



May 14, 2008

Bill to change judge selection process stalls in committee

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Hopes for an overhaul this session of how Tennessee judges are chosen for the bench stalled in a committee hearing on Tuesday, when a bill slated to carry changes to the system ended up parked in a dead-end committee.

Sen. John Wilder, with an amendment in hand that would have revamped how judges are selected, chose to send his Judicial Selection Commission bill to the so-called general subcommittee, where legislation is sent when it faces a likely defeat, rather than face an up-or-down vote that might have killed the bill.

The move in the Senate Government Operations Committee means that there will be no further progress this year on overhauling the so-called Tennessee Plan, the state's system for appointing judges.

The sidelining of the bill also pushes the commission closer to the brink of dissolving altogether. The commission will eventually expire if it's not reviewed and renewed by the legislature; if the legislature fails to do so, the state would revert to its previous system of elected judges.

Wilder, a 40-year Senate veteran and former lieutenant governor, is an architect of the Tennessee Plan. At one point, he pleaded with the committee.

"I'm telling you, you shouldn't do this. This is the most important bill we have this year," he said.

Lt. Gov. Ron Ramsey, the Republican who is also Senate speaker, had hoped to push through an overhaul of the Judicial Selection Commission by amending Wilder's bill.

Under the state's current system, members of the Judicial Selection Commission are appointed from lists drawn up by legal groups such the Tennessee Bar Association and a trade group of trial lawyers.

Ramsey's plan would have allowed commission appointments that aren't suggested by outside groups, and would also have increased the number of judge candidates that the governor could choose from. It also would have made the process more transparent.

Ramsey and House Speaker Jimmy Naifeh, a Covington Democrat, have been trying to reach an agreement on the changes. Ramsey had hoped to make the changes this year, although he's said that many Republicans would be happy to have a return to elected judges.

The judicial selection system was debated on the House floor, before lawmakers passed the companion bill to the version that died in the Senate committee.

One House Democrat said the system was flawed but better than electing judges, while a Republican lawmaker said appointed judges are out of step with Tennesseans.

Gov. Phil Bredesen said he hoped for changes to the system, including a more transparent system. He said he hoped the House and Senate leaders could reach a compromise.

"I'll just let them sort that out, but I would like to get something done," he said.
