

Table 1: Characteristics of merit selection plans: Scope of the plans

State/Jurisdiction	Year established	Level of court	Legal basis of plan	Type of vacancy	Number of commissions	Number of commissioners
Alabama						
Baldwin County	1999	Circuit Court District Court	CA	Interim	1	5: 1L; 3N; 1J
Jefferson County ¹	1950	Circuit Court	CA	Interim	1	5: 2L; 2N; 1J
Madison County	1974, revised 1996	Circuit Court District Court	CA	Interim	1	9: 2L; 6N; 1J
Mobile County	1982	Circuit Court District Court	CA	Interim	1	5: 2L; 2N; 1J
Talladega County	1996	Circuit Court District Court	CA	Interim	1	5: 1L; 3N; 1J
Tuscaloosa County	1990, revised 2002	Circuit Court District Court	CA	Interim	1	9: 5L; 3NL; 1J
Alaska						
	1959	Supreme Court	C	Initial and Interim	1	7: 3L; 3N; 1J
	1959	Superior Court	C	Initial and Interim		
	1980, amended 1985	Court of Appeals	S	Initial and Interim		
	1959	District Courts and Magistrates	S	Initial and Interim		
Arizona						
	1974, amended 1992	Supreme Court Court of Appeals	C	Initial and Interim	1	16: 5L, 10NL, 1J
		Maricopa County Superior Court	C	Initial and Interim	1	
		Pima County Superior Court	C	Initial and Interim	1	
Colorado						
	1967	Supreme Court Court of Appeals	C	Initial and Interim	1	14: 6L, 7NL, 1J
		District Court	C	Initial and Interim	22	8: 1J; at least 4NL; no more than 3L ²
		County Court Denver Juvenile Court Denver Probate Court	S	Initial and Interim		
Connecticut						
	1986	Supreme Court Appellate Court Superior Court	C	Initial and Interim	1	12: 6L, 6NL, 0J
Delaware						
	1977; revised 1978, 1985, 2001	All Courts, including Magistrates	EO	Initial and Interim	1	9: 5L, 4NL, 0J
D.C.						
	1973, amended 1977, 1984, 1986, 1996	Court of Appeals Superior Court	HR	Initial and Interim	1	7: 2NL, 2L, 2E, 1J
Florida						
	1972; amended 1976, 1984, 1996, 1998	Supreme Court District Court of Appeal Circuit Court County Court	C C C	Initial and Interim Initial and Interim Interim	1 5 20	9: 6L, 3E, 0J
Georgia						
	1972 to present	Supreme Court Court of Appeals Superior Court State Court	EO	Interim	1	18

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Hawaii	1959, amended 1978, 1994	Supreme Court Intermediate Court of Appeals Circuit Court District Court ³	C	Initial, Interim, and Retention	1	9: 4L, 5NL, 0J
Idaho	1967; amended 1985, 1990	Supreme Court Court of Appeals District Court	S	Interim Interim Interim	1	7:2L, 3NL, 2J
Indiana	1960, amended 1970	Supreme Court Court of Appeals Tax Court	C S	Initial and Interim Initial and Interim	1	7: 1J, 3L, 3NL
Allen County	1985	Superior Court	S	Interim	1	7: 3L, 3NL, 1J
Lake County	1983	Superior Court	S	Initial and Interim	1	9: 4L, 4NL, 1J ⁴
St. Joseph County	1973	Superior Court	S	Initial and Interim	1	7: 3L, 3NL, 1J
Iowa	1962, 1963; amended 1976, 1983	Supreme Court	C	Initial and Interim	1	15: 7L, 7NL, 1J ⁵
	1962, 1963; amended 1976, 1983	Court of Appeals	S	Initial and Interim		
	1962, 1963; amended 1976, 1983	District Court	C	Initial and Interim	14	11: 5L, 5NL, 1J ⁵
	1983, amended 1986	District Associate Judges ⁵	S	Initial and Interim	99	6: 2L, 3NL, 1J
	1983; amended 1989, 1990, 1998	Magistrate Judges ⁵	S	Initial and Interim		
Kansas	1972	Supreme Court	C	Initial and Interim	1	9: 5L, 4NL, 0J
	1975	Court of Appeals	S	Initial and Interim		
	1972	District Court (optional)	C	Initial and Interim	17	# of L's / NL's varies according to judicial district; ⁷ 1J
Kentucky	1976	Supreme Court Court of Appeals Circuit Court District Court	C C	Interim Interim	1 56	7: 2L, 4NL, 1J
Maryland	1970, revised 1974, 1979, 1982, 1987, 1988, 1991, 1995, 1999, 2003, 2007	Court of Appeals Court of Special Appeals District Court Circuit Court	EO EO	Initial and Interim Initial and Interim	1 16	17 9
Massachusetts	1970 to present	Appeals Court Trial Court	EO	Initial and Interim	1	21
Minnesota	1983, revised 1990, 1992	District Court Workers' Compensation Court of Appeals	S	Interim	1	13: up to 8L, at least 5NL, 0J ⁸

