Professor:
Bar has too much sway in picking justices

By SUSAN THACKER
sthacker@gbtribune.com

The checks and balances for Kansas government may be off kilter when it comes to the judicial branch, according to University of Kansas Professor of Law Stephen J. Ware. The bar association — made up of Kansas attorneys — has too much power in picking the state’s Supreme Court justices, and the process is too secretive, Ware said when he spoke Friday at the Highland Convention Center in Great Bend.

Kansas is the only state in the nation that gives the bar majority control over the selection of its Supreme Court justices, he said. In Kansas, the governor appoints one of three finalists chosen by a nine-member Supreme Court Nominating Commission. Five of those commissioners are elected by the bar, while four are appointed by the governor.

Ware researched the subject last year for a paper commissioned by the Federalist Society for Law and Public Policies. His visit to Great Bend and cities west of here was sponsored by the Federalist Society and by the Kansas Chapter of Americans for Prosperity.

Kansas could restore more power to its voters by changing the system that has been in place since the 1950s, Ware said. It could do that by reducing the number of

JUSTICES continued on A14
bar members from the nominating commission, or by having Supreme Court justices chosen by popular election. A third option has the best chance of being chosen, and was proposed by the Legislature last year, Ware said. That is, add senate confirmation as the final step after an appointee is named.

Advocates for the present system of Supreme Court justice selection say it removes partisan politics from the mix and allows justices to be selected on their merits. However, Ware said the system continues to be partisan; nine of the 11 justices appointed of the last 20 years belonged to the same political party as the governor. In one of the two appointments where that was not the case, the governor had no choice because all of the finalists were from the same party.

Under the present system, Supreme Court justices are most likely going to be white males from prominent law firms, Ware said.

"Kansas has 2.7 million people and only 7,666 lawyers," Ware said. An even smaller group within the bar – about 1,000 attorneys – actually gets to vote on the selections, he said.

"That’s a small group of people to give so much power over a branch of government," Ware said, adding they are allowed to exercise that power in secret. "When you have a small group like 7,000 lawyers having that much power, either consciously or unconsciously they will lobby for the interests of their own group."
The Golden Belt Community Foundation announces the following scholarships available to students in Barton, Pawnee, Rush, and Stafford counties.

**Kansas State University Scholarship** was established by alumni, both businesses and individuals, in the Golden Belt who wanted to assist local students in obtaining a college education from KSU. This is a merit based scholarship. The deadline for the KSU Scholarship is Feb. 28.

Applicant:
- Must have attended a high school in Barton, Pawnee, Rush, or Stafford County and have “grown up” in the Golden Belt
- Must be (or going to be) a full-time undergraduate student
- Must demonstrate academic achievement of at least a 3.00 GPA
- Must demonstrate good moral character, community service, and extracurricular activities

**Allan V. Miller Family Scholarship** was established by the Miller family, in memory of Allan Miller, who wanted to assist local students in pursuing a degree in the agriculture field. The deadline for the Miller Scholarship is March 15.

Applicant:
- Must be graduating or have graduated from Great Bend High School or Ellinwood High School
- Must be (or going to be) a full-time undergraduate student at a university, community college or tech school, with preference given to Kansas schools
- Must be a current FFA member in high school, or a past FFA member if already attending college
- Must have a future goal of working in the agriculture industry and majoring in an agriculture field

**Dr. John J. Mingenback Health Professions Scholarship** was established by the Mingenback family for aspiring health practitioners, which encourages personal and professional commitment to the community. The deadline for the Mingenback Scholarship is March 30.

Applicant:
- Must be from Barton County, Kan.
- Must be (or going to be) a full-time undergraduate or graduate student at a university, community college or tech school, with preference given to Kansas schools (exception granted when there is no Kansas school, i.e. dentistry)
- Must be majoring in a health/medical related field
- Must have a minimum 3.0 GPA

**Bob and Rosalee Roth Family Scholarship** was established by Bob and Rosalee Roth to benefit local Pawnee County students and to give back to their community. The scholarship will be awarded based on a combination of scholastic achievement and financial need. The deadline for applying for the Roth Scholarship is March 31.

