

# FOR KANSANS, BY KANSANS: MERIT-BASED SELECTION

## Who is on the Supreme Court Nominating Commission? How are they selected to be on the Commission?

Supreme Court vacancies are filled using a merit-based nomination process that Kansans voted to add to the Constitution in 1958. Members of the Supreme Court Nominating Commission serve four-year terms and are the main body that narrows the field of nominees for the governor to choose from.

The Nominating Commission is comprised of nine members representing Kansas' four congressional districts: four attorneys elected by other Kansas Bar Association, four nonlawyers appointed by the governor ensuring geographic nonlawyer representation, and an attorney who serves as the commission chair, elected by all Kansas Bar Association members across the state.

*“Merit selection far exceeds either direct election or the federal model lite. I think it far exceeds that in terms of the potential for limiting politics and partisanship in the judicial branch, which I think is absolutely vital to its function.” - Retired Justice Carol Beier*

## STEP 1: A SEAT ON THE KANSAS SUPREME COURT IS OPEN

A vacancy on the Supreme Court can happen when a justice resigns, is impeached, dies, or loses a statewide retention vote. Every Justice is subject to a retention vote by all Kansas voters one year after their first appointment, and every six years thereafter. The Supreme Court Nominating Commission has 60 days from the date of the vacancy to send three nominees to the governor.



Check out the QR below to see how rigorous and thorough the current application process is for individuals interested in becoming a Supreme Court Justice.



## STEP 2: APPLICATION PROCESS BEGINS

The Kansas Supreme Court Nominating Commission accepts applications and holds public interviews with qualified candidates. To be eligible, applicants must be at least 30 years old; a lawyer admitted to practice in Kansas; and engaged in the practice of law for at least 10 years, whether as a lawyer, judge, or full-time teacher at an accredited law school.

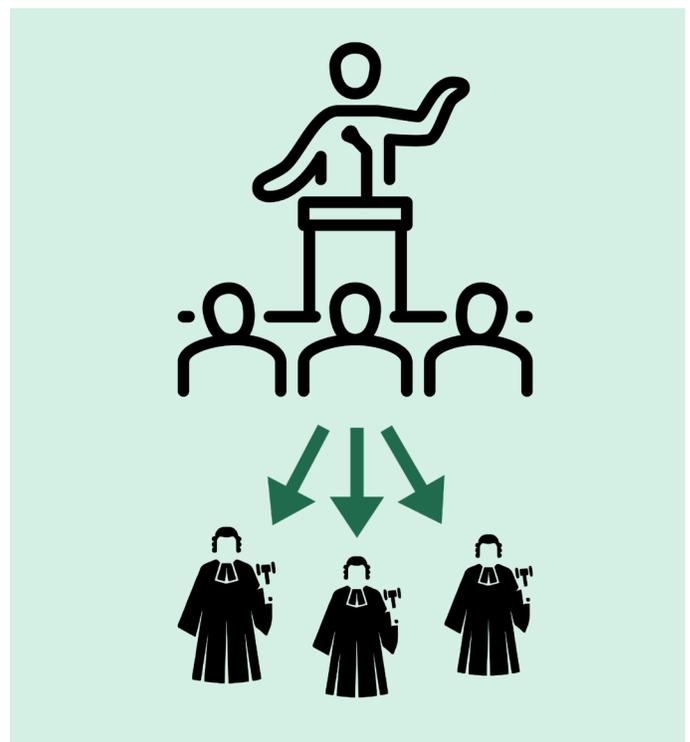
When considering applications, state statute requires that the Nominating Commission consider an applicant's legal and judicial experience, educational background, character and ethics, temperament, service to the community, impartiality, and respect of colleagues.

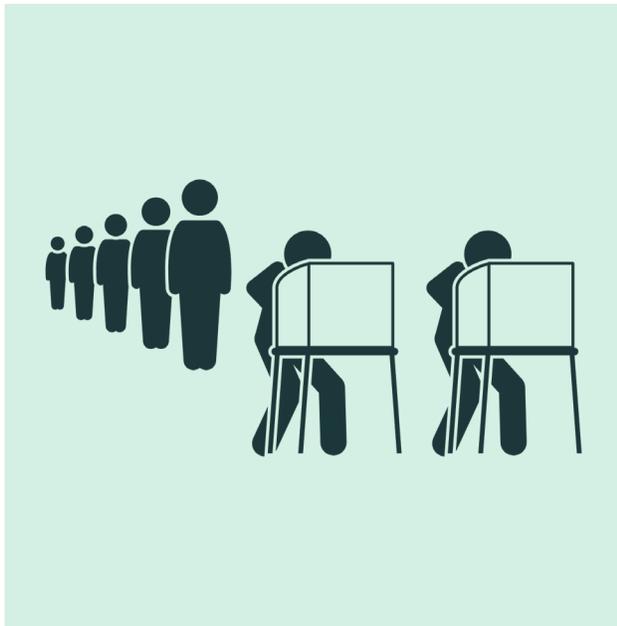
## STEP 3: APPLICANT INTERVIEWS WITH NOMINATING COMMISSION

State statute requires that interviews be held publicly, with advance notice and a complete list of all applicants for the position. The public is encouraged to submit written comments on their feedback on any nominee during the interview process. Following the interviews, the names of three nominees are submitted to the governor.

## STEP 4: THE GOVERNOR INTERVIEWS THE THREE NOMINEES

## STEP 5: THE GOVERNOR APPOINTS THE NEXT SUPREME COURT JUSTICE





## STEP 6: VOTERS WEIGH IN

After one year of service -- or at the next general election -- and every six years after that, justices appear on a statewide ballot to face a retention vote. In these retention elections, voters decide whether the justice should remain on the bench. If a justice does not receive a majority of the vote, they cannot continue serving. This process allows the Nominating Commission and governor to appoint the most qualified people, but provides the voters with the final word on whether the justices are upholding their oath to the Kansas Constitution.



### FOR MORE INFORMATION:

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