



September 1, 2008

Give the people the decision on electing judges, not attorneys

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Tennessee Voices

On July 21, 2008, the Hickman County Commission voted unanimously on Resolution 08-34 in support of the termination of the Judicial Selection Commission.

This vote by the elected men and women of Hickman County is in direct opposition to the views expressed in the Aug. 17 Tennessee Voices column authored by Buck Lewis, an attorney and president of the Tennessee Bar Association.

Mr. Lewis penned in his column that the state should continue with the practice of denying the people of our state the right to elect our judges. Mr. Lewis went on to outline certain issues with electing judges and used as examples himself and his father.

Sadly, Mr. Lewis fails to understand the underlying trouble with the Judicial Selection Commission. Our system of government is based on the premise that "we the people" are entitled to determine those in position of authority and leadership by way of elections. The process of electing judges is clearly defined in the Tennessee Constitution, which states, "The Judges of the Supreme Court shall be elected by the qualified voters of the State." The constitution furthers defines the qualifications for these judges by stating, "Every Judge of the Supreme Court shall be 35 years of age, and shall before his election have been a resident of the State for five years".

The stability of our government is sustained by all branches of government being accountable to only one group: the people. Since the ratification of the state constitution, there has been an assault of this accountability by changing the requirements for judges to first be only attorneys, and secondly be attorneys that the attorneys approve of. This disregard for the constitution has led Tennessee down a path where today, one-third of our state government has lost almost all accountability. The judicial branch no longer is a branch of the people, by the people, for the people, but rather a branch of the lawyers, by the lawyers, for the lawyers.

Tennessee has one of the highest divorce rates and bankruptcy rates in the country, largely due to an attorney industry that profits from these problems, and contributes greatly to the election process of their own to the legislative branch of state government. Currently, many state senators and representatives have close ties to, accept money from, or are themselves attorneys.

The first step to wresting the stranglehold attorneys have on our government is the elimination of the Judicial Selection Commission. The death of this process would once again create an open process of electing our judges.

As an elected official, I am subject to a vote of the people, based on my decisions and judgment whether they will allow me to continue representing them. Clearly, this is something that Mr. Lewis and the Tennessee Bar Association are not in favor of.

As a citizen of the state and an elected official in Hickman County, I implore the legislature to support the constitution that they swore an oath to defend and allow the Judicial Selection Commission to expire. It will take more than statesmanship; it will take a deep faith in the people to control their destiny. It will take faith in our system of government as defined by our constitution.