

Rules of Procedure for Eighteenth Judicial District Nominating Commission

Adopted October 1, 1968
(Amended August 30, 1994)
(Amended June 23, 1995)

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

I. Notification and Proposals of Names.

- A. When a judicial vacancy occurs, the commission chairman shall notify each commission member of the vacancy and shall call a meeting of the commission.

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 to any member of the commission their own names or the names of others by letter filed by a given date.

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 Eighteenth 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. His or her integrity and moral courage.
 - 2. His or her legal ability and experience.
 - 3. His or her intelligence and wisdom.
 - 4. Will he or she be deliberate and fair minded in reaching decisions?
 - 5. Will he or she be industrious and prompt in performing his or her duties as a judge?
 - 6. Are his or her personal habits and outside activities compatible with judicial office?
 - 7. Will he or she be courteous and considerate on the bench?
- H. All commission records, proceedings and business shall be confidential and may not be discussed outside commission meetings except among commission members or as made necessary by II D above, II I below, or as provided in III C below.
- I. The names of the nominees, listed in alphabetical order, shall be made public when forwarded to 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, shall be hand delivered to the Governor or sent to him by registered or certified mail.
- C. Copies of the nominees' questionnaires and other information gathered by the Commission shall be hand-delivered to the Governor at the same time as the names of the nominees are submitted to the Governor.
- D. No other information shall be forwarded to the Governor, except that the commission, through a majority of its voting members, may consult with the Governor about any nominee at the Governor's request.

IV. Amendment to Rules.

- A. These rules may be amended at any meeting of the Commission upon oral motion, duly seconded and passed by a vote of a majority of the voting members provided, however, that an amendment may not be considered when a bare majority of the commission is present.