



1924

## Judicial Selection

North Dakota Law Review

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5. Can the Feeling of Insecurity in Europe be Eliminated Without the Co-operation of the United States?;
6. The Outlawry of War.

It is the wish of President Cupler that any North Dakota attorneys who contemplate being in the East at that particular time communicate with him at once, to the end that the Association may be represented at these sessions, if possible.

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### JUDICIAL SELECTION

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A pamphlet of the American Bar Association presents for consideration the matter of selection of candidates for judicial positions. It discusses three plans, designated, respectively, as the New York plan, the Philadelphia plan, and the Cleveland-Chicago plan.

The first represents those associations wherein the recommendations of the Judiciary Committee become in practical effect the selection of the Bar Association that creates it; the second, those wherein the selection of judicial candidates is made through a plebiscite of the Bar Association, leaving to the Judiciary Committee merely the function of initiating or supervising action; the third, those wherein the Bar plebiscite obtains and yet wherein the Judiciary Committee is clothed with the duty of collecting information concerning candidates for submission to the members of the Association or of adding to this information the committee's own definite recommendations as to merit.

The pamphlet argues that it is the duty of the Bar to make such selections; to become the militant sponsor of the candidates so selected; to impress the public continuously, not spasmodically, with the necessity for maintaining the highest character of judiciary; to create and maintain a higher standard for the Bar itself; and that the following Canon of Ethics of the American Bar Association be made effective in State and Nation:

"It is the duty of the Bar to endeavor to prevent political considerations from out-weighting judicial fitness in the selection of judges. It should protest earnestly and actively against the appointment or election of those who are unsuitable for the Bench; it should strive to have elevated thereto only those willing to forego other employments of a business, political or other character, which may embarrass their free and fair consideration of questions before them for decision. The aspiration of lawyers for judicial position should be governed by an impartial estimate of their ability to add honor to the office and not by a desire for the distinction the position may bring to themselves."