

Religious groups consider suit over judge selection

FATIMA HUSSEIN

FATIMA.HUSSEIN@INDYSTAR.COM May 20, 2017

INDIANAPOLIS - A group of black clergy said it was considering a lawsuit against the state for Marion County's new judicial selection process.

They say the process is discriminatory towards minority voters and is a form of voter infringement.

The plan was discussed at the City in Crisis luncheon Friday, hosted by the Baptist Ministers Alliance and Concerned Clergy of Indianapolis.

House Bill 1036, signed into law by Gov. Eric Holcomb, revises the way Marion County's 36 Superior Court judges are selected.

Clergy members say the process disenfranchises voters in largely black and Democratic Marion County, and will limit diversity on the bench. Under the law, a merit selection committee will nominate judges to be chosen by the governor, duplicating the process used in appellate courts.

It has been received with equal amounts of praise, criticism and cautious approval in Indiana's legal community.

David W. Greene, a pastor at Purpose of Life Ministries said the state "intentionally targets (areas with) high concentrations of minorities to

suppress." Appointments to the selection committee would be made by Republican and Democratic legislative leaders. A member of the Indiana Supreme Court and the Court of Appeals also would be on the committee.

Marion County is the fifth county to adopt merit selection. The four other counties — Allen, Lake, St. Joseph and Vanderburgh — all have large numbers of minorities, as well as Democrats. The other counties, many with fewer minorities and Democrats, elect their judges. "Indiana already has one of the strictest voter ID laws in the nation," Greene said, "the assumption is that the (black) community is not competent enough to select its own judges." The bill, authored by Rep. Greg Steuerwald, R-Avon, and co-authored by Reps. Brian Bosma, David Frizzell and Edward DeLaney, passed the Courts and Criminal Code Committee and passed 68- 29 in the House. HB 1036 comes after a federal judge ruled that the current judicial election system is unconstitutional.

The 7th U.S. Circuit Court of Appeals upheld that ruling. Under the previous selection system, the two major political parties conducted primary elections in which they nominated candidates for the exact number of judicial seats to be filled — split evenly between Democrats and Republicans. By contributing money to their respective parties, the judicial candidates had a much better chance of securing an endorsement and winning a judicial seat in the election.

Call IndyStar reporter Fatima Hussein at (317) 444-6209. Follow her on Twitter: @fatimathefatima.



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William Barber of the North Carolina NAACP speaks during Friday's City in Crisis luncheon.

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