to hear cases, full staffing of cases would exist even during the small vacancies that would occur under SB 8 (vacancies similar to those that exist under the current system).

Second, SB 8 would establish an independent review commission to provide careful non-legislative scrutiny to gubernatorial nominations. The current Kansas Supreme Court Nominating Commission serves a valuable function in that it allows non-legislators (both attorneys and non-attorneys) to play a key role in scrutinizing judicial applicants. The American Bar Association currently fulfills that function at the federal level but, without the inclusion of such a commission through SB 8, it is doubtful that such a role would be fulfilled in Kansas under the senate confirmation model. SB 8 insures such citizen input

and provides increased legitimacy for such commission by placing its selection firmly under the control of elected officials other than the Governor and the Senate.

While the current SB 8 does not require geographical diversity among commission members, I understand that this committee may consider adding such a requirement. I would certainly welcome such action.

Thank you for the opportunity to testify on this important piece of legislation. I hope that the Committee will recommend SB 8 favorably for passage.



Jeff King
Senator, Fifteenth District