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Selection or election: It makes a difference

By BRUCE E. POSTON
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Judge Brenda Waggoner recently announced she is ending a long and distinguished career as an educator and judge. Her contributions to this community were many. Her successor as a judge in the Knox County General Sessions Court has a difficult task to follow in her footsteps.

Waggoner's replacement will be selected by the Knox County commissioners: selected, not elected. The difference between these two words makes all the difference in who the commissioners must select.

In an election, the voters can chose whomever they want. They can elect a candidate without any experience or background.

Bluntly put, the people can elect Daffy Duck if they choose, an option which seems to have been exercised in the last election, given the reported actions of some commissioners.

But this is not an election. So Daffy Duck is out, and the rules change dramatically. Political connections should mean nothing; personal gain should mean even less.

The only thing that should matter is who is the best candidate to fill Waggoner's seat on the bench.

The commissioners were elected by the people. They have a responsibility to run our county. In effect, they are the county's board of directors.

It is inconceivable that a private company's board of directors would not select the most qualified candidate to fill a vacant key executive position.

Should we expect any less from our board of directors, the commissioners? They have an absolute duty to pick the person most qualified to assume this important judgeship, not make decisions based on political ties, money contributions or how this will affect them personally.

I sincerely hope the news reports are wrong, that two commissioners favor a candidate because one wants that candidate's current job and the other would then work for him. If a judge made a decision like that, he or she would be removed from the bench.

So, too, for a lawyer, accountant, banker and so on.

This is called a conflict of interest, and we don't tolerate them. To believe our elected officials would be so selfish and disdainful of the people is too depressing a thought.

So I choose to think the media have it wrong, that every one of our elected commissioners will select the judicial candidate based solely on qualifications.

So, commissioners, remember that this is a selection by you as our board of directors. Your duty demands you choose the best candidate; your responsibility to us requires you to base your decision on qualifications only.

Waggoner's legacy merits you select the person most qualified to take the bench, someone

who has the experience to assume this judgeship without on-the-job training.

Remember, we the voters can elect anyone we want, even Daffy Duck. You, however, are obligated to select the most qualified candidate, not those less qualified simply because they have political pull or create a job vacancy where you personally benefit.

The voters are watching, and Daffy Duck is not an option.

Bruce E. Poston, attorney at law, is a graduate of Yale University and Case Western University School of Law. His practice is exclusively criminal defense work in both state and federal courts. He handles hundreds of cases a year in the Knox County General Sessions Courts, as well as many cases in the state's criminal courts.

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