

KANSAS RIGHT-TO-VOTE JUDICIAL SELECTION FACT SHEET

On August 4, 2026, Kansas voters will decide how State Supreme Court justices are selected through a proposed constitutional amendment.



The Ballot Choice

- **Vote YES:** To switch to a popular vote system, allowing citizens to directly elect State Supreme Court justices.
- **Vote NO:** To keep the current system, where a lawyer-controlled nominating commission selects the candidates.
- **Every registered elector (voter) is eligible to vote; party affiliation is not required.**

History vs Current System

- **1861:** Supreme Court justices were selected by a popular vote beginning with Kansas statehood. This method continued for nearly 100 years.
- **1958:** A constitutional amendment created the Supreme Court Nominating Commission.
- **Today:** Kansas is the only state in America where a nominating commission, essentially controlled by lawyers, selects candidates for the State Supreme Court. The nominating commission sends three names to the Governor, who must choose one to serve on the High Court. No other candidates are considered.

Key Arguments (not all inclusive)

- **Supporters (Vote YES):** Believe that all citizens deserve a direct voice in choosing Kansas State Supreme Court Justices.
- **Opponents (Vote NO):** Believe that attorneys and Governor political appointees are best qualified to evaluate and nominate candidates to serve as Kansas Supreme Court justices.

ASK QUESTIONS. BE INFORMED. DO YOUR RESEARCH.

Search the internet for more information about the Kansas Right-to-Vote Judicial Selection Amendment. We suggest beginning at the following web site developed by a non-partisan organization offering an extensive menu of documented and sourced information: www.KansasInformationNetwork.com Also: www.RighttoVoteKS.com



Register to vote on or before July 15 to be eligible to vote on August 4th. To register to vote, or to request an advance ballot by mail, contact your local county election office or go to:

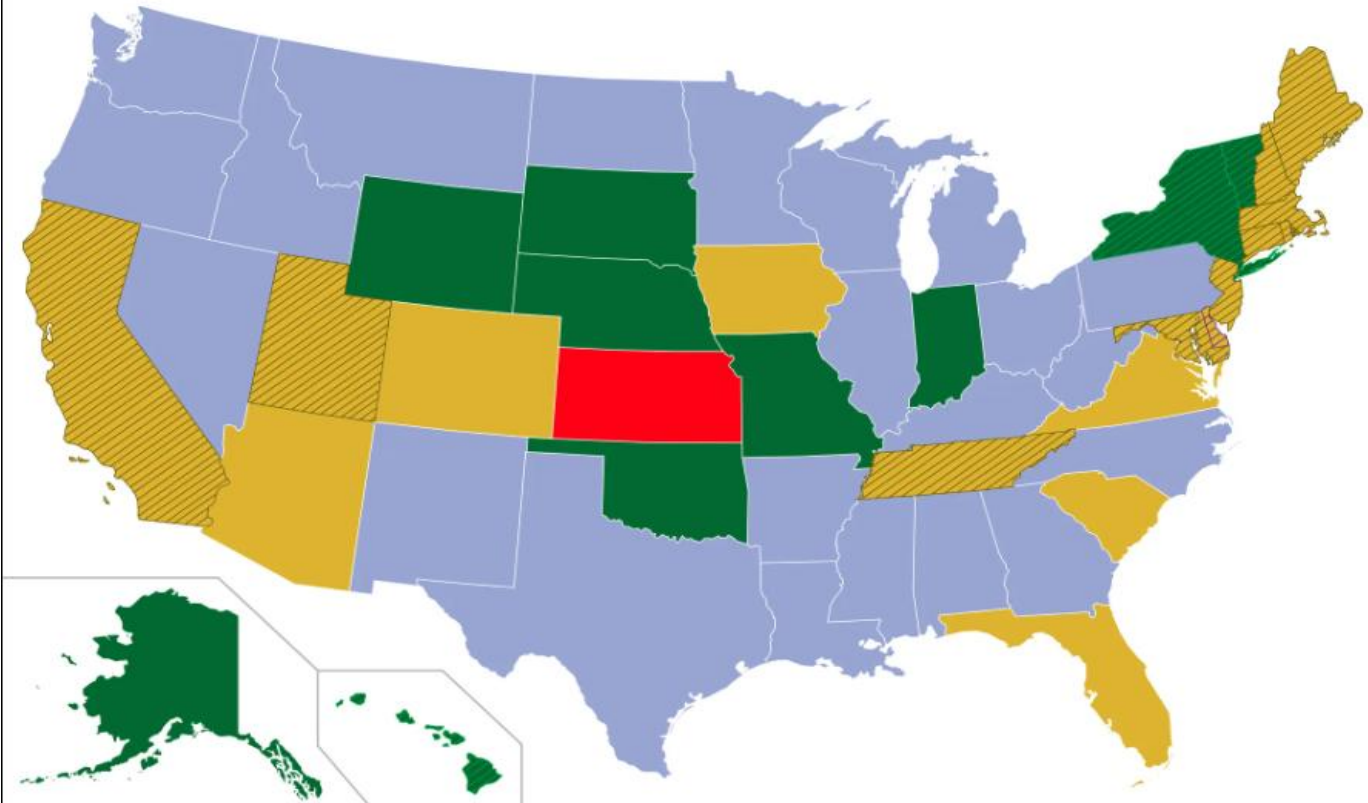
<https://sos.ks.gov/elections/elections.html>

