

KINGS COUNTY DEMOCRATIC COUNTY COMMITTEE
REPORT OF THE AD HOC COMMITTEE ON JUDICIAL SELECTION PROCEDURES
AS AMENDED ON FEBRUARY 16, 2006

1. A newly constituted screening panel shall be established, effective October 1, 2003. The panel shall review and interview all legally qualified candidates for Civil or Supreme Court who request such a review. They shall judge each candidate as either "Qualified" or "Not Qualified at this time". The panel may, in its' discretion, publish explanatory language in any determination finding a candidate "Not Qualified at this time." Prior to the publication of any list of Committee findings, candidates shall be permitted to withdraw their candidacies, unequivocally and with prejudice.

a] Effective February 16, 2006, the panel may waive the submission of an application and the formal interview of any candidate who has been screened and adjudged "Qualified" in each of the previous two years. Upon the grant of such waiver to any such candidate, the panel shall report such candidate as "Qualified" in the same manner as those candidates who have been subject to screening this year. The panel's determinations concerning both applicants for the civil court and the supreme court, in calendar year 2006, shall be submitted to the Executive Committee on the first day of May. This provision shall expire on December 31, 2006.

2. The panel's determination for each and every person interviewed shall be shared with all members of the Executive Committee prior to an endorsement vote. In the case of candidates for the Civil Court, this shall be at least four weeks prior to the first day to circulate petitions. In the case of Supreme Court, these findings shall be published by June 15th and made available to all Delegates and Alternate Delegates attending the Judicial Convention and to all members of the Executive Committee.

3. In addition to any existing and/or additional requirements of the panel, any person who wishes to be interviewed must disclose any and all action taken against them by any bar disciplinary committee, including private admonitions. In addition, any such person who is or has been a sitting judge must disclose any and all action taken against them by The Commission on Judicial Conduct, including private admonitions. Additionally, all open and pending inquiries must be disclosed as well. Any candidate who asserts that no such action has ever been taken against them must affirm so in writing.

4. The Executive Committee may not endorse any candidate for Civil Court that is not found to be "Qualified" by the Screening Panel. The Executive Committee may

not recommend for nomination by the Judicial Convention any candidate for Supreme Court that is not found to be “Qualified” by the Screening Panel. The only exception to the foregoing shall be in the case of a sitting Judge or Justice seeking re-election to their present post.

5. No member of the Screening Panel may be a candidate nor may they be related to any candidate. “Related” shall be defined to include relation by marriage, and shall be limited to relationships that are “first cousin” or closer. Recusal is not sufficient protection. Anyone who is related to any candidate in a given year may not serve at all on the panel.

6. The panel shall consist of the following:

- a] One member selected by the Brooklyn Bar Association;
- b] One member selected by the Brooklyn Women’s Bar Association;
- c] One member selected by the Kings County Criminal Bar Association;
- d] One member selected by the Association of the Bar of the City of New York;
- e] One member selected by the Richmond County Bar Association;
- f] One member selected, annually on a rotating basis by one of the following three (3): Legal Aid Society of New York City; Brooklyn Legal Services, Corporation A; and South Brooklyn Legal Services;
- g] One member selected by the Chairman of the Board of Trustees of the Brooklyn Law School;
- h] One member selected by the Metropolitan Black Bar Association;
- i] One member selected by the Puerto Rican Bar Association;
- j] Each year, on a rotating basis, three of these groups shall be invited to participate and shall select their own member of the panel, provided such member meets the other criteria specified in this rule for membership: Lesbian & Gay Law Association of Greater New York (LEGAL), Columbian Lawyers Association, Lawyers Torah Club, Catholic Lawyers Guild of Kings County, Association of Black Women Attorneys, Brehon Law Society, Dominican Bar Association, Hispanic National Bar Association,

Jewish Lawyers Guild, Judicial Friends, Metropolitan Women's Bar Association, New York State Women's Bar Association, Protestant Lawyers Association, Staten Island Women's Bar Association, and Asian American Bar Association of the City of New York;

k] Each year, on a rotating basis, one of these groups shall be invited to participate and shall select their own member of the panel, provided such member meets the other criteria specified in this rule for membership: Brooklyn-Manhattan Trial Lawyers Association, Association of Trial Lawyers of the City of New York, New York Criminal Bar Association, New York State Association of Criminal Defense Lawyers, and the New York State Bar Association.;

l] Two members selected by the Chairperson of the Executive Committee of the Kings County Democratic Party, one of whom shall serve as the Chairperson of the Panel

m] One member selected by the Chairperson of the Executive Committee of the Richmond County Democratic Party

n] Four members selected by the Chairperson of the Executive Committee of the Kings County Democratic Party from a list nominated by a majority of the Executive Committee members from each of Eight groups of Assembly Districts. In selecting from such list, the Chairperson may not select nominees from a particular group in consecutive years. Members in this category may not hold any public office or party position or seek such office or position during their tenure on the Committee.

o] One member selected by the New York State Trial Lawyers Association.

7. Every member of the Screening Panel must be admitted members of the Bar of the State of New York in good standing, must maintain a residence or active practice in the Second Judicial District and be an enrolled member of the Democratic Party.

8. The Assembly District Groups shall be as follows:

a] 40, 42, 58

b] 41, 45, 59

c] 46, 47, 48

d] 44, 52, 60

e] 51, 53, 54

f] 49, 50, 55

g] 43, 56, 57

h] the Assembly Districts constituting Richmond County other than the 60th

9. In the event that any of the groups specified in section 6 [“a” through “i” inclusive] shall decline to participate, then additional groups shall be invited from those listed in section 6 [j] to compensate therefore, thus ensuring that the panel retains a two to one ratio of members that are independent of the political party process.

10. Invitations to groups shall be delivered on or before October 1st of each year. Responses from each group, and nominees from the Assembly District Groups shall be received on or before October 15th of each year. The fully constituted panel shall be designated on or before November 30th of each year and shall meet, if at all possible, within the first two weeks of December of each year.

11. No candidate or Member of the Executive Committee may communicate with a member of the Screening Committee regarding the candidacy of any individual proposed for screening.

12. The Executive Committee and the Chairman, thereof, shall exercise due diligence in requiring the composition of the Screening Committee to reflect the racial, ethnic, religious, gender, and sexual preference diversity of the County of Kings.

13. Before undertaking any candidate evaluations, the Screening Committee shall adopt formal written criteria, upon which all such evaluations shall be based.

14. The Screening Committee shall adopt Rules of Procedure, not inconsistent with the rules promulgated in the Albert Vann proposal for the creation of a Screening Committee.

15. Should the Screening Committee report fewer than two times the number of “Qualified” candidates for the total number of vacancies for the public office of Justice of the Supreme Court to be nominated in any year, then the Committee shall continue to accept additional applications, from new applicants, until such threshold has been met.