DEAR EDITOR,
This past June, the Ohio General Assembly passed House Joint Resolution 1 to ask Ohio voters whether the mandatory age of retirement for judges should be raised from 70 to 75. I voted for this resolution when it was in the House because I believe that no individual, through the muscle of the law, should be forced to retire simply because they have reached a certain age.
Should farmers be forced to stop harvesting their crops, or small business owners forced to shut their doors on their 70th birthdays?
Similarly, citizens should not be prevented from electing or reelecting a judge who just so happens to have reached the age limit of the law. Why should the government have the right to push a judge from the bench or block voters from deciding who should preside over their court cases?
Although HJR 1 does not eliminate the mandatory retirement age entirely, it does increase the age by five years and takes into account the fact that people are living and working longer into the twilight years of their lives. It will help to ensure that we have the best individuals presiding over our courtrooms and interpreting the law.
One of the criticisms that the Ohio General Assembly heard during the committee process was that there is no proof that an individual who reaches the age of 75 has the same mental capacity of a 70-year-old. However, there was no proof or evidence offered during the legislative debate that offered any counter argument that they are not the same mentally, physically or intellectually. I believe that whether someone is still capable of performing their judicial duties should be decided on a case-by-case basis, not a one-size-fits-all policy for everyone.
HJR 1 passed from the General Assembly and therefore was added to the November ballot for the voters to decide. I'm glad that I had the opportunity to lend my support to this resolution in the House and help maintain our most experienced and capable public servants' right to continue working for the people of Ohio.
Sincerely,
State Representative Lynn Wachtmann