

# Rules of Procedure for Third Judicial District Nominating Commission

Adopted 8/7/84

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

- A. No later than ten days after a judicial vacancy occurs, the Commission Chairperson shall notify each Commission member of the vacancy and shall call a meeting of the Commission to be held no later than twenty eight days after the vacancy occurs. Nothing herein shall prevent the Chairperson or Commission from acting before actual occurrence of a vacancy where an impending resignation becomes known.
- B. The Chairperson shall issue a press release to all daily and weekly newspapers within the district or county, announcing the existence of the vacancy, and further announcing that applications may be obtained from and filed by a certain date with the Chairperson.
- C. Members of the commission may request persons to permit their names to be considered.
- D. Applications shall be treated as confidential.

## **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.
- C. Every applicant shall 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 Chairperson 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 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. Deliberation and fair-mindedness in reaching decisions.
  5. Industriousness and promptness in performing judicial duties.
  6. Whether the personal habits and outside activities are compatible with judicial office.
  7. Courteousness and consideration 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, or III (C) below.

**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, along with their questionnaire and such other letters or documents as were considered by the Commission, shall be submitted to the Governor by the Chairperson. The Commission may indicate a preference as to any nominee or submit the names alphabetically.
- C. The names of the nominees shall be made public after submission to the Governor. The release of the names to the public shall be in alphabetical order.

Amended 8/29/16