Applicant:
- Must be graduating high school senior from (Fort) Larned or Pawnee Heights high schools (student must resident in Pawnee County)
- Must be planning to be a future full-time undergraduate student at the University of Kansas, in any field of study
- Must have a minimum 3.00 cumulative GPA

Applications, eligibility, and additional information regarding the above-mentioned scholarship can be found at the GBCF Web site www.goldenbeltcf.org, or by contacting Susan Miller, scholarship coordinator, or Christy Tustin, executive director, at the Golden Belt Community Foundation at (620) 792-3000 or gbcf@goldenbeltcf.org.
Stephen Six to handle AG duties following Paul Morrison’s sex scandal split

TOPEKA (AP) — Gov. Kathleen Sebelius appointed Douglas County District Judge Stephen Six attorney general Friday to replace Paul Morrison, who’s leaving office because of a sex scandal.

Six specialized in civil litigation with a Kansas City-area law firm before Sebelius appointed him to the bench in January 2005. His father, Fred, is a retired Kansas Supreme Court justice.

In picking Six, a 42-year-old Lawrence resident who’s never run for office, Sebelius passed over other candidates who were better-known politically or who had served as federal or local prosecutors.

When Morrison ran successfully for attorney general in 2006, he stressed that he’d served almost three decades as a prosecutor in Johnson County.

But Sebelius said being a judge has given Six experience with criminal cases because they have represented up to 70 percent of his work. She also said the attorney general’s staff has told her that the bulk of the office’s time is spent on consumer protection and civil cases.

“I’m eager to establish some continuity in the office. It’s been through a lot of turmoil,” she said. “I was really looking for somebody with a broad range of experiences and smart, capable and ready to step up and do the job as the head of the people’s law firm.”

Morrison plans to leave office Jan. 31, when Six is sworn in, having acknowledged in December that he’d had an extramarital affair with a former subordinate. She also accused him of professional misconduct, which he denies.

Sebelius praised Six for having a “great personal record” and the new attorney general’s wife and four young children stood beside him during a Statehouse news conference. Six said his father and grandfather set high ethical standards for themselves and taught him about integrity.

“I tried to follow these examples and live my life according to these standards,” Six told reporters. “I promise to serve with integrity as an independent representative of the people of Kansas.”

Democrats were pleased with the appointment, noting his father’s reputation. Republicans had varying reactions.

Sen. John Vratil, a Leawood Republican and an attorney, predicted Six will be a strong attorney general.

“I think it’s an excellent appointment,” Vratil said. “He has all the talent and ability in the world.”

But Christian Morgan, the stateGOP’s executive director, noted that plaintiffs’ attorneys have long been strong allies of Sebelius, who lobbied for the Kansas Trial Lawyers Association in the 1970s and 1980s. Six contributed $200 to Sebelius when she ran for insurance commissioner in 1998 and $750 to her 2002 gubernatorial campaign.

“We’ll see whether or not his independence is really there or not,” Morgan said. “When his friend, Governor Sebelius, gives him a favor like he just earned, we’ll see where his independence comes down.”

Six will fill the remaining three years of Morrison’s term and is expected to seek a full, four-year term in 2010.

He declined Friday to make the promise publicly, saying, “Today’s not the day to talk politics.”

But both he and Sebelius said ensuring continuity in the attorney general’s office is important to them. And Bob Beatty, a Washburn University political scientist, said that means, “He’s running.”

“Continuity and stability means not just three years,” Beatty said. “It means seven years.”

Six’s new job also comes with a pay cut of nearly $22,000: the salary for a district court judge is $118,297, compared to $96,489 for the attorney general.

He received his law degree from the University of Kansas in 1993 and then served as a clerk for Judge Deanell Tacha of the 10th U.S. Circuit Court of Appeals.

The following year, he joined Shamberg, Johnson and Bergman. The firm specializes in lawsuits dealing with defective products, transportation accidents, medical malpractice, health care fraud and environmental issues.

