

How should I judge a judicial candidate?

Resources for an informed decision



Each year, voters make their voices heard on the ballot, selecting public officials to represent them and judges to serve on the bench to interpret and apply the law. And yet, millions of voters leave the ballot blank when it comes to judges. Many voters do not know what to look for in selecting judges or why they are on the ballot. Additionally, voters are not sure what resources exist to help them evaluate judicial candidates. To cast an informed vote, voters should consider how judges are different from other elected officials. Judges make decisions based on the facts and the law. They should not be impacted by public opinion, special interests, or political influences. What should you consider in voting for judicial candidates?

Over 90 percent of court cases in the United States are filed in our state courts. Almost 100 million criminal and civil cases come before nearly 30,000 state court judges each year.

Each state has its own methods of selecting judges as outlined in its state constitution or state statutes. The processes may differ even within a state between trial and appellate court judges.

However, no matter how judges are selected in your state, it is important to remember that judges are different from other elected officials.



About Trial Court Judges

Trial court judges sit individually and hear cases for the first time. Judges listen to witnesses, rule on evidence and objections, and, in some cases, work in conjunction with a jury.

What to Consider

- ✓ **Experience**
What is the judicial candidate's background and legal experience?
How many years has the candidate been a lawyer and/or judge?
What type of law have they practiced?
What is the jurisdiction of the court they seek to serve on and how will their experience prepare them for this position?
- ✓ **Professional Competence**
How is the candidate viewed by others in the legal field?
Has he/she received any professional certifications or recognition?
What specific type of law does the candidate practice? Evaluate the qualifications for judges in your state.
- ✓ **Demeanor**
Is the judicial candidate respectful, fair, neutral, and professional in and out of the courtroom?
How is the judicial candidate represented on social media?
- ✓ **Integrity**
Is the judicial candidate honest, impartial, and committed to the rule of law?
- ✓ **Service**
Is the judicial candidate committed to public service and the administration of justice?
What types of community service have they participated in?
What boards or organizations are they affiliated with?
- ✓ **Other important considerations:**
Who is paying for the advertising promoting or opposing a judicial candidate?
Who is publishing voter information materials for judicial candidates?

Resources for Researching Judicial Candidates

- **Review profiles and bios** on court and bar association websites to gain information about a judicial candidate's education, background, and legal experience including of areas of practice, years of experience, and types of cases they have experience with.
- **Review voter guides** prepared by state and local bar associations and/or nonpartisan organizations which often provide resource links and provide answers to frequently asked questions.
- Seek out resources like **judicial performance evaluations and polls** conducted by local bar associations.
- Attend local **judicial candidate forums** sponsored by local bar associations or nonpartisan civic groups. Often these forums are videotaped.
- Examine the **eligibility requirements** and selection processes for state judges by looking in your state constitution or state statutes.
- **Talk to people in the community** or lawyers who may know the judge or judicial candidate.
- Review **nonpartisan resources, candidate voluntary self-disclosure forms, and other materials** to learn more about each candidate.
- **Check your state and local bar associations** for additional materials. Example: The Florida Bar has a page devoted on its website to judicial voter education <https://www.floridabar.org/public/faircts/votes010/>
- **Review and analyze media communications** including news articles, social media posts, candidate websites, and campaign advertisements. Consider funding and publication sources for each media communication.

www.ivp.nawj.org

About the Informed Voters, Fair Judges Project

IVP provides critical resources for informing the public about the unique role of the judicial branch in our constitutional design.

- Interactive educational presentation materials and resources
- Jury assembly and community outreach videos and resources
- Emmy Award-winning video featuring retired United States Supreme Court Justice Sandra Day O'Connor



“When a judge does what is right according to the law, when a judge decides each case strictly on the merits, when a judge gives every case and every person the same treatment, our courts are what they have always been and must always be... fair and free.”

- From “Fair and Free” featuring Supreme Court Justice Sandra Day O'Connor, Ret.