

Sourcebook of Criminal Justice Statistics 1997, pages 65, 66

Table 1.62

Selected qualification requirements of judges of appellate and trial courts of general jurisdiction

By type of court and jurisdiction, as of Jan. 1, 1996

| Jurisdiction             | Years of minimum residence |       |                  |                  |                  |                  |                 |       |                             |                  |           |       |
|--------------------------|----------------------------|-------|------------------|------------------|------------------|------------------|-----------------|-------|-----------------------------|------------------|-----------|-------|
|                          | U.S. citizenship           |       | In State         |                  | In district      |                  | Minimum age     |       | Member of State bar (years) |                  | Other     |       |
|                          | Appellate                  | Trial | Appellate        | Trial            | Appellate        | Trial            | Appellate       | Trial | Appellate                   | Trial            | Appellate | Trial |
| Alabama                  | (a)                        | (a)   | 5 <sup>b</sup>   | 5 <sup>b</sup>   |                  | 1                | 25              | 25    |                             |                  |           |       |
| Alaska                   | Y                          | Y     | 5 <sup>b</sup>   | 5 <sup>b</sup>   |                  |                  |                 |       | Y <sup>c</sup>              | Y <sup>c</sup>   |           |       |
| Arizona                  |                            |       | 10 <sup>d</sup>  | 5                | (e,f)            | 1                | 30              | 30    | 10 <sup>d</sup>             | 5                | (g,h)     | (g,h) |
| Arkansas                 | Y                          | Y     | 2                | 2                |                  |                  | 30              | 28    | (i,j)                       | (i,j)            | (g)       | (g)   |
| California               |                            |       |                  |                  |                  |                  |                 |       | 10 <sup>f</sup>             | 10 <sup>f</sup>  |           |       |
| Colorado                 |                            |       | (f)              |                  |                  | (f)              |                 |       | 5                           | 5                | (h)       | (h)   |
| Connecticut              |                            |       |                  |                  |                  |                  | 18              | 18    | 10                          | 10               |           |       |
| Delaware                 |                            |       | (b)              | (b)              |                  |                  |                 |       | (i)                         | (i)              |           |       |
| Florida                  |                            |       | (f)              | (f)              | Y <sup>k</sup>   | Y <sup>k</sup>   |                 |       | 10                          | 5                | (h)       | (h)   |
| Georgia                  | (a)                        | (a)   | Y <sup>k</sup>   | 3 <sup>b</sup>   |                  |                  |                 | 30    | 7                           | 7                |           |       |
| Hawaii                   | Y                          | Y     | Y <sup>b,k</sup> | Y <sup>b,k</sup> |                  |                  |                 |       | 10                          | 10               |           |       |
| Idaho                    | Y                          | Y     | 2                | 1                |                  | (f)              | 30              | 30    | 10                          | 10               |           |       |
| Illinois                 | Y                          | Y     | Y <sup>k</sup>   | Y <sup>k</sup>   | Y <sup>k</sup>   | Y <sup>k</sup>   |                 |       | Y <sup>k</sup>              | Y <sup>k</sup>   |           |       |
| Indiana                  | Y                          | Y     |                  |                  | Y <sup>k</sup>   | Y <sup>k</sup>   |                 |       | 10 <sup>j</sup>             | Y <sup>k</sup>   |           |       |
| Iowa                     |                            |       |                  |                  |                  |                  |                 |       | Y <sup>k</sup>              |                  |           |       |
| Kansas                   |                            |       |                  |                  |                  | Y <sup>k</sup>   | 30              | 30    | Y <sup>k,j</sup>            | Y <sup>i,k</sup> |           |       |
| Kentucky                 | Y                          | Y     | 2                | 2                | 2                | 2                |                 |       | 8                           | 8                |           |       |
| Louisiana                |                            |       | 2                | 2                | 2                | 2                |                 |       | 5                           | 5                |           |       |
| Maine                    |                            |       |                  |                  |                  |                  |                 |       | (i)                         | (i)              | (g)       | (g)   |
| Maryland                 |                            |       | 5 <sup>b,f</sup> | 5 <sup>b,f</sup> | (l)              | (l)              | 30              | 30    | Y <sup>k</sup>              | Y <sup>k</sup>   | (g)       | (g)   |
| Michigan                 |                            |       | (f)              |                  | (f)              | (f)              |                 |       | Y <sup>k</sup>              | Y <sup>k</sup>   | (h)       | (h)   |
| Minnesota                |                            |       |                  |                  |                  |                  |                 |       | Y <sup>i,k</sup>            | Y <sup>i,k</sup> |           |       |
| Mississippi              |                            |       | 5 <sup>b</sup>   | 5 <sup>b</sup>   |                  |                  | 30              | 26    | 5                           | 5                |           |       |
| Missouri                 | (a)                        | (a)   | (f)              | (f)              | Y <sup>k</sup>   | 1                | 30              | 30    | Y <sup>k</sup>              | Y <sup>k</sup>   |           |       |