His wife, Betsy, is a professor at the University of Kansas law school. He was an instructor as well in 2006.

His father served on the Kansas Supreme Court from September 1988 until January 2003, having been appointed by Republican Gov. Mike Hayden after a lengthy private legal practice.

Morrison’s downfall occurred because of his affair with Linda Carter, formerly the director of administration for the Johnson County district attorney.

She has said it began in September 2005, when Morrison was district attorney and her supervisor.

According to her account, it lasted two years — while Morrison ran for attorney general in 2006 and after he took office in January 2007.

At the urging of Sebelius and state Democratic Party Chairman Larry Gates, Morrison switched to the Democratic Party to challenge Republican incumbent Phill Kline in the attorney

County: Barton

31261-01-20_3001
general’s race. After Morrison defeated Kline, state law allowed Republicans to fill the county job — and they chose Kline. Carter continued working for Kline until the end of November. Before leaving, she filed a claim with the federal Equal Employment Opportunity Commission.

The state board that reviews allegations of misconduct against attorneys also is investigating Morrison’s conduct, and Kline has said he will appoint a special prosecutor for a criminal investigation.

Carter alleges that Morrison tried to use her to influence a federal lawsuit filed by eight former employees of the district attorney’s office who were dismissed by Kline. She also alleges that Morrison tried to get her to provide sensitive information about Kline’s activities. He denies those allegations.

AP PHOTO

Gov. Kathleen Sebelius, left, introduces Stephen Six as Kansas Attorney General during a news conference in Topeka, Friday.
Michael Hines, son of John and Geldys Hines of Lyons, has been conditionally selected by the U.S. Army to receive a four-year Army ROTC scholarship. Although born in Manhattan, Hines intends to enroll at KSU's arch-rival Kansas University, where he'll use the scholarship to major in Pre-Med studies. Currently a senior at Lyons High School, Hines has been a defensive back on the football team, a member of the track team, and a trombone player in the school band. He wears the rank of Cadet Captain as Bravo Squadron Commander in the school's Air Force Junior ROTC program. When told of Hines' selection for a scholarship by the Army, Major Jeff Closson and Technical Sergeant Jim Eskut said, "We're very proud of Michael. We're confident that many other cadets in the local AFJROTC program will be awarded college scholarships in months and years to come, but he's made history as our very first."

When asked why he had chosen the Army over other service branches, Hines replied that it was to honor his father, who served as an Army Military Policeman during 1991's Operation Desert Storm.
Students from nine Kansas high schools in Jackson and Nemaha counties will be honored Monday, Feb. 18, by the University of Kansas Alumni Association and KU Endowment.

A total of 38 seniors will be recognized for their academic achievements and named Kansas Honor Scholars during a 6:30 p.m. dinner program that evening at First United Methodist Church, 1401 W. Fourth St. in Holton. Honored students will be announced in an upcoming edition of The Holton Recorder.

The Kansas Honors Program began in 1971 and has honored more than 100,000 students. Scholars rank in the top 10 percent of their high school senior classes and are selected regardless of curricula, majors, occupational plans or higher-education goals.

During the ceremony, each student will receive an American Heritage Dictionary in hardback and CD versions, presented by Sarah Blaney, assistant director of Kansas programs for the KU Alumni Association. Lynn Bretz, director of university communications, will speak to the students, their parents and guests.

Honored students will be the guests of the alumni association and KU Endowment; parents and area alumni are welcome to attend at a cost of $9 each. Community volunteers collect reservations, coordinate details and serve as local contacts for the event. Matt and Paula Taylor of Holton will be the site coordinators. Jackie Oberding of Seneca is the coordinator for Nemaha County.

The Kansas Honors Program is made possible through KU Endowment and proceeds from the Jayhawk license plate program.
HS Seniors recognized as Kansas Honors Scholars

A total of 42 Crawford County high school seniors will be recognized for their academic achievements and named Kansas Honor Scholars in a dinner program at 6:30 p.m. Feb. 4 in the Crimson and Gold Room, Overman Student Center, Pittsburg State University.

