

## Reform of the judicial process

On the Prairie Dog  
Steve Haynes



The people of Kansas might just get a chance to vote on a change in the way we select judges for our higher courts in the next year or two. And it's about time.

The system we have now is about as undemocratic as you could get. The state went from electing judges to the Kansas Supreme Court and the Court of Appeals to having them appointed by the governor from a short list submitted by a "nominating commission."

The commission is made up of four members appointed by the governor and five elected by the state's lawyers. The system was made part of the Kansas Constitution after the infamous "Triple Play" of 1957, when Chief Justice Bill Smith resigned early so the incoming governor, Democrat George Docking, would not get to appoint his replacement.

Justice Smith was said to be a strong supporter of Gov. Fred Hall, who then resigned his position. The lieutenant governor, John McCuish, then became governor and appointed Hall to fill the vacancy for chief justice. He served only two years, however, resigning to run again for governor. (He'd lost the 1957 Republican primary as an incumbent.)

Hall lost and left for California, but his legacy was "reform" of the judicial nominating process. A governor no longer can appoint his friends, because he has no input on the list. Control of the nominations vests mostly in the lawyers, a small group who are expected to rise above politics to select the very best minds for our courts.

But, as a group, who's more political than lawyers?

The system mostly has served to perpetuate control of the courts by members of the Topeka establishment, center-left thinkers who in recent years have pushed the state away from the conservative principles held by a majority of voters.

It's not that the system took politics out of the process, it seems, but that it eliminated any say the voters or the governor have in the process. If the testimony of two conservative members shows anything, it's that the process is so skewed that some commission members deride any nominee seen as a conservative.

Of course, judges have to stand for a yes-or-no "retention" vote every six years, so voters do have some control, but not one has been ousted so far.

Compare that to the fairly dignified elections we see for district judge positions in rural areas, and it's hard to see any advantage to the process. When a judge isn't seen as performing, voters can and do make a change.

However, these campaigns seldom revolve around liberal-or-conservative positions.

While it's not fashionable to say it, we believe the voters make pretty good decisions. They could handle selecting our judges. However, it might be more difficult for us to know candidates in a statewide race.

How to change the system? One plan is to give the governor back at least part of his power to make selections. Another is to keep the nominating commission, but make the appointments subject to confirmation by the state Senate, as in the federal model.

Of course, we could just let the voters decide.

None of those ideas would guarantee a conservative court, or a liberal court, for that matter. Appointing judges to what amounts to a lifetime job can be a dicy proposition, as any number of presidents have learned. They can be mighty independent when they feel like it.

But giving both the governor and the people more say, and the state's lawyers, a little less makes sense to us.

— Steve Haynes



## A child's play is his or her work

Phase II  
Mary Kay  
Woodyard



child's play is their work. They learn through their imaginary play and their own creative imaginations. Schools are centers of learning, not just academic issues, but to foster creativity as well. How far we go to maintain an atmosphere of safety is a question for society and for schools.

Children play at those things which they see as important; those things they value and honor. For some, it is pretending to be a police officer, for others a nurse or doctor, or with a doll to practice being a parent. Play is what children do. Imagination is how they create. They try on different roles, to learn, to grow and to dream. The question before us is this, how and where do we let them practice their imaginations? Mail to: mkwoodyard@ruraltel.net

Recently, a young nine year old boy was "dispended" (his word) from his elementary school in Loveland, Colorado. The school has created a list of actions not allowed on the playground. On this list, is a regulation against any violence, real or imaginary. The young boy threw an imaginary grenade into an imaginary box so he could overcome the imaginary forces of evil.

I think the whole story of this incident has yet to unfold. The school, for privacy reasons, cannot release the full extent of the situation. In my experience, parents do not always have an unbiased view, but regardless it does pose some interesting questions. Can we harness imaginary play and to what extent?

Jack and I raised four boys and one girl. We were not one of those families who banned toy guns, be the cap guns

or dart guns. Even if we had, our kids, sons and daughter alike, would have used their fingers, a stick or pulled something out of the air to play Star Wars, cowboys and Indians, or cops and robbers. The conflict of good and evil seems to be an inherent play subject for many children, boys in particular. Judging by movies and video games, adults as well.

