



September 3, 2013

Mr. Chairman and members of the Committee:

I'm Betsy Rohleder speaking as a member of the League of Women Voters of Kansas. There are over 700 members of the League of Women Voters of Kansas who are committed to conveying to voters the importance of informed participation in our great democracy. Informed citizens understand that transparency is fundamental to building trust between us and those we elect.

Today I am here to express our concern about the process for selecting the nominee for judge in the Court of Appeals. All of us are acquainted with the concept that **the means to an end is as important as the end**: we were taught as children to play by the rules, at church about goodness, in school hard work, not cheating lead to success and as adults that effort and co-operation pay off in achievement.

This principle – **the means to an end being as important as the end** – was the basis for the request by the League of Women Voters of Kansas, under the Kansas Open Records Act, to learn the names of the people who submitted applications for this opening on the Court of Appeals. Our first request was denied. When the Governor announced his nominee, the League of Women Voters made a second request, invoking the Kansas Open Records Act, for the schedule/calendars of staff members who most likely interviewed applicants as well as that of the Governor. This time the response was to provide electronic copies of many heavily redacted pages of the calendars for that 30 day interval when presumably the selection process happened.

What is the significance of these denials by the Governor's office? To the League of Women Voters the refusal to provide the names raises questions: how do we verify that there were 13 applicants interviewed? how were the interviews conducted? by whom? was there a separate interview by the Governor? The answers to these questions would reveal something about the means to an end. Without providing names and subjecting the process to public scrutiny, we can't trust the process and therefore can't trust the end.

As representatives of ALL the people, we want to hear if you support the secret process for selecting the nominee. If so, why have a public hearing for confirmation?

In conclusion, the League of Women Voters of Kansas urges you to demonstrate your commitment to trust and to transparency in government by requiring that the process of selection of the nominee be open.

Thank you.

Dolores Furtado, President

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