

2008 Conference Survey Results:

1) Please rank your preference for the following forms of judicial selection.

- 62 responses
- 50 % would prefer a merit-based appointment system with lifetime appointments
- 38 % would prefer merit based appointment systems subject to retention election for judges
- 7 % would prefer non-partisan elections (judge party affiliation not identified)
- 5 % would prefer partisan judicial elections (judges party-affiliation identified)

Similarly:

- 80 % believe that partisan judicial election is the least preferable system
- 7 % believe that a non-partisan election is the least preferable system
- 4 % believe that a merit-based appointment system subject to retention elections is the least preferable
- 9 % believe that a merit-based appointment system with lifetime appointments is the least preferable

2) Please indicate how strongly you would support or oppose the following measures that have been recommended by some observers as ways to change the judicial selection process in state courts.

- 62 responses
 - a) Create specialty courts that solely address business issues
 - 40 % strongly support
 - 32 % mildly support
 - 8 % are neutral
 - 15 % mildly oppose
 - 5 % strongly oppose
 - b) Strengthen recusal requirements for judges receiving campaign contributions
 - 71 % strongly support
 - 16 % mildly support
 - 13 % are neutral
 - 0 % mildly oppose
 - 0 % strongly oppose
 - c) Eliminate judicial elections and replace them with a system in which the governor selects judges, who are later put before voters in a retention election
 - 37 % strongly support
 - 31 % mildly support
 - 11 % are neutral
 - 11 % mildly oppose
 - 10 % strongly oppose

- d) Eliminate judicial appointments and replace them with popular elections
 - 0 % strongly support
 - 3 % mildly support
 - 6 % are neutral
 - 9 % mildly oppose
 - 82 % strongly oppose

 - e) Substitute non-partisan for partisan election of judges
 - 40 % strongly support
 - 25 % mildly support
 - 10 % are neutral
 - 8 % mildly oppose
 - 17 % strongly oppose

 - f) Enforce particularly strict spending limits for judicial campaigns
 - 40 % strongly support
 - 27 % mildly support
 - 13 % are neutral
 - 13 % mildly oppose
 - 7 % strongly oppose

 - g) Lengthen judicial terms to reduce the frequency of elections
 - 55 % strongly support
 - 32 % mildly support
 - 3 % are neutral
 - 10 % mildly oppose
 - 0 % strongly oppose
- 3) Do you believe that the salary of the judges in your state should be increased?
- 62 responses
 - 93.5 % said yes
 - 6.5 % said no
- 4) Do you believe that the salary of federal trial judges should be increased?
- 62 responses
 - 98.3 % said yes
 - 2.7 % said no
- 5) Have you personally donated money to a judicial campaign in the past four years?
- 60 responses
 - 33.3% said yes
 - 77.7 % said no

6) Do you belong to or pay dues to any association or organization that donates money to judicial campaigns, directly or through affiliates

- 61 responses
- 18 % said yes
- 64 % said no
- 18 % did not know

7) If you were involved in a dispute that could not reach a settlement, would you generally prefer to:

- 52 responses
- 44 % would litigate the matter through the court system
- 56 % would use an alternative form of resolution, such as mitigation or arbitration

8) What factors would inform your choice?

- Many of the participants who selected litigation cited the unavailability of review in ADR and questioned the arbitrator's neutrality
- Many of those participants who selected an alternative form of resolution pointed to avoiding the "all or nothing win" and shortening the time before a decision

9) Would you describe yourself as employed in the:

- 60 responses
- 25 % in the government
- 47 % in the private, non-corporate sector
- 28 % in the private, corporate sector