



SELECTION & RETENTION OF STATE JUDGES

METHODS FROM ACROSS THE COUNTRY



FORMAL METHODS OF SELECTING STATE JUDGES

COURTS OF LAST RESORT.....	3
INTERMEDIATE APPELLATE COURTS	4
TRIAL COURTS OF GENERAL JURISDICTION	5

INFORMAL METHODS OF SELECTING STATE JUDGES

COURTS OF LAST RESORT.....	6
INTERMEDIATE APPELLATE COURTS	7
TRIAL COURTS OF GENERAL JURISDICTION	8

METHODS OF RETAINING STATE JUDGES

COURTS OF LAST RESORT.....	9
INTERMEDIATE APPELLATE COURTS	10
TRIAL COURTS OF GENERAL JURISDICTION	11

NOTE: When all judges in a particular state are appointed by the governor (with or without assistance from a judicial nominating commission) or elected by the legislature, then what these charts label the *informal method of selecting state judges* is the same as the *formal method of selecting state judges*. On the other hand, when judges are elected by the voters, the *informal method of selecting state judges* is the method that is used to fill judicial vacancies that occur between scheduled elections.

FORMAL METHODS OF SELECTING STATE JUDGES: COURTS OF LAST RESORT

COMMISSION-BASED GUBERNATORIAL APPOINTMENT (21)	GUBERNATORIAL APPOINTMENT (5)	LEGISLATIVE ELECTION (2)	PARTISAN ELECTION (9)	NONPARTISAN ELECTION (13)
Alaska	California*	South Carolina	Alabama	Arkansas
Arizona	Maine**	Virginia	Illinois	Georgia
Colorado	Massachusetts**		Louisiana	Idaho
Connecticut*	New Hampshire**		Michigan	Kentucky
Delaware*	New Jersey**		New Mexico	Minnesota
Florida			North Carolina	Mississippi
Hawaii*			Ohio	Montana
Indiana			Pennsylvania	Nevada
Iowa			Texas	North Dakota
Kansas				Oregon
Maryland*				Washington
Missouri				West Virginia
Nebraska				Wisconsin
New York*				
Oklahoma				
Rhode Island*				
South Dakota				
Tennessee*				
Utah*				
Vermont*				
Wyoming				

*Confirmation by the legislature or another entity is required.

*A commission advises the governor, but the governor is not required by law to appoint a commission-recommended candidate.

FORMAL METHODS OF SELECTING STATE JUDGES: INTERMEDIATE APPELLATE COURTS

COMMISSION-BASED GUBERNATORIAL APPOINTMENT (15)	GUBERNATORIAL APPOINTMENT (3)	COURT APPOINTMENT (2)	LEGISLATIVE ELECTION (2)	PARTISAN ELECTION (8)	NONPARTISAN ELECTION (11)
Alaska	California*	New Jersey	South Carolina	Alabama	Arkansas
Arizona	Kansas*	North Dakota	Virginia	Illinois	Georgia
Colorado	Massachusetts**			Louisiana	Idaho
Connecticut*				New Mexico	Kentucky
Florida				North Carolina	Michigan
Hawaii*				Ohio	Minnesota
Indiana				Pennsylvania	Mississippi
Iowa				Texas	Nevada
Maryland*					Oregon
Missouri					Washington
Nebraska					Wisconsin
New York					
Oklahoma					
Tennessee					
Utah					
Rhode Island					
South Dakota					
Tennessee*					
Utah*					

*Confirmation by the legislature or another entity is required.

+A commission advises the governor, but the governor is not required by law to appoint a commission-recommended candidate.

FORMAL METHODS OF SELECTING STATE JUDGES: TRIAL COURTS OF GENERAL JURISDICTION

COMMISSION-BASED GUBERNATORIAL APPOINTMENT (15)	GUBERNATORIAL APPOINTMENT (4)	LEGISLATIVE ELECTION (2)	PARTISAN ELECTION (14)	NONPARTISAN ELECTION (20)
Alaska	Maine**	South Carolina	Alabama	Arkansas
<i>Arizona</i>	Massachusetts**	Virginia	<i>Arizona</i>	California
Colorado	New Hampshire**		Illinois	Florida
Connecticut*	New Jersey**		<i>Indiana</i>	Georgia
Delaware*			<i>Kansas</i>	Idaho
Hawaii*			Louisiana	<i>Indiana</i>
<i>Indiana</i>			<i>Missouri</i>	Kentucky
Iowa			New Mexico	Maryland
<i>Kansas</i>			New York	Michigan
<i>Missouri</i>			North Carolina	Minnesota
Nebraska			Ohio	Mississippi
Rhode Island*			Pennsylvania	Montana
Utah*			Tennessee	Nevada
Vermont*			Texas	North Dakota
Wyoming				Oklahoma
				Oregon
				South Dakota
				Washington
				West Virginia
				Wisconsin

NOTE: In the italicized states, judges of trial courts of general jurisdiction are selected and retained using more than one method, depending on the county in which the court sits.

