

Judicial process for their citizens to elect

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Judicial selection comes in many forms. Texas along with the other forty-nine states compare and select methods of different strategies with intent to provide the perfect process for their citizens to elect representatives fairly. Texas and nine other states use of the partisan election method.

This method however, is being questioned because recent observations show imperfection in its design. The election is designed so that voters have the advantage to know what political party their candidate is running for.

Opponents of this style do not like this process because it makes all voters favor the popular political party instead of the qualifications of the candidate.

These voters are insinuating that nonpartisan elections are superior. Thirteen states claim that the lack of political party persuasion on the ballot and their involvement in funding candidates would be fair to all nominees. This would be an advantage to all candidates but a disadvantage to voters because voters want to know that who their voting for is in favor of their political views. There are other options though, such as appointment elections. The president uses this method in the federal system when nominating judges to the senate for approval. These nomination for election in the states however, are appointed by the governor from a list of commissions with some states requiring consent from the state legislature. Appointment elections can be very beneficial because judges no longer have to rely on campaign contribution to win the election.

Campaigning being the main criticised aspect of the partisan method is the reason why appointment elections are so popular. For example, if Texas was to have a partisan election, each candidate would have to state which party

they are apart of. The party they are running for, depending on the favored party, would get a large amount of contributions while the unfavored party got enough to run. The nominee with the most money brought into their campaign always won.

The case of Buckley vs. Valeo brought this to attention. This method was unfair so the supreme court created the Judicial Campaign Fairness Act which provided a limit to a candidates expenditures and intake of donations. SJR 26 was a proposal by the senate that would provide major modifications to the judicial process in Texas.

This proposal would have changed the manner in which we elect our justices in Supreme Court, Court of Criminal Appeals and District court by creating single member districts for these court candidates to run in. Requesting this constitutional amendment allows the state legislature to consolidate cities and counties with other cities and counties into same districts without changing the taxes. The amendment would make the process reflect the geographic division of the ethnic population in the district or state served. This bill would also manipulate the terms of office, and election dates.