

The Sun

Judges on the campaign trail

Judicial challenges: Contested elections don't foster impartial justice.

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IF MARYLAND voters needed proof that subjecting sitting judges to contested elections is a bad idea, they should sample the strident rhetoric and hard-ball tactics of the judicial campaign now going on in Howard County. Not only do two sitting judges find themselves in the demeaning position of trying to dispense impartial justice while waging an expensive campaign, the county's residents also face the prospect -- regardless of who wins -- of standing before judges they campaigned against. That does not bode well for impartial justice in Howard County.

When Gov. Parris N. Glendening appointed Judge Diane O. Leasure and Judge Donna Hill Staton last year, he gave the county its first two women on the Circuit Court and, in Judge Hill Staton's case, its first African American judge. He also gave the bench diversity in expertise, since the two women brought experience in complex civil cases, an important factor for a county that is seeing an increasingly broad range of legal issues.

The two judges have gotten good marks for their performance in office. But they had hardly been sworn in last year before two people disappointed at being passed over for the appointments announced they would challenge them in the primary last March. Because the challengers won in the Republican primary and the sitting judges won the Democratic primary, Howard Countians are now facing a replay of the contest at even higher decibel levels. They should follow the lead of Democratic voters last spring and affirm Judge Leasure and Judge Hill Staton for a 15 year term.

Meanwhile, Marylanders should note the lessons this race holds. Only Circuit Court judges run in contested elections. Appeals court judges run on their record, with voters either retaining them or denying them a new term. That is an effective way to hold judges accountable, without subjecting them to the perils of soliciting campaign contributions from lawyers and clients who argue cases before them.

There has long been resistance to ending contested Circuit Court elections, since challenging a sitting judge was seen as one of the few ways minorities could get on the bench. Yet in Howard, a contested election could end up making the Circuit Court less diverse.

This is a bad way to run a judiciary. We hope that voters in Howard County send that message loud and clear -- and that this bitter campaign spurs efforts to find better ways to ensure diversity and accountability among judges and competent, impartial justice in Maryland's Circuit Courts.

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