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ACLU OF RI POSITION: SUPPORT IN PART

TESTIMONY ON 26-H 8048, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE--COURTS -- JUDICIAL SELECTION April 9, 2026

The ACLU of Rhode Island does not have a position on all of the revisions that this bill makes to the Judicial Nomination Commission's procedures, but we do wish to offer comments on a few of the provisions.

* We strongly support the language on Page 3, lines 13-17, requiring a "meaningful public forum" before the commission takes any action on judicial nominees. We were very surprised to recently learn that the commission requires individuals to sign up weeks in advance if they wish to speak at a commission meeting. There is absolutely no compelling reason for such a lengthy sign-up period. We are not aware of any other public body that operates this way, as it serves as a tremendous deterrent to public comment. We therefore support this bill's requirement that any sign-up period not be any longer than the 48 hours it proposes.

* The bill requires all nominees to disclose all of their campaign contributions over a commission-specified period of time. [Page 3, lines 21-24] As committee members are aware, contributions below a certain threshold do not have to be publicly reported. This is in recognition of the limited privacy rights that individuals should have to participate financially in political campaigns in small ways that do not create an appearance of impropriety. We would therefore urge that this section be amended to require the reporting only of contributions that otherwise need to be reported.

* Finally, we support the requirement [Page 4, lines 4-5] that the commission livestream and archive a recording of its meetings. The work of this committee is among the most consequential that any state commission has, and the greater transparency of its work, the better for our system.

We appreciate your consideration of our views.