

# **Rules of Procedure for Eleventh Judicial District Nominating Commission**

Scope Note: These rules are intended to state simple, minimum guides for the Nominating Commission.

## **I. Notification and Proposals of Names**

- A. No later than seven days after a judicial vacancy occurs, the Commission Chairman shall notify each Commission member of the vacancy and shall call a meeting of the Commission to be held no later than fifteen days after the vacancy occurs. (Nothing herein shall prevent the Chairman or Commission from acting before actual occurrence of a vacancy where an impending resignation becomes known.)
- B. The Chairman shall issue a press release containing the following information:
  - 1. That a vacancy has occurred or is imminent.
  - 2. That persons may submit their applications to the Ex-Officio Chairman by a given date, that persons may submit to any member of the Commission or the Ex-Officio Chairman the names of others by letter filed by a given date, and that the nominations will be kept confidential.
- C. The Commission shall notify each practicing attorney at law in the District of a vacancy as soon as possible after a vacancy occurs or an impending vacancy becomes known.
- D. Members of the Commission may request any qualified person to permit the Commission to consider such person as a candidate to fill the judicial vacancy.

## **II. Commission Procedures**

- A. The commission shall elect one of its members as secretary. The secretary's term shall be for one year or until a successor is elected.
- B. A quorum for the Commission shall be four voting members. The Commission may act by majority vote of voting members present, except in the selection of nominees, when it must act by a majority of all voting members, and in interviewing, when it may act through subcommittees of two or more.
- C. Every proposed nominee shall receive and submit a questionnaire substantially in the form prescribed by the Commission.
- D. The Commission may conduct investigations of the personal and professional qualifications of the proposed nominees.
- E. The secretary shall keep a record of the Commission's official actions and shall maintain a list of names considered for each vacancy. The record shall show when and where meetings were held and persons present at each meeting.
- F. After nominations to fill a vacancy are presented to the Governor, the secretary shall seal and forward to the Clerk of the Supreme Court the record required by Paragraph E above. The Clerk shall maintain these materials as a confidential record, to be opened only upon order of the Eleventh Judicial District Nominating Commission, and then only after approval of a majority of the voting members. Five years after the Governor's appointment to fill a vacancy, the record of proceedings for that vacancy may be destroyed.

- G. When selecting nominees, the Commission shall give consideration to the following factors and questions, among others, with respect to each proposed nominee:
1. Integrity and moral courage.
  2. Legal ability and experience.
  3. Intelligence and wisdom.
  4. Will the proposed nominee be deliberate and fair minded in reaching decisions?
  5. Will the proposed nominee be industrious and prompt in performing duties as a judge?
  6. Are the proposed nominee's personal habits and outside activities compatible with judicial office?
  7. Will the proposed nominee be courteous and considerate on the bench?
- H. All commission records, proceedings and business, including the names of all proposed nominees, shall be confidential and may not be discussed outside Commission meetings except among Commission members or as made necessary by II D above, or as required by law. The names of nominees forwarded to the Governor shall be released publicly immediately after such names shall have been received by the Governor.

### **III. Transmittal to the Governor.**

- A. Within thirty days after a vacancy occurs, the Commission shall submit to the Governor the names of nominees for such vacancy in the number required by the Constitution.
- B. The names of the nominees listed in alphabetical or preferential order, as the Commission may indicate, with their dates of birth, occupations, and addresses, shall be hand delivered to the Governor or sent to him by registered or certified mail.
- C. The Commission also shall furnish to the Governor copies of the nominees' questionnaires, reference letters, and any other information gathered by the Commission during its investigations.

Amended: August 27, 2002