This document is created and paid for by Chuck Weber. Chuck is a former Kansas State Legislator (2015-2018) who also served the Catholic Bishops of Kansas as executive director of the Kansas Catholic Conference, the public policy voice of the Kansas Catholic Bishops (2018-2026). He is a former adjunct professor of Journalism at Wichita State University and covered Kansas politics as a news reporter for KWCH-TV. Chuck can be reached at chuck.weber58@gmail.com



Chuck Weber

KANSAS HAS THE ONLY LAWYER-CONTROLLED SUPREME COURT JUSTICE NOMINATING PROCESS IN THE COUNTRY. VOTERS IN 22 STATES ELECT SUPREME COURT JUSTICES.



Bar-controlled nomination with limited selection

- Bar-controlled nomination commission: Kansas

Elected official controlled

- Gubernatorial appointment: California, Maine, Massachusetts, New Hampshire, New Jersey
- Governor-controlled nomination commission: Arizona, Utah, Colorado, Iowa, Florida, Tennessee, Maryland, Delaware, Rhode Island, Connecticut
- Legislative election: South Carolina, Virginia

Voter-controlled selection

- Michigan method: Michigan
- Partisan election: Alabama, Illinois, Louisiana, New Mexico, North Carolina, Ohio, Pennsylvania, Texas
- Nonpartisan election: Arkansas, Georgia, Idaho, Kentucky, Minnesota, Mississippi, Montana, Nevada, North Dakota, Oregon, Washington, West Virginia, Wisconsin

Hybrid selection

- Hybrid selection: New York, Vermont, South Dakota, Wyoming, Nebraska, Alaska, Hawaii, Oklahoma, Missouri, Indiana

CURRENT PROCESS

Bar-Controlled Selection

How It Works:

Filling a Vacancy on the KS Supreme Court: When a vacancy occurs, the nine-member Kansas Supreme Court Nominating Commission receives applications to fill the vacancy.

Nomination of three candidates: After reviewing the applicants, the commission submits three candidates to the Governor.

Final Selection: The Governor must select one of the three within 60 days. If the Governor declines, the Chief Justice makes the appointment.

Retention Elections: After serving one year, justices face a statewide yes/no retention vote, and then again every six years

PROPOSED PROCESS

Return to Direct Elections

How It Would Work:

Filling a Vacancy on the KS Supreme Court: When a vacancy occurs, Kansans would vote directly for a new Supreme Court justices on the ballot, similar to other elections.

No Commission: The nine-member nominating commission would be eliminated.

Candidate Campaigning: Candidates could campaign for votes and be subject to public disclosure rules.

Staggered Terms: Justices would continue to serve six-year terms, but elections would be staggered so that not all seven justices are on the ballot at once.

Vacancies: Interim vacancies would be filled through an election process established by lawmakers.