

1 comment or give us any suggestions based on your exper-  
2 ience in other states concerning that subject matter?

3 MR. WINTERS: Well, I would have to say that  
4 if you have a system of selection by appointment from  
5 names submitted by a nominating commission, then in my  
6 opinion it should be supplemented by a tenure proceeding  
7 which would give the security of the non-competitive  
8 election. To have a competitive election means that  
9 you are detracting from the principle of selection by  
10 persons who have had an opportunity to study the avail-  
11 able candidates and make informed value judgments on  
12 them, which the electorate does not normally have an  
13 opportunity to do; and to the extent, when they come  
14 up at the end of their term for reelection, that they  
15 have to compete against persons who may choose to run  
16 against them, to the extent that these people run, it  
17 is a derogation of that principle.

18 THE CHAIRMAN: Do you know of any instances  
19 in which a judge who comes up for election and has run  
20 against his record, where they have not been approved  
21 by the voters?