*Confirmation by the legislature or another entity is required.

+A commission advises the governor, but the governor is not required by law to appoint a commission-recommended candidate.

INFORMAL METHODS OF SELECTING STATE JUDGES: COURTS OF LAST RESORT

COMMISSION- BASED GUBERNATORIAL APPOINTMENT (28)	GUBERNATORIAL APPOINTMENT (18)	COURT APPOINTMENT (1)	LEGISLATIVE ELECTION (2)	PARTISAN ELECTION (1)	NONPARTISAN ELECTION (0)
Alaska	Alabama	Illinois	South Carolina	Louisiana	
Arizona	Arkansas		Virginia		
Colorado	California*				
Connecticut*	Georgia ⁺				
Delaware*	Maine ⁺⁺				
Florida	Massachusetts ⁺⁺				
Hawaii*	Michigan				
Idaho	Minnesota				
Indiana	Mississippi				
Iowa	New Hampshire ⁺⁺				
Kansas	New Jersey ⁺⁺				
Kentucky	North Carolina				
Maryland*	Ohio				
Missouri	Oregon				
Montana*	Pennsylvania*				
Nebraska	Texas*				
Nevada	Washington				
New Hampshire*	Wisconsin ⁺				
New Mexico					
North Dakota					
New York*					
Oklahoma					
Rhode Island*					
South Dakota					
Tennessee*					
Utah*					
Vermont*					
West Virginia					
Wyoming					

*Confirmation by the legislature or another entity is required.

⁺A commission advises the governor, but the governor is not required by law to appoint a commission-recommended candidate.

INFORMAL METHODS OF SELECTING STATE JUDGES: INTERMEDIATE APPELLATE COURTS

COMMISSION- BASED GUBERNATORIAL APPOINTMENT (19)	GUBERNATORIAL APPOINTMENT (16)	COURT APPOINTMENT (3)	LEGISLATIVE ELECTION (2)	PARTISAN ELECTION (1)	NONPARTISAN ELECTION (0)
Alaska	Alabama	Illinois	South Carolina	Louisiana	
Arizona	Arkansas	New Jersey	Virginia		
Colorado	California*	North Dakota			
Connecticut*	Georgia ⁺				
Florida	Kansas*				
Hawaii*	Massachusetts**				
Idaho	Michigan				
Indiana	Minnesota				
Iowa	Mississippi				
Kentucky	North Carolina				
Maryland*	Ohio				
Missouri	Oregon				
Nebraska	Pennsylvania*				
Nevada	Texas*				
New Mexico	Washington				
New York	Wisconsin ⁺				
Oklahoma					
Tennessee*					
Utah*					

*Confirmation by the legislature or another entity is required.

⁺A commission advises the governor, but the governor is not required by law to appoint a commission-recommended candidate.



INFORMAL METHODS OF SELECTING STATE JUDGES: TRIAL COURTS OF GENERAL JURISDICTION

COMMISSION- BASED GUBERNATORIAL APPOINTMENT (29)	GUBERNATORIAL APPOINTMENT (22)	COURT APPOINTMENT (1)	LEGISLATIVE ELECTION (2)	PARTISAN ELECTION (1)	NONPARTISAN ELECTION (0)
<i>Alabama</i>	<i>Alabama</i>	Illinois	South Carolina	Louisiana	
Alaska	<i>Arizona</i>		Virginia		
<i>Arizona</i>	Arkansas				
Colorado	California				
Connecticut*	Georgia ⁺				
Delaware*	<i>Indiana</i>				
Florida	<i>Kansas</i>				
Hawaii*	Maine**				
Idaho	Massachusetts**				
<i>Indiana</i>	Michigan				
Iowa	Minnesota ⁺				
<i>Kansas</i>	Mississippi				
Kentucky	<i>Missouri</i>				
Maryland	New Hampshire**				
<i>Missouri</i>	New Jersey**				
Montana*	North Carolina				
Nebraska	Ohio				
Nevada	Oregon				
New Mexico	Pennsylvania*				
New York*	Texas*				
North Dakota	Washington				
Oklahoma	Wisconsin ⁺				
Rhode Island*					
South Dakota					
Tennessee					
Utah*					
Vermont*					
West Virginia					
Wyoming					

NOTE: In the italicized states, judges of trial courts of general jurisdiction are selected and retained using more than one method, depending on the county in which the court sits.

