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Judicial selection proposal debated

Ramsey wants to renew panel, change process

By Erik Schelzig
ASSOCIATED PRESS

Senate Speaker Ron Ramsey is advising fellow Republicans to stop short of scrapping Tennessee's current method for selecting appeal judges and Supreme Court justices.

Ramsey, of Blountville, said he's working with the Senate Government Operations Committee to keep the state's Judicial Selection Commission from expiring, which would lead to the popular election of all appellate judges.

"I know that election is probably not the best way to go," Ramsey said in a speech to the Tennessee Business Roundtable earlier this week. If the legislature does nothing, the current system will end on June 30.

The Judicial Selection Commission is responsible for whittling down applicants, and presenting three finalists for the governor to choose from. The Senate and House speakers both appoint eight members and jointly make another appointment to the 17-member panel.

Ramsey's proposal would remove input from legal interest groups such as the state bar association, defense lawyers, prosecutors and trial lawyers about who gets to serve on the commission.

"At the very minimum ... it would allow me to appoint anybody I want to, with some strings attached," he said. "I believe it would take the slant that I believe is now toward the left at least toward the middle of the pendulum here."

Of the two speakers' eight appointments to the panel, six would have to be attorneys and two would have to come from each of the state's three grand divisions, Ramsey said. Supporters of the current system said they were unimpressed by Ramsey's proposal.

"He's presenting the people of Tennessee with two poor options: Either allow him unfettered, unilateral control over the state's judiciary, or bring in expensive elections where big corporations and insurance companies can buy the Supreme Court," said Democratic Rep. Henry Fincher, a Cookeville attorney.

Democratic House Judiciary Chairman Kent Coleman, a Murfreesboro attorney, said he was pleased to hear Ramsey wants to keep the current selection process in place, but expressed reservations about changing the current makeup.

"The process that currently exists does a good job in taking as much politics out of the process as possible," he said. "I think that's a better process than giving the speaker full discretion."

Ramsey also wants voters to decide whether to amend the constitution to affirm the current method of appointing judges and re-electing them to full eight-year terms through yes-no retention votes.

"It could either be to ratify it or not ratify it, it's just got to be on the ballot," Ramsey said. "But if we're going to keep this plan, it needs a constitutional amendment to do it."

The earliest voters could decide on the proposal would be in 2014.

There are five Supreme Court Justices and 12 judges each on the Court of Appeals and the Court of Criminal Appeals.
