

Malcolm Smith: **“I am open to the idea of replacing an elective system for Supreme Court Justices with an appointive system similar to that currently used to select judges to the state Court of Appeals, but want to consider more fully the variety of interests and perspectives on such a system before concluding my thoughts on the subject.”**

- 4. *Until the Legislature enacts new laws, Supreme Court judicial candidates will be selected at open primaries. The undue influence of campaign contributions on judicial candidates would be enhanced in an open primary system. Would you support legislation that provides for public financing of judicial campaigns?*

YES NO

Comments

- 5. *The Feerick Commission recommended a series of reforms to the current elective system that might address the constitutional issues found by the Appeals Court in Lopez Torres (see cover letter). Included in the Feerick Commission recommendations, are reforms of the judicial nominating conventions. The reforms are designed to increase the participation and knowledge of delegates to the convention. They include:*

- o *providing for the election of judicial delegates long before the conventions,*
- o *decreasing the number of delegates,*
- o *extending the term a delegate maintains his/her position,*
- o *decreasing the petition signatures required for a delegate, and*
- o *allowing judicial candidates to address the delegates at the convention.*

Would you support legislation that would include some or all of these recommendations?

YES NO

Comments

Malcolm Smith: **“To the extent these Feerick Commission recommendations sufficiently resolved the constitutional infirmities identified by the federal circuit court of appeals without overburdening the electoral process and reducing eligible voter participation, I would support legislation that implemented these recommendations.”**

- 6. *Would you support another recommendation of the Feerick Commission: legislation establishing independent judicial qualifying commissions composed of appointees of local bar/civic, not for profit organizations, and law schools or local colleges or universities that would review judicial candidates and report its findings of “most qualified” directly to the delegates and the voters?*