*Confirmation by the legislature or another entity is required.

⁺A commission advises the governor, but the governor is not required by law to appoint a commission-recommended candidate.

METHODS OF RETAINING STATE JUDGES: COURTS OF LAST RESORT

RETENTION ELECTION (19)	COMMISSION- BASED GUBERNATORIAL REAPPOINTMENT (2)	GUBERNATORIAL REAPPOINTMENT (3)	LEGISLATIVE REELECTION/ REAPPOINTMENT (3)	PARTISAN/ NONPARTISAN REELECTION (19)	LIFE TENURE (3)	COMMISSION REAPPOINTMENT (1)
Alaska	Delaware*	Connecticut*	South Carolina	Alabama	Massachusetts (to 70)	Hawaii
Arizona	New York*	Maine*	Vermont	Arkansas	New Hampshire (to 70)	
California		New Jersey*	Virginia	Georgia	Rhode Island	
Colorado				Idaho		
Florida				Kentucky		
Indiana				Louisiana		
Illinois				Michigan		
Iowa				Minnesota		
Kansas				Mississippi		
Maryland				Montana		
Missouri				Nevada		
Nebraska				North Carolina		
New Mexico				North Dakota		
Oklahoma				Oregon		
Pennsylvania				Ohio		
South Dakota				Texas		
Tennessee				Washington		
Utah				Wisconsin		
Wyoming				West Virginia		

*Confirmation by the legislature or another entity is required.

METHODS OF RETAINING STATE JUDGES: INTERMEDIATE APPELLATE COURTS

RETENTION ELECTION (17)	COMMISSION-BASED GUBERNATORIAL REAPPOINTMENT (1)	GUBERNATORIAL REAPPOINTMENT (1)	LEGISLATIVE REELECTION/ REAPPOINTMENT (2)	PARTISAN/ NONPARTISAN REELECTION (16)	LIFE TENURE (1)	COMMISSION REAPPOINTMENT (1)
Alaska	New York	Connecticut*	South Carolina	Alabama	Massachusetts (to 70)	Hawaii
Arizona			Virginia	Arkansas		
California				Georgia		
Colorado				Idaho		
Florida				Kentucky		
Indiana				Louisiana		
Illinois				Michigan		
Iowa				Minnesota		
Kansas				Mississippi		
Maryland				Nevada		
Missouri				North Carolina		
Nebraska				Oregon		
New Mexico				Ohio		
Oklahoma				Texas		
Pennsylvania				Washington		
Tennessee				Wisconsin		
Utah						

*Confirmation by the legislature or another entity is required.

METHODS OF RETAINING STATE JUDGES: TRIAL COURTS OF GENERAL JURISDICTION

RETENTION ELECTION (19)	COMMISSION-BASED GUBERNATORIAL REAPPOINTMENT (1)	GUBERNATORIAL REAPPOINTMENT (3)	LEGISLATIVE REELECTION/ REAPPOINTMENT (3)	PARTISAN/ NONPARTISAN REELECTION (20)	LIFE TENURE (3)	COMMISSION REAPPOINTMENT (1)
Alaska	Delaware*	Connecticut*	South Carolina	Alabama	Massachusetts (to 70)	Hawaii
<i>Arizona</i>		Maine*	Vermont	<i>Arizona</i>	New Hampshire (to 70)	
California		New Jersey*	Virginia	Arkansas	Rhode Island	
Colorado				Georgia		
Florida				Idaho		
<i>Indiana</i>				Kentucky		
Illinois				<i>Indiana</i>		
Iowa				<i>Kansas</i>		
<i>Kansas</i>				Louisiana		
Maryland				Michigan		
Missouri				Minnesota		
Nebraska				Mississippi		
New Mexico				<i>Missouri</i>		
Oklahoma				Montana		
Pennsylvania				Nevada		
South Dakota				New York		
Tennessee				North Carolina		
Utah				North Dakota		
Wyoming				Oregon		
				Ohio		
				Texas		
				Washington		
				Wisconsin		
				West Virginia		

NOTE: In the italicized states, judges of trial courts of general jurisdiction are selected and retained using more than one method, depending on the county in which the court sits.

*Confirmation by the legislature or another entity is required.