

Rules of Procedure for Fifth Judicial District Nominating Commission

I. Notification and Proposals of Names

- A. No later than fifteen 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 thirty 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 know.)
- B. 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 members of the commission may submit the names of others).
- C. Without delay after a vacancy has occurred, the chairman shall issue a press release as to how and when names may be submitted for consideration; and the commission shall notify each practicing attorney at law in the district of the vacancy and the manner of submission of names.
- D. Members of the commission may request persons to permit their names to be considered.

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. 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 II E above. The Clerk shall maintain these materials as a confidential record, to be opened only upon order of the Fifth 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 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, including the names of all proposed nominees except the names of nominees forwarded to the Governor, shall be confidential and shall not be discussed outside commission meetings except among commission members or as made necessary by II D above or as required by law.

III. Transmittal to the Governor.

- A. At the time nominees for any vacancy are selected by the commission, it also shall determine the extent of information concerning the nominees which shall be submitted to the Governor and whether any preferences among the nominees will be expressed to the Governor.
- B. After names of nominees for any vacancy have been submitted to the Governor (together with the information which the commission concluded also to submit to him), if the Governor shall express a desire for further information from the commission, the secretary of the commission shall make arrangements so that any conference with the Governor in this connection shall be attended by not less than four members of the commission and not less than three members shall agree upon any answers otherwise submitted to the Governor.

Revised: 12/12/90