



# Rob Hutton

STATE REPRESENTATIVE • 13<sup>TH</sup> ASSEMBLY DISTRICT

## Testimony of Representative Rob Hutton in Support of Senate Joint Resolution 57

Mr. Chairmen and members of the Judiciary and Labor Committee,

Thank you for allowing a hearing for Senate Joint Resolution 57.

The Chief Justice of the Supreme Court is named in our State Constitution as the administrative head of the judicial system. The sole determination for Chief Justice is based on seniority, which is the Supreme Court Justice who has served longest on the Supreme Court.

Senate Joint Resolution 57 would allow the justices to elect the Chief Justice for a term of two years for no longer than three consecutive terms. This would align the Supreme Court with how other Wisconsin court systems are administered, such as the Chief Judge for each judicial administrative district along with members of committees and boards for which the Supreme Court appoints.

Currently, 22 states have a peer vote process for Chief Justice of the Supreme Court. This proposal puts Wisconsin in line with these states; including Iowa, Illinois and Michigan. Wisconsin's seniority system is out of date, as it is only in place in 4 other states.

This legislation is about improving the efficiency and effectiveness of our courts, by bringing the position of Chief Justice to the foundation of the democratic process, allowing the administrative head of the judicial system to be chosen by a majority of justices.

I believe this change represents an important reform within our Supreme Court and will serve our justice system well for years to come.

Sincerely,



Rob Hutton  
State Representative  
13th Assembly District

State	Court Name	Title	Method of Selection	Method of Selection (explanation based on legend set forth below)	Term Length
KANSAS	Supreme Court	Chief Justice	SN	Seniority	Duration of Service
LOUISIANA	Supreme Court	Chief Justice	SN	Seniority <i>25 states</i>	Duration of Service
MISSISSIPPI	Supreme Court	Chief Justice	SN	Seniority	Duration of Service
PENNSYLVANIA	Supreme Court	Chief Justice	SN	Seniority	To age 70
WISCONSIN	Supreme Court	Chief Justice	SN	Seniority	Until declined
ALASKA	Supreme Court	Chief Justice	CS	Court selection	3 years
COLORADO	Supreme Court	Chief Justice	CS	Court selection	10 years
FLORIDA	Supreme Court	Chief Justice	CS	Court selection	2 years
GUAM	Supreme Court	Chief Justice	CS	Court selection	3 years
IDAHO	Supreme Court	Chief Justice	CS	Court selection	4 years
ILLINOIS	Supreme Court	Chief Justice	CS	Court selection	3 years
IOWA	Supreme Court	Chief Justice	CS	Court selection	8 years
KENTUCKY	Supreme Court	Chief Justice	CS	Court selection	4 years
MICHIGAN	Supreme Court	Chief Justice	CS	Court selection	8 years
MISSOURI	Supreme Court	Chief Justice	CS	Court selection	2 years
NEW MEXICO	Supreme Court	Chief Justice	CS	Court selection	2 years
OKLAHOMA	Court of Criminal Appeals	Presiding Judge	CS	Court selection	1 years
OKLAHOMA	Supreme Court	Chief Justice	CS	Court selection	2 years

*20 states*

*National Center of State Courts*

OREGON	Supreme Court	Chief Justice	CS	Court selection	1 term: 6 year term per statute 4 years
SOUTH DAKOTA	Supreme Court	Chief Justice	CS	Court selection	4 years
TENNESSEE	Supreme Court	Chief Justice	CS	Court selection	2 years
UTAH	Supreme Court	Chief Justice	CS	Court selection	4 years
VIRGINIA	Supreme Court	Chief Justice	CS	Court selection	4 years
WASHINGTON	Supreme Court	Chief Justice	CS	Court selection	4 years
WEST VIRGINIA	Supreme Court of Appeals	Chief Justice	CS	Court selection	1 years
ARKANSAS	Supreme Court	Chief Justice	NP	Non-partisan election	8 years
GEORGIA	Supreme Court	Chief Justice	NP	Non-partisan election	6 years
MONTANA	Supreme Court	Chief Justice	NP	Non-partisan election	8 years
N. CAROLINA	Supreme Court	Chief Justice	NP	Non-partisan election	8 years
ALABAMA	Supreme Court	Chief Justice	PE	Partisan election	6 years
OHIO	Supreme Court	Chief Justice	PE	Partisan election	6 years
TEXAS	Court of Criminal Appeals	Presiding Judge	PE	Partisan election	6 years
TEXAS	Supreme Court	Chief Justice	PE	Partisan election	6 years

