

THE IMPORTANCE OF NON-PARTISAN ELECTION OF JUDGES AND JUSTICES



Montana's Constitution guarantees judicial independence to maintain impartiality and uphold the rule of law.

There are many types of courts in Montana. Municipal and justice courts deal with traffic violations and small claim disputes and see nearly 125,000 cases each year. District courts resolve most legal issues, including family law, business disputes, criminal complaints, and property rights. In 2023, Montana's district courts handled over 50,000 cases. The Montana Supreme Court is the state's appeals court, and those seven justices resolved more than 800 cases last year.

125,000

Cases/yr

Montana Justice & Municipal Courts

50,000

Cases/yr

Montana District Courts

800

Cases Last Year

Montana Supreme Court

PARTISAN JUDICIAL ELECTIONS COULD POLITICIZE OUR COURTS

We all expect and deserve judges who base their decisions on the law and the facts of each case, not on political agendas. Since 1935, Montana's judicial elections have been nonpartisan, meaning candidates are not identified as Republican, Democrat, Independent, or any other political party when they run. In fact, the Code of Judicial Conduct requires judges to avoid political activities and any appearance of party labels or affiliation. Proposals to introduce politics into the election of judges harm the impartiality of our courts.

Since **1935**,
Montana's
judicial elections
have been
nonpartisan.



CHECKS AND BALANCES

Each branch of government has an essential role, and our system of checks and balances prevents any one branch from becoming too powerful. Our courts make sure that the executive and legislative branches of government follow the Montana and U.S. Constitutions, do not go beyond their authority, and do not put political or ideological beliefs above citizens' rights.



POLITICAL BIAS

Adding party labels to judicial elections can cause voters to see judges as extensions of political parties, or worse, for judges to see themselves as part of the political establishment. This weakens judges' ability to remain independent and impartial. Judges should base their decisions on the law and the facts presented to them, not on political ideology or external pressures.



UNFAIR OUTCOMES

Injecting politics into the court system could cause rulings to favor powerful interests over ordinary citizens. Maintaining nonpartisan judicial elections helps ensure judges are accountable to the people, so we can all trust that when we are in court, we will receive equal treatment and justice.



PEOPLE FIRST

The partisan fighting in Congress and at the Montana Legislature should have no place in our courts. Judges must continue to prioritize the people and the law over party loyalty. Judges should be accountable to the people, not to politicians, the ultra-wealthy, the powerful, or the well-connected.

Polling shows that **71% of Montanans**, including **61% of Republican respondents**, oppose the idea that justices should run under party labels.

FRIENDS of the THIRD BRANCH