

Table 1.65

Method of selection and length of initial and retention terms of intermediate appellate court judges in 39 States

As of June 1, 1998

State	Initial selection		Retention	
	Method ^a	Term	Method	Term (in years)
Alabama ^b	Partisan election	6 years	Partisan election	6
Alaska	Nominating commission	Until next general election but not less than 3 years	Retention election	8
Arizona	Nominating commission	Until next general election but not less than 2 years	Retention election	6
Arkansas	Partisan election	8 years	Partisan election	8
California	Appointed by governor	Until next general election	Retention election	12
Colorado	Nominating commission	Until next general election but not less than 2 years	Retention election	8
Connecticut	Nominating commission	8 years	Commission reviews, governor renominates, legislature confirms	8
Florida	Nominating commission	Until next general election but not less than 1 year	Retention election	6
Georgia	Nonpartisan election	6 years	Nonpartisan election	6
Hawaii	Nominating commission	10 years	Reappointment by commission	10
Idaho	Nonpartisan election	6 years	Nonpartisan election	6
Illinois	Partisan election	10 years	Retention election	10
Indiana	Nominating commission	Until next general election but not less than 2 years	Retention election	10
Iowa	Nominating commission	Until next general election but not less than 1 year	Retention election	6
Kansas	Nominating commission	Until next general election but not less than 1 year	Retention election	4
Kentucky	Nonpartisan election	8 years	Nonpartisan election	8
Louisiana	Partisan election ^c	10 years	Partisan election ^c	10
Maryland	Nominating commission	Until next general election but not less than 1 year	Retention election	10
Massachusetts	Nominating commission	To age 70	X	X
Michigan	Nonpartisan election	6 years	Nonpartisan election	6
Minnesota	Nonpartisan election	6 years	Nonpartisan election	6
Mississippi	Nonpartisan election	8 years	Nonpartisan election	8
Missouri	Nominating commission	Until next general election but not less than 1 year	Retention election	12
Nebraska	Nominating commission	Until next general election but not less than 3 years	Retention election	6
New Jersey	Appointed by governor	7 years	Reappointment by governor	To age 70
New Mexico	Nominating commission	Until next general election	Partisan election the first time; after that, winner runs in retention election	8
New York	Nominating commission	5 years	Reappointment by governor	5
North Carolina	Partisan election	8 years	Partisan election	8
Ohio	Nonpartisan election	6 years	Nonpartisan election	6
Oklahoma	Nominating commission	Until next general election but not less than 1 year	Retention election	6
Oregon	Nonpartisan election	6 years	Nonpartisan election	6
Pennsylvania ^d	Partisan election	10 years	Retention election	10
South Carolina	Nominating commission ^e	6 years	Reelected by legislature	6
Tennessee ^b	Nominating commission	Until the biennial general election but not less than 30 days	Retention election	8
Texas	Partisan election	6 years	Partisan election	6
Utah	Nominating commission	Until next general election but not less than 3 years	Retention election	6
Virginia	Elected by legislature	8 years	Reelected by legislature	8
Washington	Nonpartisan election	6 years	Nonpartisan election	6
Wisconsin	Nonpartisan election	6 years	Nonpartisan election	6

Note: See Note, table 1.64. States not listed do not have intermediate appellate courts.

^aIn States that use nominating commissions, the governor makes the appointment.

^bAlabama and Tennessee have two intermediate appellate courts: the court of civil appeals, which has civil jurisdiction, and the court of criminal appeals, which has criminal jurisdiction. The selection process is the same for both.

^cAlthough party affiliation of judicial candidates appears on ballots, judicial primaries are open. This gives judicial elections a nonpartisan character.

^dPennsylvania has two intermediate appellate courts; the superior court and the commonwealth court. The selection process is the same for both.

^eThe Judicial Merit Selection Commission was established on July 1, 1997. The commission screens and then recommends a list of three judicial candidates to the legislature. The legislature votes only on the list submitted by the commission. If all candidates on the list are rejected, the process begins again with the commission.

Source: American Judicature Society, *Judicial Selection in the United States: A Compendium of Provisions*, 2nd edition (Chicago: American Judicature Society, 1993); and data provided by the American Judicature Society. Reprinted by permission.