



## MISSOURI SENATE

JEFFERSON CITY

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**For Immediate Release:**  
**February 12, 2008**

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# Bill to Keep Judicial Selection Open and Honest Discussed by Senate Panel

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JEFFERSON CITY — Senate Bill 968, sponsored by State Sen. Charlie Shields, R-St. Joseph, was heard in the Judiciary and Civil & Criminal Jurisprudence Committee Monday, February 11<sup>th</sup>. The bill keeps the Appellate Judicial Commission from continuing their current practice of meeting in secret without giving notice to the public. Questions of openness and accountability created by this practice came to light during the summer of 2007 after the most recent appointment.

“Currently, many see our judicial selection plan as flawed because of the secretiveness that has hampered the process,” said Sen. Shields. “This bill creates more transparency in the selection of judges thereby restoring the public’s trust in our selection plan.”

In order to select Supreme and appellate court vacancies, the state uses a selection process dubbed the “Missouri Plan”. An Appellate Judicial Commission selects three finalists for an open position and then the governor chooses among those candidates. The Commission is made up of 3 lawyers, three citizens, and the Chief Justice. The lawyers on the commission are selected by the Missouri Bar Association, and the citizens are appointed by the governor. The commission selects three finalists and then the governor chooses from among those candidates. The current system is not open to the public and meetings and interviews are kept secret. “Like every other aspect of state government, choosing a Supreme Court Justice is an important decision and should be open to all citizens, not just a few select lawyers.” Shields said.

Senate Bill 968 would require that any non-partisan judicial commission be subject to the provisions of the Missouri Sunshine Act. This would require judicial commissions to follow the same procedures as other public governmental bodies when conducting meetings. In addition, SB 968 stipulates that a non-partisan judicial commission would not be able to close meetings, records, or votes related to personnel matters. Since the role of the committee is to hire judges, this provision would keep the meetings open to the public.

“The Missouri Plan was created to assure citizens that their judges are being selected in a fair, impartial way,” said Sen. Shields. “This legislation will update that process and add additional safeguards to put an end to concerns about secrecy. It will also go along way towards taking politics out of the current process.”

Committee approval sends the bill to the Senate floor for debate before the full body.