

RESOLUTION SUPPORTING
METHODS OF SELECTING JUDGES BASED UPON MERIT

WHEREAS, the North Carolina Bar Association has long considered it to be true that an independent judiciary is a cornerstone of democracy; and

WHEREAS, the North Carolina Bar Association has, for over thirty years, supported the following principles: selection of judges should be based upon merit, legal scholarship and ability, by a method which preserves the independence of the judiciary and which encourages the selection and retention of the most qualified persons to serve as judges; and

WHEREAS, the North Carolina Bar Association, by resolution adopted January 17, 2002, last reaffirmed its support for these principles and charged the Association, through its Judicial Independence Initiative, to further study and make recommendations regarding alternative methods of selecting judges consistent with these principles; and

WHEREAS, the Judicial Independence Committee has submitted to the Board of Governors an appointive retention method of selecting judges for the trial and appellate courts in North Carolina which the Committee believes best promotes these principles and recommends to the Board of Governors of the North Carolina Bar Association that it adopt a resolution supporting and endorsing the same; and

WHEREAS, the North Carolina Bar Association recognizes that various alternative methods of selecting judges based upon merit are or may be submitted in the Legislature, which may be worthy of consideration in addition to the appointive retention method recommended by the Judicial Independence Committee; and

WHEREAS, the North Carolina Bar Association should make every reasonable effort to seek and influence the passage of legislation adopting methods of selecting judges for the trial and appellate courts of North Carolina which are consistent with the principles above stated.

THEREFORE, BE IT RESOLVED, that the appointive retention method of selecting judges for the trial and appellate courts of North Carolina as recommended by the Judicial Independence Committee of this Association and as set forth in the attached models and proposed legislation is supported and endorsed by the North Carolina Bar Association; and

THEREFORE, BE IT FURTHER RESOLVED, that the North Carolina Bar Association shall make every reasonable effort to seek and influence the passage of legislation adopting methods of selecting judges for the trial and appellate courts of North Carolina which are consistent with the principles above stated.

Adopted this 22nd day of January, 2009
by the Board of Governors of the North Carolina Bar Association



Charles L. Becton
President, North Carolina Bar Association

JUDICIAL INDEPENDENCE COMMITTEE MODEL FOR JUDICIAL SELECTION FOR APPELLATE COURTS IN NORTH CAROLINA

