

Rules of Procedure for Twenty-Second Judicial District Nominating Commission

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

I. Notification and Proposals of Names.

- A. No later than seven days after a judicial vacancy occurs, the Commission Chair shall notify each Commission member of the vacancy and shall call a meeting of the Commission to be held no later than twenty eight (28) days after the vacancy occurs. (Nothing herein shall prevent the Chair or Commission from acting before actual occurrence of a vacancy where an impending resignation becomes known.)
- B. The Chair 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, and that the nominations will be kept confidential.
- C. Without delay after a vacancy has occurred, the Chair shall issue a press release as to how and when names may be submitted for consideration. The Chair shall publish the vacancy by distributing press releases and applications to the district administrator, the clerk of the county court in which the vacancy exists (for public posting), and the presidents of the local bar associations. The Chair shall send press releases to local newspapers, radio stations, and television stations within the district and shall post the vacancy on the Colorado Courts Web Page.

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 Twenty Second 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 applicant be deliberate and fair minded in reaching decisions?
5. Will the applicant be industrious and prompt in performing duties as a judge?
6. Are the applicant's personal habits and outside activities compatible with judicial office?
7. Will the applicant be courteous and considerate on the bench?

H. All Commission records, proceedings and business, including the names of applicants, shall be confidential and may not be discussed outside Commission meetings except among Commission members or as made necessary by Paragraph D above. The names of nominees forwarded to the Governor shall be released publicly promptly after the transmittal of the names 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 by registered or certified mail.
- C. All information received by the Commission with respect to each nominee shall be forwarded to the Governor.

Revised: 8/21/00