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Chief Justice speaks at alumni center

By JUSTIN STORY jstory@bgdailynews.com Oct 11, 2017

Kentucky Supreme Court Chief Justice John D. Minton Jr. (left) was the guest for the inaugural “An Evening With...” series of discussions organized by the Society for Lifelong Learning at WKU, in which Minton answered questions from moderator Larry Gildersleeve (right) and audience members.

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Kentucky Chief Justice John D. Minton Jr. said a “public conversation” is needed on whether to amend the state’s constitution so state judges are appointed by the governor instead of elected.

Minton's remarks came during a far-ranging discussion Wednesday night at Western Kentucky University's Augenstein Alumni Center.

Minton, the guest for the inaugural "An Evening With ..." series of discussions organized by the Society for Lifelong Learning at WKU, answered questions from moderator Larry Gildersleeve and audience members.

Answering a question about the stalled confirmation of federal judicial appointees, Minton touched on remarks Gov. Matt Bevin made last month at a conference of Kentucky Federalist Society chapters in Frankfort.

Bevin made critical comments about some state judges and expressed support for changing the constitution to allow the governor to appoint state judges and the attorney general.

Kentucky state Rep. Jason Nemes, R-Louisville, prefiled legislation last month that would allow the governor to appoint justices to the Kentucky Supreme Court and Kentucky Court of Appeals.

Under the bill, those judges would serve a term before standing for an election for a second term.

Minton said Kentucky followed this method of judicial selection until 1850, when the state constitution was amended so judges were elected by voters.

"Some of my colleagues have been really concerned about that development, but I'm not concerned because I think public discussion about this is a good idea," Minton said. "We need to have that public conversation about whether that change is needed."

Minton was also asked about Bevin's request that most state agencies slash their budgets by 17 percent in light of a projected revenue shortage of \$200 million.

Kentucky Attorney General Andy Beshear has said he believes much of the governor's plan for budget cuts is illegal. Warren County Commonwealth's Attorney Chris Cohron testified before state lawmakers last month that the proposed cuts would hamper state prosecutors' ability to protect their communities.

Minton did not say how the judicial branch would respond to the governor's request to trim its budget by \$39 million but acknowledged it would have an impact on staffing.



"I don't know where we're going to get \$39 million out of the judicial branch," Minton said. "Eighty-eight percent of our budget is made of personnel, so if we have significant cuts it gets to people pretty quickly. We have received (Bevin's) letter and we will respond."

During Wednesday's 75-minute program, Minton said his interest in law was inspired by reading biographies of several historic figures in his youth.

"I kept noticing the pattern was that these people doing significant things I was reading about had studied law or were lawyers," Minton said.

As a Kentucky Supreme Court justice, the most important cases he has presided over have involved questions of the separation of powers between the executive and legislative branches and the drawing of legislative district boundaries, Minton said.

“Those redistricting cases cause more friction than any other thing we do,” Minton said, noting that a Wisconsin redistricting case that has come before the U.S. Supreme Court has “tremendous implications” regarding how far politicians can draw districts to benefit their parties.

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