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Missouri	1940, revised 1976	Supreme Court	C	Initial and Interim	1	7: 3L, 3NL, 1J
City of St. Louis	1940, revised 1976	Court of Appeals	C	Initial and Interim	1	5: 2L, 2NL, 1J
Jackson County	1940, revised 1976	Circuit Judge	C	Initial and Interim	1	
St. Louis County	1976	Associate Circuit Judge	C	Initial and Interim	1	
Clay & Platte Counties	1976	Circuit Judge	C	Initial and Interim	2	
		Associate Circuit Judge				
Montana	1973, amended 1977, 1979, 1987, 1991, 1992	Supreme Court	C	Interim	1	7: 2L, 4NL, 1J
	1991	District Court	S	Initial and Interim		
	1987	Worker's Compensation Judge	S	Initial and Interim		
		Chief Water Judge	S	Initial and Interim		
Nebraska	1962, amended 1972	Supreme Court	C	Initial and Interim	7	9: 4L, 4NL, 1J
		Court of Appeals	S	Initial and Interim	6	
		District Court	C	Initial and Interim	12	
		County Court	S	Initial and Interim	4 ⁹	
		Juvenile Court	S	Initial and Interim	3	
		Worker's Compensation Court	S	Initial and Interim	1	
Nevada	1976	Supreme Court	C	Interim	1	7:3L, 3NL, 1J
		District Court			1 ¹⁰	9:4L, 4NL, 1J
New Hampshire	2000, 2005	Supreme Court	EO	Initial and Interim	1	11: 6L, 5NL
		Superior Court				
		District Court				
		Probate Court				
New Mexico	1988	Supreme Court	C	Initial and Interim	1	14: 8L, 3NL, 3J ¹¹
	1988	Court of Appeals	C	Initial and Interim	13	14: 8L, 3NL, 3J ¹¹
		District Court	C	Initial and Interim	1	14: 8L, 3NL, 3J ¹¹
		Metropolitan Court (Bernalillo County)	C	Initial and Interim	1	14: 8L, 3NL, 3J ¹¹
New York	1977	Court of Appeals	C	Initial and Interim	1	12: 4L, 4NL, 4E, 0J
	1975 to present	Appellate Div. of the Supreme Court	EO	Initial and Interim	4	13
		Supreme Court		Interim		
		Court of Claims	EO	Initial and Interim	1	13
		County Court	EO	Interim	4	14
		Surrogate's Court				
New York City	1978 to present	Family Court	EO	Initial and Interim	1	19
		Criminal Court				
		Family Court				
		Civil Court		Interim		
North Dakota	1976; amended 1998	Supreme Court	C	Interim	1	6: 3L/J, 3NL
		District Court			1	9: 3L/J, 3NL, 3E ¹²
Oklahoma	1967	Supreme Court	C	Initial and Interim	1	13: 6L, 7NL, 0J
		Court of Criminal Appeals				
	1987, amended 1996	Court of Civil Appeals	S	Initial and Interim		
	1980, amended 2001	District Court	S	Interim		
	1977	Workers' Compensation Court	S	Initial and Interim		

