

ADMINISTRATIVE ORDER OF THE  
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, and with the advice and consent of the Administrative Board of the Courts, I hereby amend, effective immediately, section 150.5 of the Rules of the Chief Administrator of the Courts, and sections 3, 6 and 7 of Appendix A to Part 150 of the Rules of the Chief Administrator of the Courts, relating to the Independent Judicial Election Qualification Commissions, to read as follows:

**§ 150.5 Evaluation of candidates**

(a) The qualifications commissions shall evaluate candidates for elected public office for the courts set forth in section 150.1 to determine whether they are **highly qualified**, **qualified**, **or not qualified** for the office to which they seek election.

(b) The criteria for evaluation shall include professional ability; character, independence and integrity; reputation for fairness and lack of bias; and temperament, including courtesy and patience.

(c) Where a quorum exists, a majority vote of the members present shall be required to find a candidate **highly qualified or** qualified for judicial office.

(d) All votes on **a candidate's qualifications** ~~whether a candidate is qualified~~ shall be by secret ballot.

(e) Each commission shall publish an alphabetical listing of the names of all candidates that it has found **highly qualified**, **qualified** ~~or~~ ~~and it has not found~~ qualified for election to judicial office.

(f) ~~Commencing in March 2010, the qualifications commissions of the judicial districts of the Appellate Division, Fourth Department, may find a candidate "highly qualified" for election to the judicial office, and shall notify candidates of, and publish, such findings in the same manner as otherwise set forth in this Part and Appendix A.~~

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## Appendix A

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### Section 3. Scope of the Commissions' Determinations

- A. The commissions shall determine whether a candidate is **highly qualified**, qualified, **or not qualified** for election to the judicial office (e.g., Supreme Court) in which a vacancy exists.
- B. Any candidate found **highly qualified or** qualified for election to a judicial office shall be deemed **so** qualified for that judicial office for three years in the absence of any new information that may have a negative effect on his or her qualifications and background.
- C. Any candidate not found qualified **or highly qualified** for election to judicial office shall be deemed ~~not~~ to be **not** qualified for that judicial office for one year from the date of submission of the candidate's application to the commission.

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### Section 6. Results of Evaluation Process

- A. Each commission shall notify each candidate, in writing, whether the candidate is **has been found to be highly qualified**, qualified for election to the judicial office, **or** not qualified for election to the judicial office, or has not complied with the commission's evaluation process. The commission's written notice informing a candidate that he or she has been found **highly qualified or** qualified for election to the judicial office shall be accompanied by a statement of ethical guidelines addressing the permitted uses of the commission's rating in any campaign for judicial office.
- B. Pursuant to section 150.5(e) of the Rules of the Chief Administrator, each commission shall publish at such times as it may determine, but not less than annually, an alphabetical list of those candidates found **highly qualified**, qualified and ~~not found~~ qualified for election to judicial offices.

1. The commission shall make the list available to the public, including but not limited to publishing the list in local newspapers and notifying bar associations and other civic groups.

2. There shall be no communication to the public regarding those candidates who did not participate in the commission's evaluation process, nor shall the commission provide any additional comment or information regarding any candidate other than the written notice provided for herein.

~~C. Commencing in March 2010, the qualifications commissions of the judicial districts of the Appellate Division, Fourth Department, may find a candidate "highly qualified" for election to the judicial office, and shall notify candidates of, and publish, such findings in the same manner as otherwise set forth in this Part and Appendix A.~~

#### Section 7. Requests for Reconsideration

A. Any candidate not found qualified for election to a judicial office may request reconsideration by the commission by making a written request to the commission's chair within seven business days following the date of receipt of notification of the commission's decision.

B. In support of a reconsideration application, the candidate may submit additional material and may request an interview with the commission.

C. The commission shall advise the candidate promptly, in writing, after its determination of the candidate's application upon reconsideration.

D. In the event the candidate, upon reconsideration, is found **highly qualified or** qualified for the judicial office, the commission shall add his or her name to the publicly available list of candidates **so designated.** ~~found qualified for election~~

~~to the judicial office.~~ The commission shall also provide the candidate with a statement of ethical guidelines addressing the permitted use of the commission's rating.

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Chief Administrative Judge of the Courts

Dated: March , 2012

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