

HARFORD COUNTY BAR ASSOCIATION, INC.

JUDICIAL NOMINATIONS COMMITTEE
STATEMENT OF POLICIES AND PROCEDURES

I. Committee Structure.

A. The Committee is headed by a Chair appointed annually by the “President” of the Association. The President shall also designate a Vice Chair to fill in at meetings or in other respects in the absence of the Chair.

B. The Committee shall have no fewer than 12 nor greater than 18 members. The President will attempt to ensure that the Committee is as diverse as possible.

C. In order to serve on the Committee, each member must sign and honor a written confidentiality agreement approved by the Committee.

II. Applicant Information.

A. The Chair of the Committee will obtain the completed personal data questionnaire form “Questionnaire” from each applicant for trial court appointment or from the Administrative Office of the Courts. These Questionnaires will be provided to each Committee member as far in advance of the scheduled sessions as possible. The Questionnaires may be made available to the Committee through a secure, password protected file hosting service such as Dropbox. It will be noted that the contents of the Questionnaires are confidential. The Committee shall evaluate all applicants even if the applicant does not submit a Questionnaire to the Committee.

B. If, independent of the information contained the Questionnaire, a member of the Committee receives or becomes aware of significant adverse information about an applicant, the

member shall share such information with the other members of the Committee. The Committee may then determine whether or not to ignore such information in its evaluation of the applicant, and/or may inform the applicant of such adverse information and provide the applicant an opportunity to respond. The Committee shall maintain confidential the source of any such information.

C. The Committee shall strive to conduct personal interviews of each candidate during the application period. If, at the discretion of the committee, personal interviews will not be conducted for a particular vacancy and corresponding set of applicants, the committee shall make that generally known to the Members of the Association during the application period.

D. The Committee may utilize an online survey service in order to gather input from the Members of the Association. If utilized, the online survey service will be prepared and made available to the Members of the Association as soon as possible after the names of the applicants are disclosed.

E. Committee members may be assigned to summarize the applications and/or to contact the applicants' references.

III. Quorum.

At least two-thirds (2/3) of the members of the Committee eligible to vote must be present, whether in person or electronically, at the beginning of the Committee meeting in order for the Committee to vote on applicants for a trial court vacancy.

IV. Committee Business and Deliberations.

A. Conflicts. A Committee member shall not attend or participate in any way in the Committee's business and deliberations if (1) the Committee member is an applicant; or (2) the Committee member feels that due to family relationship or a past social or professional

relationship or encounter with an applicant, the Committee member may not be objective in his or her recommendation. The reasons for abstention shall not be disclosed by the Committee member.

B. Diversity Issues. Committee members shall recognize the importance of a diverse bench in the evaluation of applicants.

C. Independent Sourcing of Information. In addition to the information contained in the Questionnaires and received from the Members of the Association through the online survey service, members of the Committee may accept and seek information obtained from knowledgeable persons known to Committee members, such as judges, personal references given by the applicant, or other sources. *See* Section II above for a discussion of how the Committee will handle substantial adverse information about an applicant.

D. Ratings of Applicants. After deliberation, the members of the Committee will vote on each applicant, and will consider each of the categories also considered by the Governor's Judicial Nominating Commissions, including, but not limited to: (a) integrity; (b) maturity; (d) judicial temperament; (e) diligence; (f) legal knowledge; (g) ability; (h) legal and life experience; and (i) community service. The voting process will solicit from each member an overall rating for the applicant. The five possible ratings are:

Highly Recommended

Recommended

Not Recommended at this Time

Not Recommended

Insufficient Information

E. Report. The Committee shall prepare and approve a Report with a concise written explanation of the rating of each candidate. The Report shall be signed by the Chair or Vice Chair of the Committee. The names of each Committee member who participated in the voting and the names of the Committee members who were recused shall be appended to the Report. A sample report is attached as Appendix A.

F. Communications About Applicants.

No member of the Committee shall release or permit the release of any information about the contents or results of the Committee's deliberations, or any statements made during the deliberations. Following the conclusion of the Committee's deliberations, all applications, summaries, and notes or written matter of any kind shall be collected from Committee members and be destroyed. The Chair of the Committee will transmit the Report to the Administrative Office of the Courts for submission to the appropriate Judicial Nominating Commission and Governor. In addition, each applicant shall be informed in writing about the recommendation, including rating, assigned to that applicant by the Committee. Following the preparation of such letters, the Chair or Vice Chair of the Committee will destroy the written ballots and the online survey service results.

THIS DOCUMENT LAST REVISED FEB 2018.