

## Advantages of Colorado's merit selection system

Colorado's system of selecting judges is called merit selection. It has been in place for 40 years, and is often considered to be one of the best systems in the country.

- Judges remain separated from partisan politics.
- Judges cannot receive campaign funds, hold political office, make or receive campaign contributions, endorse political candidates or participate in political campaigns.
- Judicial nominees are selected based upon experience and qualifications.
- Citizens serve on the commissions to select judicial nominees and evaluate judges, and are members of the Judicial Discipline Commission.
- Judges are accountable for their performance through the Commission on Judicial Performance, retention elections and the Judicial Discipline Commission.

*"Looking back over the past four decades, we can see that the merit selection of judges has been the key to developing a fair and impartial state court system that is able to adapt to the changing times."*

- Colorado Supreme Court Chief Justice Mary Mullarkey



### 40th Anniversary Celebration May 1, 2006 through April 30, 2007

General information:  
<http://www.courts.state.co.us/40/>

Schedule a presentation in your community:  
Contact your local court  
or use the form located at  
<http://www.courts.state.co.us/40/speakers.cfm>

Contact information:  
email: [karen.salaz@judicial.state.co.us](mailto:karen.salaz@judicial.state.co.us)  
phone: 303-861-1111



### Colorado Justice: celebrating 40 years of fair and impartial courts through merit selection

### 40th Anniversary Celebration

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through  
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# How are judges selected in Colorado?

Judges in Colorado are selected through a system called merit selection. When a judge is needed, a citizens' judicial nominating commission collects and evaluates applications, interviews candidates, and selects two or three nominees based on their qualifications. These nominees are forwarded to the governor. The governor then appoints the new judge from this list of nominees. The judge then serves a provisional two-year term. Then, upon receiving voter approval in the retention election, a judge will serve a full term on the bench. A judge can stand for retention multiple terms; however he or she must be retained by the voters before each successive term and must retire by age 72.

***For more detailed information on judicial selection in Colorado, please visit <http://www.courts.state.co.us/40/>***

## Who selects judicial nominees?

For county and district court judicial vacancies, 22 citizen commissions, called judicial nominating commissions, select the two or three most qualified nominees to send to the governor. These seven-member commissions have strict rules regarding their composition. There are limits to control how many are non-attorneys (4 members) and attorneys (3 members) on the commissions, what county or judicial district the members live in, how long they can serve, and how many can be from the same political party.

A 15-member commission (8 non-attorneys, 7 attorneys) selects candidates for the Colorado Supreme Court and the Colorado Court of Appeals. This commission is composed of members from every congressional district in Colorado.

Non-attorney commission members are appointed by the governor. Attorney members are appointed by a majority action of the chief justice, governor and attorney general.

## How long do Colorado judges serve?

After the initial provisional two-year term, state court judges serve as follows:

- County Court - four years
- District Court - six years
- Court of Appeals - eight years
- Supreme Court - ten years

## How are judges held accountable in Colorado?

The people of Colorado decide whether to keep a judge on the bench. Every state court judge must stand for retention when his or her term is set to expire. In-depth reviews are conducted by citizen commissions and performance evaluations prepared for every judge standing for retention. Reviews by the Commissions on Judicial Performance are printed in the election Blue Book and posted prior to elections at [www.cojudicialperformance.com](http://www.cojudicialperformance.com).

Each commission is comprised of six non-attorneys and four attorneys. The chief justice, governor, president of the senate and speaker of the house appoint the members.

All judges must comply with the Colorado Code of Judicial Conduct. If a judge is not properly performing his or her duties, the Commission on Judicial Discipline investigates allegations and, if the situation warrants, can recommend that the Supreme Court remove a judge from office.

## 40 Years of Merit Selection in Colorado

In November 1966, Colorado voters adopted an amendment to the state constitution changing how judges are selected. As a result, the state's judges are chosen through merit selection. When a vacancy occurs, prospective candidates apply to the local judicial nominating commission. Successful applicants advance to the governor who then appoints the judge to serve an initial two-year term. The voters then decide whether to retain the judge for a full term.

Merit selection was developed to remove judges from all forms of political activity including holding political office, making or receiving campaign contributions, endorsing political candidates and participating in political campaigns.

May 1, 2006, through April 30, 2007, Colorado will celebrate the 40-year anniversary of merit selection of judges in Colorado.