The event is hosted by the University of Kansas Alumni Association and KU Endowment. The Kansas Honors Program began in 1971 and has honored more than 100,000 students. Scholars rank in the top 10 percent of their high school senior classes and are selected regardless of curricula, majors, occupational plans or higher-education goals.

During the ceremony, each student will receive an American Heritage Dictionary in both hardback and CD versions, presented by Jennifer Alderdice, assistant vice president of student programs for the KU Alumni Association.

Speaker will be Kenneth Audus, dean of the KU School of Pharmacy.

Honored students will be guests of the alumni association and KU Endowment. Parents and area alumni may attend at a cost of $10 per person.

Community volunteers collect reservations, coordinate details and service as local contacts for the event. Nancy Hoff Scott, Pittsburg, will be site coordinator, and Rodney and Karen Odgers, Pittsburg, will be county coordinators.

The Kansas Honors Program is made possible through KU Endowment and proceeds from the Jayhawk license plate program.

The seniors recognized as Kansas Honors Scholars are:

- **FRONTENAC HIGH SCHOOL**
  - Zach Krumsick
  - Kristofer Mitchell
  - Boone Pyle and Kendra Spears

- **GIRARD HIGH SCHOOL**
  - Trent Boultinghouse
  - Joshua Donaldson, Robert Frisbee, Sierra Gottlob, Katie Gull, Jordan Mahnken, Jenna Smith and Erin Stolte

- **NORTHEAST HIGH SCHOOL**
  - Abbv Bartelli
  - Jordan Doherty and Rori Stephens

- **PITTSBURG HIGH SCHOOL**
  - Dane Bell, John Wes Book, Rebekah Dallman, Jessica Denton, Amanda Folk, Josiah Hashman, Robyn Hilt, Jeffrey Linville, Jennifer Martin, Aria Menghini, Annie Morris, Julia Penner, Lucero Rodriguez, Heath Schulze, Nadine Stoll, Jamie Teller, Benjamin Wolgamott and Lexi Yoakam

- **SOUTHEAST HIGH SCHOOL**
  - Bethany Burns, Makenzie Gorman, Morgan McCready, Shelbi Platt, Kayla Timmerman and Valerie York

- **ST. MARY’S-COLGAN HIGH SCHOOL**
  - Michael Hayes, Jeremy Humble and Kenny Wachter
Danielle Dollinger enjoyed her semester abroad in Israel so much that she has taken a job at the University of Kansas Hillel that will allow her to help other Jayhawks experience the same thing.

Dollinger is Hillel’s new MASA intern. A joint venture of the Israeli government and the Jewish Agency for Israel, MASA — Hebrew for “journeys” — encourages young people to take an interest in Israel.

“MASA is pretty much a gateway to long-term programs in Israel. It helps you find programs and provides students with grants,” said Dollinger, a 22-year-old senior at KU.

A large part of her work involves helping students who want to study or intern in Israel learn about opportunities that are available through MASA and other sources.

Like many schools that cancelled their study-abroad programs in Israel during the violence of the so-called second Palestinian intifada, KU does not allow its students to study abroad in Israel right now. However, Dollinger noted, students can leave the university for the period they wish to study in Israel, and then re-apply when they return.

Dollinger said KU’s policy is driven by insurance issues.

“They can’t ensure that the people will be safe,” Dollinger said. “The problem with that is that the areas that they call dangerous are not the same places where the programs are.”

Dollinger said that “many people are interested in studying in Israel, but because of the extra work, it’s harder to get there, and people aren’t aware of the opportunities that are available.”

MASA’s chief way of encouraging academic and internship-based adventures to Israel is to offer undergraduates a guaranteed $2,000 grant. The only requirements are that the student is Jewish and goes to Israel on one of the designated programs. Graduate students can get larger amounts, depending on their needs. Last school year, four KU undergrads, including Dollinger, studied in Israel through the MASA program. Dollinger spent a semester at Hebrew University in Jerusalem with Israeli students and 300 other Americans and Canadians.