Some, believe boys are hardwired to behave in this way, part of our Darwinian nature. What ever the basis of it is, we also have to remember that

## Being critical and criticizing aspects of others' lives

This Too Shall Pass  
Nancy Hagman



The ADD crowd couldn't pay attention for 2 minutes.

The labor unions say it is proof that farmers need to organize. Adopt a 40 hour work week; less fatigue equals less work injuries.

They were not enough minorities or women represented.

The world is being destroyed by the internal combustion engine!

How could anyone be so gullible? Ram Trucks are only trying to sell their product! (As opposed to Go-Daddy which was performing a public service???)

Okay, I do suddenly have an urge to buy a RAM! I know it is not a real need; I was manipulated.

It is no wonder conservatives live in rural areas. Yes, it would be terrific if the world were fair. If the newborn colt lived! If we didn't have to get the crop in even though we already worked 40 hours that week!

It would be nice if we lived in cities where there is public transit, never a need for four wheel drive. The city folk all do that, right? Take public transit. Drive tiny fuel efficient cars----

It would be nice if our fingernails were clean. If we felt we were always in control.

Or would it?

I don't know much but I know about small Kansas farms. Paul Harvey's tribute was my reality.

Would those who criticize every aspect of the life I hold so dear, who are offended at the mention of God---view the world differently if they had the opportunity to watch the wild geese on a winter morning?

A cacophony demanded attention. Once out the door, awe replaces anxiety.

Geese trailing in formation; a mile or more long!

I thought of getting the camera but without the noise the image would be empty.

They circle, drifting downward. Fluttering wings cast a shadow on the field. For a while, there is silence, as they scavenge the leavings of the field.

The weekend brought us the Super Bowl. It got off to a life affirming beginning: children from Sandy Hook singing "America the Beautiful". "America, America, God shed his grace on thee!" I'm not a crier but I cried; it got me.

There are moments in life that are real; there are the things manufactured. Have we lost the ability to discern between the two?

We were involved with minor house renovations at Patricia's so watched the game distractedly.

I enjoyed the half time show music, but dislike the images. Young men watching look at Beyoncé and think: "Why don't the girls I know look like this?" Young women think, "Why can't I look like that?"

Not that I have a problem with Beyoncé being beautiful and glamorous and sexy. I have a problem with the distortion of reality.

In an interview Sarah Jessica Parker once said she was troubled women attempt to emulate her size zero body not realizing everything in her life is regimented for her. She does not shop, cook or cajole her child to eat. Everything is provided. She follows

the exercise regimen laid out by people who make certain she has the time and equipment to do it. Hair, makeup, clothes: all provided by people with expertise and taste. At the time she had only one child, she has since had twins, via a surrogate! Someone even has her babies for her!

Why is it the fellows never get insecure? Worrying they don't have the physical prowess of Ray Lewis? Oh, I just had an epiphany: is that what brought on this "Low-T" phenomenon? Once again instead of doing physical labor, enjoying the satisfaction of accomplishing something which might just boost confidence naturally; we turn to drugs.

When the commercials came on we would start talking about the action on the field; only to realize we were should have been watching. Someone in the basement would laugh or groan and we'd know we missed something great or awful.

The Go-Daddy commercial was awkward. I don't even know what Go-Daddy is; I'd boycott it if I did!

Paul Harvey's "God Made a Farmer" was wonderfully done or so we thought. Imagine my surprise to hear criticism of most of it.

There are those who are annoyed "God" was mentioned.



Thumbs Up to Rose Garrison for her letter to the Editor about the "blight" of houses and neighborhoods in Norton. She is 100% correct! Everyone in town needs to pay attention and keep our properties attractive and our town inviting! Emailed in.

Remember there is no charge for rendering a Thumbs Up. Thumbs Up are meant to give recognition for a positive person or event in the community. Also remember all Letters to the Editor must be signed.

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ISSN 1063-701X  
215 S. Kansas Ave., Norton, KS 67654  
Published each Tuesday and Friday by Haynes Publishing Co., 215 S. Kansas Ave., Norton, Kan. 67654. Periodicals mail postage paid at Norton, Kan. 67654.

Postmaster: Send address changes to Norton Telegram, 215 S. Kansas Ave., Norton, Kan. 67654  
Official newspaper of Norton and Norton County. Member of the Kansas Press Association, National Newspaper Association, and the Nebraska Press Association

Nor'West Newspapers  
Dick and Mary Beth Boyd  
Publishers, 1970-2002

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