| Montana                  | Y                          | Y     | 2                | 2                |                  |                  |                 |       | 5                           | 5                |           |       |
| Nebraska                 | Y                          | Y     | 3                |                  | Y <sup>f,k</sup> | Y <sup>k</sup>   | 30              | 30    | 5 <sup>j</sup>              | 5 <sup>j</sup>   |           |       |
| Nevada                   |                            |       | 2 <sup>f</sup>   | 2 <sup>f</sup>   |                  |                  | 25              | 25    | Y <sup>k</sup>              |                  |           |       |
| New Hampshire            |                            |       |                  |                  |                  |                  |                 |       |                             |                  | (m)       | (m)   |
| New Jersey               |                            |       |                  | (n)              |                  | (n)              |                 |       | 10                          | 10               |           |       |
| New Mexico               |                            |       | 3                | 3                |                  | Y <sup>k</sup>   | 35              | 35    | 10 <sup>i,j</sup>           | 6 <sup>i,j</sup> |           |       |
| New York                 |                            |       | Y <sup>k</sup>   | Y <sup>k</sup>   |                  |                  | 18              | 18    | 10                          | 10               |           |       |
| North Carolina           |                            |       |                  |                  |                  | Y <sup>k</sup>   |                 |       | Y <sup>k</sup>              | Y <sup>k</sup>   |           |       |
| North Dakota             | Y                          | Y     | Y <sup>k</sup>   | Y <sup>k</sup>   |                  | Y <sup>k</sup>   |                 |       | Y <sup>i,k</sup>            | Y <sup>i,k</sup> |           |       |
| Ohio                     |                            |       |                  |                  |                  | Y <sup>k</sup>   |                 |       | 6 <sup>j</sup>              | 6 <sup>j</sup>   | (h)       | (h)   |
| Oklahoma                 |                            |       | (f)              |                  | (f)              | (f)              | 30              |       | 5 <sup>j</sup>              | 4 <sup>j</sup>   |           |       |
| Oregon                   | Y                          | Y     | 3                | 3                | (f)              | 1                |                 |       | Y <sup>k</sup>              | Y <sup>k</sup>   |           |       |
| Pennsylvania             | Y                          | Y     | 1 <sup>b</sup>   | 1 <sup>b</sup>   |                  | Y <sup>k</sup>   |                 |       | Y <sup>k</sup>              | Y <sup>k</sup>   |           |       |
| Rhode Island             |                            |       |                  |                  |                  |                  | 21              |       |                             |                  |           |       |
| South Carolina           | Y                          | Y     | 5 <sup>b</sup>   | 5 <sup>b</sup>   |                  |                  | 26              | 26    | 5                           | 5                |           |       |
| South Dakota             | Y                          | Y     | Y <sup>k</sup>   | Y <sup>k</sup>   | Y <sup>f,k</sup> | Y <sup>f,k</sup> |                 |       | Y <sup>k</sup>              | Y <sup>k</sup>   |           |       |
| Tennessee                |                            |       | 5 <sup>b</sup>   | 5                |                  | 1                | 35 <sup>o</sup> | 30    | Y <sup>i,k</sup>            | Y <sup>i,k</sup> |           |       |
| Texas                    | Y                          | Y     | (b)              | (b)              | (e)              | 2                | 35              |       | Y <sup>i,k</sup>            | Y <sup>i,k</sup> |           |       |
| Utah                     | Y                          | Y     | 5 <sup>p</sup>   | 3                |                  | Y <sup>k</sup>   | 30 <sup>q</sup> | 25    | Y <sup>k</sup>              | Y <sup>k</sup>   |           |       |
| Vermont                  |                            |       | 5                | 5                |                  |                  |                 |       | Y <sup>i,k</sup>            | Y <sup>i,k</sup> |           |       |
| Virginia                 |                            |       | Y <sup>k</sup>   | Y <sup>k</sup>   |                  | Y <sup>k</sup>   |                 |       | 5                           | 5                |           |       |
| Washington               |                            |       | 1                | 1                | 1                | 1                |                 |       | Y <sup>k,r</sup>            | Y <sup>k</sup>   |           |       |
| West Virginia            |                            |       | 5                | Y <sup>k</sup>   |                  |                  | 30              | 30    | 10 <sup>j</sup>             | Y <sup>i,k</sup> |           |       |
| Wisconsin                |                            |       | (s)              | (s)              | (s)              | (s)              |                 |       | 5                           | 5                |           |       |
| Wyoming                  | Y                          | Y     | 3                | 2                |                  |                  | 30              | 28    | 9 <sup>i,j</sup>            | 1 <sup>i</sup>   |           |       |
| District of Columbia     | Y                          | Y     |                  |                  | (t)              | (t)              |                 |       | 5 <sup>j</sup>              | 5 <sup>j</sup>   |           | (u)   |
| Northern Mariana Islands |                            | Y     |                  |                  |                  |                  |                 | 30    |                             | (i)              |           |       |
| Puerto Rico              | Y                          | Y     | 5                |                  |                  |                  | 25              |       | 10                          | Y <sup>i,k</sup> |           |       |