*by the people of state*

NEVADA	Supreme Court	Chief Justice	Rotation	Rotation	The senior justice in commission is the Chief Justice, and in case the commissions of two or more of the justices bear the same date, the justices shall determine by lot who is the Chief Justice.
MASSACHUSETTS	Supreme Judicial Court	Chief Justice	GE	Gubernatorial appointment with approval of elected executive council	To age 70
NEW HAMPSHIRE	Supreme Court	Chief Justice	GE	Gubernatorial appointment with approval of elected executive council	To age 70
CONNECTICUT	Supreme Court	Chief Justice	GL	Gubernatorial appointment with consent of the legislature	8 years
MAINE	Supreme Judicial Court	Chief Justice	GL	Gubernatorial appointment with consent of the legislature	7 years
NEW JERSEY	Supreme Court	Chief Justice	GL	Gubernatorial appointment with consent of the legislature	7 years, plus tenure, to age 70
N. MARIANA ISLANDS	Supreme Court	Chief Justice	GL	Gubernatorial appointment with consent of the legislature	8 years
PUERTO RICO	Supreme Court	Chief Justice	GL	Gubernatorial appointment with consent of the legislature	To age 70
ARIZONA	Supreme Court	Chief Justice	GN	Gubernatorial appointment from judicial nominating commission	6 years
INDIANA	Supreme Court	Chief Justice	GN	Gubernatorial appointment from judicial nominating commission	2 years
NEBRASKA	Supreme Court	Chief Justice	GN	Gubernatorial appointment from judicial nominating commission	Duration of Service

15 back

185 total

NEW YORK	Court of Appeals	Chief Judge	GN	Gubernatorial appointment from judicial nominating commission	14 years
DELAWARE	Supreme Court	Chief Justice	GNL	Gubernatorial appointment from judicial nominating commission with consent of the legislature	12 years
HAWAII	Supreme Court	Chief Justice	GNL	Gubernatorial appointment from judicial nominating commission with consent of the legislature	10 years
RHODE ISLAND	Supreme Court	Chief Justice	GNL	Gubernatorial appointment from judicial nominating commission with consent of the legislature	Hold office during good behavior 6 years
VERMONT	Supreme Court	Chief Justice	GNL	Gubernatorial appointment from judicial nominating commission with consent of the legislature	12 years
CALIFORNIA	Supreme Court	Chief Justice	GU	Gubernatorial appointment	To age 70
MARYLAND	Court of Appeals	Chief Judge	GU	Gubernatorial appointment	Duration of Service 4 years
MINNESOTA	Supreme Court	Chief Justice	GU	Gubernatorial appointment	5 years
D.C.	Court of Appeals	Chief Judge	JN	Judicial nominating commission appoints	
NORTH DAKOTA	Supreme Court	Chief Justice	Elected by all judges in state	Elected by all judges in state	
S. CAROLINA	Supreme Court	Chief Justice	General Assembly	General Assembly	10 years

**LEGEND: METHOD OF SELECTION**

SN	Seniority
CS	Court selection
NP	Non-partisan election
PE	Partisan election
Rotation	Rotation
GE	Gubernatorial appointment with approval of elected executive council
GL	Gubernatorial appointment with consent of the legislature
GN	Gubernatorial appointment from judicial nominating commission
GNL	Gubernatorial appointment from judicial nominating commission with consent of the legislature
GU	Gubernatorial appointment
JN	Judicial nominating commission appoints