LEAGUE OF WOMEN VOTERS® OF MARYLAND

TESTIMONY TO THE SENATE JUDICIAL PROCEEDINGS COMMITTEE

SB 485 Orphans' Court Judges – Election and Restriction on Practicing Law

POSITION: Favorable

BY: Nancy Soreng – President

Date: February 15, 2022

The League of Women Voters of Maryland supports SB 485, which would change the method for electing judges of the Orphans' Court from a partisan to a nonpartisan process and would also restrict the practice of law by those judges.

The League of Women Voters of Maryland has long supported the nonpartisan election of judges of the Orphans' Court. Although partisan advocacy is appropriate for policy-making positions such as the General Assembly and Governor, a nonpartisan approach is essential for a fair judicial process. It is the duty of judges to apply the law without regard to their own views and partisan nominations for these offices undermine that principle.

Because many of the Orphans' Court judges work part-time, there is an inherent risk of a conflict of interest if the judge's law practice involves the subject matter within the court's jurisdiction. A judge should not preside over a matter in which the decision could affect someone who is also a client of the judge in her or his legal practice.

The LWVMD strongly urges a favorable report on SB 485.

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