See notes on next page.

Table 1.62

**Selected qualification requirements of judges of appellate and trial courts of general jurisdiction**

By type of court and jurisdiction, as of Jan. 1, 1996--Continued

Note: See Note, table 1.61. "Appellate" refers to judges of courts of last resort and intermediate appellate courts. "Trial" refers to judges of courts of general trial jurisdiction. In some instances, information on the length of time for residency and legal experience requirements was not supplied. There are no qualification requirements for judges in Massachusetts.

<sup>a</sup>Citizen of the United States. Alabama--5 years. Georgia--3 years. Missouri--15 years for appellate court, 10 years for trial courts.

<sup>b</sup>Citizen of the State.

<sup>c</sup>Length of time as member of State bar not specified but must have been engaged in active practice of law for a specific number of years: 8 years for appellate court, 5 years for trial court.

<sup>d</sup>For court of appeals, 5 years.

<sup>e</sup>For court of appeals judges only.

<sup>f</sup>Qualified elector. For Arizona court of appeals, must be elector of county of residence. For Michigan Supreme Court, elector in State; court of appeals, elector of appellate circuit. For Missouri Supreme and appellate courts, elector for 9 years; for circuit courts, elector for 3 years. For Oklahoma Supreme Court and Court of Criminal Appeals, elector for 1 year; court of appeals and district courts, elector for 6 months. For Oregon court of appeals, qualified elector in county.

<sup>g</sup>Specific personal characteristics. Arizona, Arkansas--good moral character. Maine--sobriety of manners. Maryland--integrity, wisdom, and sound legal knowledge.

<sup>h</sup>Nominee must be under certain age to be eligible. Arizona--under 70 years. Colorado--under 72 years, except when name is submitted for vacancy. Florida--under 70 years, except upon temporary assignment or to complete a term. Michigan, Ohio--under 70 years.

<sup>i</sup>Learned in law.

<sup>j</sup>Years as a practicing lawyer and/or service on bench of court of record in State may satisfy requirement. Arkansas--appellate: 8 years; trial: 6 years. Indiana--10 years admitted to practice or must have served as a circuit, superior, or criminal court judge in the State for at least 5 years. Kansas--appellate: 10 years; trial: 5 years (must have served as an associate district judge in State for 2 years). Texas--appellate: 10 years; trial: 4 years. Vermont--5 of 10 years preceding appointment. West Virginia--appellate: 10 years; trial: 5 years. Puerto Rico--appellate: 10 years; trial: 5 years.

<sup>k</sup>Length of time not specified.

<sup>l</sup>6 months.

<sup>m</sup>Except that record of birth is required.

<sup>n</sup>There are 260 restricted superior court judgeships that require residence within the county at time of appointment and reappointment. There are 144 unrestricted judgeships for which assignment of county is made by the Chief Justice.

<sup>o</sup>30 years for judges of court of appeals and court of criminal appeals.

<sup>p</sup>Supreme court is 5 years; court of appeals is 3 years.

<sup>q</sup>Supreme court is 30 years; court of appeals is 25 years.

<sup>r</sup>For court of appeals, admitted to practice for 5 years.

<sup>s</sup>10 days.

<sup>t</sup>90 days.

<sup>u</sup>Superior court judges must also have 5 years of legal government practice or serve as law school faculty.

Source: The Council of State Governments, *The Book of the States 1996-97* (Lexington, KY: The Council of State Governments, 1996), pp. 131, 132. Table adapted by SOURCE-BOOK staff. Reprinted by permission.