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Opponent, HCR 5013

Jan. 13, 2016

Chairman Barker and committee,

Good afternoon.

I am Kathy Ostrowski, Legislative Director of Kansans for Life, expressing our strenuous opposition to HCR 5013.

This proposal, 'the KBA 4-5-6 compromise' does not advance making the judicial nomination process more responsive to the people. It still remains a closed-door deliberation, not subject to public input, observation, or open records collection.

Adding insult to injury, HCR 5013 would outrageously cancel the improvement the people have recently achieved in removing appellate selection from the secret commission method.

Kansans for Life supports ending the current, so-called 'merit' commission method and strongly prefers replacing it with the accountability of a Governor nomination vetted by the Senate (HCR 5005) or, alternatively, popular election (HCR 5004).

We see no value in attempts to tweak certain spheres of influence within the secret deliberation process. That process needs to go. We have held this principled position since 2005 --under Gov. Sebelius as well as Gov. Brownback-- because we trust the people.

Gov. Brownback's words in last night's State of the State address express our position well:

"James Madison, writing in the Federalist Papers, warned of the dangers of placing too much power in the noble elites that could control our judicial process. This warning rings true today. Kansas is the only state in the country where the selection of Supreme Court justices is controlled by a handful of lawyers.

Kansas, however, is grounded in the principal of representative democracy. The current selection method used for the Supreme Court removes the people of Kansas from the process of selecting judges. It places the process in the hands of those lawyers who regularly appear in front of the judges they select.

Well, enough is enough. The Legislature should put before Kansas voters a proposed Constitutional amendment for a more democratic selection process for our Supreme Court justices. We must have faith in the people. Here the people rule."

Thank you, I stand for questions.