

Sourcebook of Criminal Justice Statistics 1997, pages 71, 72

Table 1.66

Method of selection and length of initial and retention terms of general jurisdiction court judges

By State and name of court, as of June 1, 1998

State/name of court(s)	Initial selection		Retention	
	Method <sup>a</sup>	Term	Method	Term (in years)
<u>Alabama</u> Circuit court	Partisan election	6 years	Partisan election	6
<u>Alaska</u> Superior court	Nominating commission	Until next general election but not less than 3 years	Retention election	6
<u>Arizona</u> Superior court <sup>b</sup>	Nominating commission	Until next general election but not less than 2 years	Retention election	4
<u>Arkansas</u> Circuit court	Partisan election	4 years	Partisan election	4
<u>California</u> Superior court	Nonpartisan election or gubernatorial appointment <sup>c</sup>	6 years	Nonpartisan election <sup>d</sup>	6
<u>Colorado</u> District court	Nominating commission	Until next general election but not less than 2 years	Retention election	6
<u>Connecticut</u> Superior court	Nominating commission	8 years	Commission reviews, governor renominates, legislature reappoints	8
<u>Delaware</u> Superior court	Nominating commission	12 years	Reappointment by governor	12
<u>District of Columbia</u> Superior Court <sup>e</sup>	Nominating commission	15 years	Reappointment by judicial tenure committee or President	15
<u>Florida</u> Circuit court	Nonpartisan election	6 years	Nonpartisan election	6
<u>Georgia</u> Superior court	Nonpartisan election	4 years	Nonpartisan election	4
<u>Hawaii</u> Circuit court	Nominating commission	10 years	Reappointment by commission	10
<u>Idaho</u> District court	Nonpartisan election	4 years	Nonpartisan election	4
<u>Illinois</u> Circuit court	Partisan election <sup>f</sup>	6 years	Retention election	6
<u>Indiana</u> Circuit court	Partisan election <sup>g</sup>	6 years	Partisan election <sup>g</sup>	6
<u>Indiana</u> Superior court	Partisan election <sup>h</sup>	6 years <sup>i</sup>	Partisan election <sup>j</sup>	6
<u>Iowa</u> District court	Nominating commission	Until next general election but not less than 1 year	Retention election	6
<u>Kansas</u> District court	Nominating commission <sup>k</sup>	Until next general election	Retention election <sup>l</sup>	4
<u>Kentucky</u> Circuit court	Nonpartisan election	8 years	Nonpartisan election	8
<u>Louisiana</u> District court	Partisan election <sup>m</sup>	6 years	Partisan election	6
<u>Maine</u> Superior court	Appointed by governor	7 years	Reappointment by governor	7
<u>Maryland</u> Circuit court	Nominating commission	Until next general election but not less than 1 year	Nonpartisan election	15
<u>Massachusetts</u> Trial Court of the Commonwealth	Nominating commission	To age 70	X	X
<u>Michigan</u> Circuit court	Nonpartisan election	6 years	Nonpartisan election	6
<u>Michigan</u> Recorder's Court of Detroit	Nonpartisan election	6 years	Nonpartisan election	6
<u>Minnesota</u> District court	Nonpartisan election	6 years	Nonpartisan election	6
<u>Mississippi</u> Circuit court	Nonpartisan election	4 years	Nonpartisan election	4
<u>Mississippi</u> Chancery court	Nonpartisan election	4 years	Nonpartisan election	4
<u>Missouri</u> Circuit court	Partisan election <sup>n</sup>	6 years <sup>o</sup>	Partisan election <sup>p</sup>	6
<u>Montana</u> District court	Nonpartisan election	6 years	Nonpartisan election, but if unopposed, retention election	6
<u>Nebraska</u> District court	Nominating commission	Until next general election but not less than 3 years	Retention election	6
<u>Nevada</u> District court	Nonpartisan election	6 years	Nonpartisan election	6
<u>New Hampshire</u> Superior court	Appointed by governor <sup>q</sup>	To age 70	X	X
<u>New Jersey</u> Superior court	Appointed by governor	7 years	Reappointment by governor	To age 70

See notes at end of table.