“The experience was completely worth (the extra work),” Dollinger said. “I learned more about my identity with Israel than I would have ever learned (elsewhere).”

In addition to academic study, MASA offers opportunities for internships and volunteer work in places such as the Israeli parliament, The Jerusalem Post and Haaretz.

Dollinger’s other MASA-related responsibility on campus is to get students involved in activities relating to Israel. One upcoming cultural event will be Feb. 7, when the popular Israeli hip-hop band, Hadag-Nahash, performs at The Bottleneck in Lawrence.

**AIPAC liaison**

Another way students can get involved with Israel is through political action. Dollinger’s brother, KU freshman Aaron Dollinger, is the campus liaison for the American Israel Public Affairs Committee. He got
involved with the organization while still in high school at the urging of another sister, Shari Dollinger.

Both Aaron and Danielle attended the recent AIPAC Saban Conference in Washington, D.C. There, speakers such as former Republican National Committee Chairman Ken Mehlman, political commentator Paul Begala and Israeli Ambassador Sallai Meridor spoke on issues ranging from Iran and nuclear armaments to the 2008 presidential campaign.

With students returning to KU from winter break this week, 19-year-old Aaron Dollinger will start working to spread awareness of these issues on campus with the information he learned at the conference.

“There are a bunch of ways to go about it at KU,” he said. “We plan to start a petition (about Iran and nuclear armament) and get at least 1,000 names and zip codes and present the petition to Rep. Dennis Moore and Sen. Sam Brownback and the various local representatives.”

He is also planning a Feb. 20 event, where Ron Dermer, Israel’s minister of economic affairs in the United States, will speak. For many events, he works with Hillel.
Two weeks ago, I was in ltai Steinberger’s living room in Karmei Yosef, about halfway between Jerusalem and Tel Aviv. I was there with fifteen students from KU Hillel on a Partnership 2000 Student Leadership Mission that Hillel ran in conjunction with the Jewish Federation. In addition to student leadership development, the trip was designed for these students to learn about Israeli life and develop relationships with Israeli’s in Ramla and the Gezer region, Kansas City’s partner areas in Israel.

ltai’s parents graciously welcomed us into their home and, in true Israeli fashion, had their table covered with cookies, cakes and other snacks as well as soda, tea and coffee. They proudly walked us through the house showing us pictures of ltai and his friends and took us into their art studio where they displayed sculptures and other artwork of ltai’s. And, just like any good Jewish parents, they bragged about ltai’s accomplishments and showed off awards he had won.

In many ways, the evening felt very familiar. With the warm hospitality and proud Jewish parents bragging about their son’s accomplishments, we could have been in any one of our KU students’ living rooms. And, yet, for the Americans in the room, there was little familiar for us.

ltai Steinberger was killed less than two years ago at the age of 21 in Lebanon while serving in the Israeli Defense Forces. During Israel’s war with Lebanon in 2006, ltai was helping a medic get supplies to wounded soldiers when he was hit by a rocket. That night at the Steinbergers’ home, real life in Israel became very real.

ltai’s father showed us a document that ltai had made while he was going through basic training in the army. Watching the 19-year-olds in the video running, laughing, sweating, and bonding with one another, many in our group eerily exchanged glances with one another. The Israeli teens in the video looked just like the young men in the KU Hillel group.

My connection to Israel began when I read “Exodus” by Leon Uris as a teenager. I was moved by the stories of these Jews my age fighting in Israel’s war of independence. If this place was so important that these “peers” were willing to give their life for it, I had to go see it for myself. That led to my first trip to Israel in 1989.

Now, 18 later, I was on my sixth trip to Israel. Seeing the reactions on our students’ faces throughout the evening at the Steinberger house took me back to the feeling I had reading Exodus. And yet, this was so much more real.

