

Dear Chair Prozanski and Members of the Committee,

Thank you for this opportunity to comment SB 807, especially §7. Currently the ability of prosecutors, who are already entrusted with significant discretion by the law, to disqualify judges without cause, skews the fairness of the judicial process, especially in rural counties where there are few judges. The fix proposed by §7 is well thought out, based on the experience of other states that have dealt with this problem. It permits the judges to respond to efforts to disqualify them, requires them to make their case by a preponderance of the evidence, and allows a disinterested judge to make a decision. It means local elected judges can preside over local cases as intended by the constitution. I urge you to pass SB 807 out of the Senate Judiciary Committee and move it to the floor in a timely manner.

Thank you.

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