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## Amendment would alter Missouri Plan

Governor would have greater power in judicial selection.

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*News-Leader*

Jefferson City -- The Missouri House has approved a proposed constitutional amendment to give the governor more power to select judges for the Missouri Supreme Court, appeals courts and Greene County.

House Joint Resolution 10 would change the Missouri Plan by giving the governor more power to veto panels of judicial nominees to the Nonpartisan Judicial Commission.

The proposed changes, if approved by all Missouri voters, would affect Greene County's new judicial selection process, which voters approved in November.

"It certainly would undo the will of what the people (of Greene County) have just passed," said Wallace Squibb, a local trial attorney and president of the Springfield Metropolitan Bar Association.

Under the proposed changes, the Nonpartisan Judicial Commission would have to submit a second list of judicial nominees for the appellate and high courts.

Currently, a governor can veto nominees, but then the decision falls back in the hands of the commission, which Republicans contend is controlled by attorneys who support Democrats.

James Harris, executive director of Better Courts for Missouri, a group advocating for the change, said the constitutional amendment would "reduce the ability of special interests to rig the panel."

Under the proposed constitutional amendment, the makeup of the commission would be changed to give the governor an additional appointment.

It would comprise a Missouri Supreme Court justice, three attorneys elected by the Missouri Bar, three citizens appointed by the governor from different court of appeals district and another at-large resident appointed by the governor from anywhere in the state.

"It would give the people more say in their commission," Harris said. "The courts are here not to serve the lawyers. They're here to serve the interests of Missouri or Greene County residents."

Greene County's judicial selection panel currently has two citizens appointed by the governor, two lawyers elected by the local bar association and the chief justice of Southern District Court of Appeals. The proposed change would add another gubernatorial appointment.

Sponsoring Rep. Stanley Cox, R-Sedalia, said the change would put more power to select judges in hands of average citizens. He said the commission is currently "dominated by lawyers now."

"It gives the people of Missouri a voice in this important branch of government," Cox said Thursday on the House floor.

The House passed the resolution 85-72. It needs approval of the Senate before it can be put before

voters on the November 2010 ballot.

Each gubernatorial appointment to the commission would be subject to the Senate confirmation.

Squibb said changing the makeup of the commission and making gubernatorial appointments subject to scrutiny in the legislature would only politicize the process.

"The more government involvement, then obviously the more it's going to be politicized," Squibb said.

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