For the students, meeting ltai’s parents was transformative. All of them had a strong connection to Israel prior to the evening, but being in the home of a peer, who gave his life for Israel, expanded their notion of what it means to be a Zionist.

However, this encounter was about much more than Israel. It was about people. One of the students asked the Steinbergers how they continue with “normal life” after doing the unimaginable act of burying their child. They explained that you have to “mix laughter with the tears.” A student who lost her 13-year-old brother last May embraced ltai’s mother as the two spoke about tears, laughter, remembering and moving on. Grief is the same in any language.

Beyond having anything to do with Israel, American college students, or Partnership 2000, at its core, the evening at the Steinbergers’ house was about parents and children. The pride, the love, the memories and the pain were all on display that evening in a very genuine way. In a living room overflowing with KU students, the Steinbergers’ house was about parents and children.

In that moment, we realized that the evening that was planned to help us learn about life in Israel was as much for ltai’s parents as it was for us.

Jay Lewis is executive director of the KU Hillel Foundation in Lawrence, Kan.
Some responses to coal plant decision surprise Bremby

LAURENCE, Kan. (AP) - The state official who blocked two coal-fired power plants in southwest Kansas last year says he was taken aback by at least some of the responses to his decision.

"I was not surprised by the reaction, due to the importance of the issue, but I have been surprised by the negative responses directed toward me personally by people I respect," the state's top environmental regulator, Rod Bremby, wrote in an e-mail to the Lawrence Journal-World.

Bremby, who was the assistant city manager of Lawrence during the flood of 1993, answered a series of questions by e-mail but declined to speak to the newspaper for its story Sunday.

In October, Bremby denied a $3.6 billion plan from Sunflower Electric Power Corp. to build two coal-fired plants outside Holcomb. Bremby, Kansas secretary of health and environment, cited the plants' potential emissions of carbon dioxide, seen by many scientists as a major contributor to global warming.

While environmentalists hailed the decision, supporters of the plan, including many legislators, said the Sunflower project is vital to economic development. Some contend Bremby was caving to pressure from special interest groups and Gov. Kathleen Sebelius' office.

"I do think in the coal-fire decision, the decision he made was probably outside of his authority," said Senate President Steve Morris, R-Hugoton.

But John Nalbandian, former Lawrence mayor and chairman of the University of Kansas public administration department, said Bremby has a mind of his own.

"I think Rod is convinced this is the right thing to do," Nalbandian said. "And once he is convinced this is the right thing to do, he has a strong mind."

Although he disagrees with the Sunflower decision, Morris said he thinks Bremby has done a good job overall as secretary. Still, Morris said, he wants to look at how long it takes for the Department of Health and Environment to process permits.

Since the Sunflower decision, Bremby, who is an introvert, has shied away from the media and any discussion of coal-fired plants. He even videotaped the initial announcement and didn't hold a news conference.

Bremby, who was named secretary of health and environment after Sebelius took office in January 2003, previously had worked in city government and as a professor and researcher at the University of Kansas.

Former Lawrence City Manager Mike Wildgen, who considers Bremby one of his best hires during his 16-year tenure, said that when Bremby faced angry crowds, he wasn't flustered.

"I always felt I could send him out to just about any overwhelmed citizen or group that had concerns or issues and he could deal with them unemotionally, matter of fact, give them straight answers," Wildgen said.

Some people point to the 1993 flood as a defining moment for Bremby.

He said it taught him the importance of communicating frequently, honestly and directly during a crisis.

Bremby eventually became a management analyst for the city. Lawrence City Manager Dave Corliss credits Bremby with setting up a public safety plan that is still being used. The plan spelled out staffing levels and facility upgrades.

After working at City Hall, Bremby went to the University of Kansas, where he was assistant director of the Work Group for Community Health and Development.

In his three years at the university, Bremby worked on initiatives to match children with caring adults and bring young people and health programs to neighborhoods in Kansas City.
Jennifer Decker, Jacob Sacks, Amanda Steinberg, Morgan Brickley, Linsey Moddelmog and Jessica Pownell, for earning degrees from the University of Kansas.