

# **Rules of Procedure for Sixth Judicial District 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 as soon thereafter as possible, but in no event later than 28 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. 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 on all matters, including the selection of nominees.
- 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 Chairman 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 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:
  - i. Integrity and moral courage.
  - ii. Legal ability and experience.

- iii. Intelligence and wisdom.
  - iv. Will the applicant be deliberate and fair minded in reaching decisions?
  - v. Will the applicant be industrious and prompt in performing duties as a judge?
  - vi. Are the applicant's personal habits and outside activities compatible with judicial office?
  - vii. Will the applicant be courteous and considerate on the bench?
- H. All commission records, proceedings and business shall be confidential and shall not be discussed outside Commission meetings except among Commission members or as made necessary by II D above, II I below, or as required by law.
- I. The names of nominees forwarded to the Governor shall be released publicly promptly after the transmittal of the names to the Governor. The names of all applicants shall be made public by the Chairman when applications are submitted. Public comment may be invited on the qualifications of the applicants and nominees.

### **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 three members of the Commission and not less than three members shall agree upon any answers otherwise submitted to the Governor.

Amended: 11/16/01