

Hi, this is Chris Micheli with the Sacramento governmental relations firm of Aprea & Micheli and an adjunct professor at McGeorge School of Law. Today's podcast is on choosing judges in California.

Members of the California judiciary are selected in one of two ways. The first is for trial judges - those are the superior courts - and the second is for appellate court justices. Trial court judges are elected by the voters at an election for six year terms. It's a non-partisan race pursuant to the State Constitution. Note that vacancies in superior courts are filled by appointment of the Governor. For the appellate court justices, those are the courts of appeal and the Supreme Court, are appointed by the Governor and then evaluated and confirmed by the Commission on Judicial Appointments.

There are more than 1,500 superior court judges and their terms begin on the Monday after January 1 following their election to office. For appellate court justices, their terms begin when the Appointments Commission files its approval with the Secretary of State. The seven Supreme Court justices and the roughly 102 courts of appeal justices are first evaluated before a judicial appointment is made.

The Commission on Judicial Nominee Evaluation - often referred to as the JNE Commission - is required to investigate the prospective nominees' background and qualifications for the particular judicial appointment. There are four levels of ranking by this Commission and that ranking is provided to the Governor. Although these rankings do not bind the hand of the Governor, the appellate court appointment is eventually decided by a majority vote of the Commission on Judicial Appointments.

When filling a vacancy, the justices must face a retention election at the next gubernatorial election. Thereafter these justices must stand at a retention election every twelve years.

The qualifications of both trial court judges and appellate court justices are the same in the state of California. That is, they must have ten years of experience as a law practitioner or as a judge of a court of record, and, of course, they must be licensed to practice law in the state of California. But that's it.

Thanks for joining this brief overview of choosing judges in the state of California.