



# The Daily Star-Journal

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## Boys State adopts Missouri Plan for judges; change draws praise

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Editor

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Warrensburg - A new selection process for judges took place at last week's Boys State event at the University of Central Missouri.

Boys State Director Mike Plunkett, Overland Park, Kan., said the boys in 2008 decided to adopt the Missouri Non-Partisan Court Plan rather than elect Supreme Court judges.

"(Previously) they were all elected ... the same as the governor, lieutenant governor and the other constitutional officers," Plunkett said. "They went through a primary and then a general election."

The dean of the Missouri Boys State Law School, lawyer Brad Lear, Columbia, said the boys take leadership classes, including a law class that he teaches. Lear said he has taught that Boys State is governed the same way the state is governed, with the exception being the election rather than the appointment of Supreme Court justices.

2007-'08 Boys State Gov. Joshua T. Travis, hearing about the difference that had lasted more than half a century, pushed to make the groups's judicial selection process reflect the state process, Lear said.

"It kind of became a cause," Lear said.

Reached at a conference in North Carolina on Saturday, Travis said he had just become Boy's State governor when he addressed the issue of picking judges. He said many candidates would campaign for judgeships, but few got the consideration they deserved from voters.

UPON ELECTION as governor at Boys State, Joshua T. Travis, head down and the center of attention, grins as the boys around him burst into applause. Travis as governor oversees the effort to adopt the Missouri Plan.

"The attention of the boys really only stays for the first two or three speeches, and so not only is it really not fair to ... the last speaker, but also you get really just pure voting on name recognition, which I think defeats the purpose of elections," Travis said.

The change to the Missouri Plan advocated by Travis, Plunkett said, mirrored the reality of how state government operates.

Under the state's Missouri Plan, judges at the appeals level are not chosen by election. Instead, they apply to a panel, which winnows the number of applicants to three, with the governor choosing one of the three.

"It's a process that really looks toward meritorious candidates," Travis said.



Most county-level judges, including Johnson, are elected rather than appointed, which continues to be the case for Boys State, Plunkett said.

"What we try to do with the entire Boys State process is mirror as best we can what happens in real life, because it's an educational process," he said.

Travis said the change meant Boys State judicial candidates did not have to campaign, or use a "kooky slogan" or gimmick to get elected.

AS GOVERNOR of Boys State for 2007-2008, Joshua T. Travis makes adopting the Missouri Plan a priority.

In the fashion of the television show, "Jackass," a candidate two years ago drew attention by promising, win or lose, to take a physical kick.

"He promised ... he would take a kick to the 'manly area' on boy's state TV," Travis said. "Do we really want those elected to the Supreme Court to be like that?"

The kicked candidate, Travis said, did not win, but demonstrated the lengths candidates would go - short of having skills to do the job - to get elected.

Travis said Boys State participants voted "overwhelmingly," by at least 60 percent, to change the Boys State Constitution and adopt the Missouri Plan.

"We got to go home and say we were the first in history to amend the Constitution," he said.

The change last year resulted in the first Boys State judicial appointments this year.

"It was excellent," Plunkett said. "There were well over 100 applicants to the governor's committee, and then that whittled down to ... a couple of dozen folks that went through a rigorous interview process, and then were selected by that committee and the governor. Personally, I feel that we had the highest-quality Supreme Court that I've seen."

Lear said boys selected by merit offered different qualifications than those elected previously.

"The students that were selected under the prior approach ... tended to excel in short-term popularity excellence. They would either be very funny, or could stand out well in a short speech," Lear said.

The student panel this year looked for legal excellence, he said.

"The students that ended up being selected through the nonpartisan plan were by and large much more academically oriented students," Lear said.

Students focused on picking judges who had a background or interest in legal education, he said. One nominee, a high school junior, had already been admitted to Harvard University.

Students chosen as justices showed their abilities immediately by hearing cases.

"It did allow for a more robust debate in the courts once they got to the point of actually having to decide a case," Lear said, later adding, "We had some really excellent intellectual debates."

Travis said the outcome excited him.

"It was a popularity contest and now we have a system where it's about merit and true belief in the judicial process and what it stands for," he said.

Based on the Boys State experience, Travis - now studying political science at the University of Missouri - said the Missouri Plan makes more sense for state government than judicial elections.

"Electing judges would just inject politics," he said. "It's supposed to be an impartial branch. ... When you talk about elections, there's just a lot of undue pressure that judges just don't need when you talk about executing their duties."