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Rhode Island	1994	Supreme Court Superior Court Family Court District Court Worker's Compensation Court Administrative Adjudication Court	C	Initial and Interim	1	9: 4L, 4NL, 1E 0J
South Dakota	1980	Supreme Court Circuit Court	C	Initial and Interim Interim	1	7: 3L, 2NL, 2J
Tennessee	1971; amended 1974, 1986, 1994, 1999, 2001	Supreme Court Court of Criminal Appeals Court of Appeals Trial Courts	S S	Initial and Interim Interim	1	15: 12L, 3NL, 0J
Utah	1967, amended 1985, 1992, 1994	Supreme Court Court of Appeals District Court Juvenile Court	C C	Initial and Interim Initial and Interim	1 8	7: 2L, 3NL, 2E 7: 2L, 3NL, 2E
Vermont	1967; amended 1969, 1971, 1975, 1979, 1985	Supreme Court Superior Court District Court	C	Initial and Interim	1	11: 3L, 6NL, 2E
Wyoming	1973	Supreme Court District Court Circuit Court	C	Initial and Interim	1	7: 3L, 3NL, 1J ¹³

C = Constitutional
S = Statutory
EO = Executive Order
HR = Home Rule
L = Lawyer
NL = Non-lawyer
E = Either Lawyer or Non-lawyer
J = Judge

- Alabama (Jefferson County).** The Jefferson County Commission nominates candidates for vacancies in the Birmingham Division only.
- Colorado.** In judicial districts with populations greater than 35,000, there must be three lawyer and four non-lawyer members. In judicial districts with populations of 35,000 or less, there must be at least four non-lawyer members; a majority vote of the governor, the attorney general, and the chief justice determines how many of the remaining three members must be lawyers.
- Hawaii.** The chief justice makes appointments to the district courts.
- Indiana (Lake County).** Two lawyer and two non-lawyer members must be men; two lawyer and two non-lawyer members must be women; at least one lawyer and one non-lawyer member must be a minority.
- Iowa.** The mandatory ratio of lawyers to non-lawyers is not specified; traditionally, the governor appoints only non-lawyers and the bar elects only lawyers. No more than a simple majority of members appointed by the governor may be of the same gender, and the bar must alternate between electing male and female members.
- Iowa.** District judges appoint district associate judges from lists of nominees recommended by the county magistrate appointing commission. The county magistrate appointing commission appoints magistrates.
- Kansas.** The number of commission members varies with the number of counties in each judicial district; however, there must be an equal number of lawyers and non-lawyers on each commission.
- Minnesota.** There are nine commission members who serve "at-large" to fill any district court or workers' compensation court of appeals vacancies. In addition, there are four commission members—two lawyers and two non-lawyers—appointed from the district in which the vacancy exists.
- Nebraska.** The district court judicial nominating commissions also nominate county court judges, except in Districts 1, 3, 4, and 10, in which there are separate county and district judicial nominating commissions.
- Nevada.** Nominations for district court vacancies are made by temporary commissions that are assembled as each vacancy occurs and exist only until nominations have been submitted to the governor. These temporary commissions consist of members of the permanent commission and one lawyer and one non-lawyer resident of the judicial district in which the vacancy occurs.

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11. **New Mexico.** The president of the state bar and the judges on the commission are authorized to make the minimum number of additional appointments of members of the state bar as is necessary for equal representation on the commission of the two largest political parties.

12. **North Dakota.** When a vacancy occurs on the district court, the governor, chief judge, and president of the state bar each appoint an additional temporary member, who may or may not be a lawyer, from the judicial district in which the vacancy occurs; these members serve until the vacancy is filled.

13. **Wyoming.** When a vacancy occurs on a district or circuit court, and that district or county is not represented on the commission, one lawyer and one non-lawyer from that district or county are appointed as temporary, nonvoting advisors to the commission.