Table 1.66

**Method of selection and length of initial and retention terms of general jurisdiction court judges**

By State and name of court, as of June 1, 1998--Continued

State/name of court(s)	Initial selection		Retention	
	Method <sup>a</sup>	Term	Method	Term (in years)
<u>New Mexico</u> District court	Nominating commission	Until next general election	Partisan election the first time; after that, winner runs in retention election	6
<u>New York</u> Supreme court	Partisan election	14 years	Partisan election	14
<u>North Carolina</u> Superior court	Partisan election <sup>f</sup>	8 years	Partisan election <sup>g</sup>	8
<u>North Dakota</u> District court	Nonpartisan election	6 years	Nonpartisan election	6
<u>Ohio</u> Common Pleas court	Nonpartisan election	6 years	Nonpartisan election	6
<u>Oklahoma</u> District court	Nonpartisan election	4 years	Nonpartisan election	4
<u>Oregon</u> Circuit court	Nonpartisan election	6 years	Nonpartisan election	6
<u>Pennsylvania</u> Common Pleas court	Partisan election	10 years	Retention election	10
<u>Rhode Island</u> Superior court	Nominating commission	Life tenure	X	X
<u>South Carolina</u> Circuit court	Nominating commission <sup>h</sup>	6 years	Reelected by legislature	6
<u>South Dakota</u> Circuit court	Nonpartisan election	8 years	Nonpartisan election	8
<u>Tennessee</u> Circuit court	Partisan election	8 years	Partisan election	8
<u>Texas</u> District court	Partisan election	4 years	Partisan election	4
<u>Utah</u> District court	Nominating commission	Until next general election but not less than 3 years	Retention election	6
<u>Vermont</u> Superior court	Nominating commission	6 years	Automatic retention unless legislature votes against it	6
<u>Virginia</u> Circuit court	Elected by legislature	8 years	Reelected by legislature	8
<u>Washington</u> Superior court	Nonpartisan election	4 years	Nonpartisan election	4
<u>West Virginia</u> Circuit court	Partisan election	8 years	Partisan election	8
<u>Wisconsin</u> Circuit court	Nonpartisan election	6 years	Nonpartisan election	6
<u>Wyoming</u> District court	Nominating commission	Until next general election but not less than 1 year	Retention election	6

Note: See Note, table 1.64. Courts of general jurisdiction are defined as having unlimited civil and criminal jurisdiction (Larry C. Berkson, "Judicial Selection in the United States: A Special Report," *Judicature* 64 (October 1980) p. 178).

<sup>a</sup>In States that use nominating commissions, the governor makes the appointment.

<sup>b</sup>Counties with populations less than 250,000 select and retain superior court judges in nonpartisan elections for 4-year terms.

<sup>c</sup>Local electors can choose either nonpartisan elections or gubernatorial appointment.

<sup>d</sup>Judge must be elected to a full term on a nonpartisan ballot at the next general election. If the election is not contested, the incumbent's name does not appear on the ballot.

<sup>e</sup>Initial appointment is made by the President of the United States and confirmed by the Senate. If the President does not wish to reappoint the judge, the District of Columbia Nomination Commission compiles a new list of candidates.

<sup>f</sup>Circuit court associate judges are appointed by the circuit judges in each circuit for 4-year terms, as provided by supreme court rule.

<sup>g</sup>In Vanderburgh County, initial selection and retention are by nonpartisan election.

<sup>h</sup>A nominating commission is used for the superior court judges of Lake and St. Joseph Counties. In Vanderburgh County the election is nonpartisan.

<sup>i</sup>In Lake and St. Joseph Counties each appointed judge serves until the next general election but not less than 2 years.

<sup>j</sup>Nonpartisan elections are used in Allen and Vanderburgh Counties. Retention elections are used in Lake and St. Joseph Counties.

<sup>k</sup>Seventeen of 31 districts use a nominating commission for district judge selection; the remaining 14 select district judges in partisan elections.

<sup>l</sup>Fourteen of 31 districts use partisan elections.

<sup>m</sup>Although party affiliation of judicial candidates appears on ballots, judicial primaries are open. This gives judicial elections a nonpartisan character.

<sup>n</sup>Nominating commissions are used for selecting circuit court judges in Jackson, Clay, and Platte Counties, and the City and County of St. Louis.

<sup>o</sup>An associate circuit court judge's term is 4 years; also in counties that use nominating commissions the appointed judge serves until the next general election but not less than 1 year.

<sup>p</sup>Retention elections are used in Jackson, Clay, and Platte Counties, and the City and County of St. Louis.

<sup>q</sup>Subject to approval by an elected five-member executive council.

<sup>r</sup>Five special judges of the superior court are appointed by the governor. Three are appointed for 4-year terms and 2 judges are appointed for 5-year terms.

<sup>s</sup>Special judges of the superior court are reappointed by the governor and serve 4-year terms.

<sup>t</sup>The Judicial Merit Selection Commission was established on July 1, 1997. The commission screens and then recommends a list of three judicial candidates to the legislature. The legislature votes on the list submitted by the commission. If all candidates on the list are rejected, the process begins again with the commission.

Source: American Judicature Society, *Judicial Selection in the United States: A Compendium of Provisions*, 2nd edition (Chicago: American Judicature Society, 1993); and data provided by the American Judicature Society. Reprinted by permission.