

State. The Commissioners are not compensated for their service, and each serves a four-year term.

### ELIGIBILITY REQUIREMENTS FOR NOMINEES

In order to qualify for nomination, a candidate must be a resident of New York State and have been admitted to practice law in New York for at least 10 years. There are no other eligibility requirements. For example, a candidate need not have prior service as a judge and need not be a practicing lawyer.

### THE PRE-NOMINATION PROCESS

Whenever a vacancy on the Court of Appeals arises, the Commission begins the nomination process which ultimately yields a short list of candidates for the Governor's selection. The nomination process is initiated when candidates submit applications to the Commission or are commended by others. The Commission requires each candidate to answer a comprehensive questionnaire which covers the candidate's personal, education and professional background, legal experience and community activities. The Commission also requires each candidate to submit a personal statement setting out the candidate's views on the law, the judiciary, the Court of Appeals and his or her candidacy.

The Commission strives to obtain as complete a picture of each candidate's qualifications and achievements as possible. In addition to the questionnaires and personal statements, the Commission considers writing samples of the candidates and judicial decisions, if any. The Commission also considers each candidate's reputation in the community, and information provided by colleagues, adversaries, and others who have come into contact with the candidate during his or her career.

After gathering a wealth of information, the Commission meets as a body to interview each of the final round of candidates that it is considering. The candidates in the final group considered by the Commission must also submit full information on their finances.

Only after this review process do the Commissioners cast votes to determine which candidates will be submitted to the Governor as the best qualified to serve on the Court of Appeals. The voting procedures used by the Commission ensure that no candidate will be recommended to the Governor without broad support from a large majority of the Commission, including the favorable votes of at least eight of the twelve Commissioners. All proceedings and records of the Commission are confidential.

### THE NOMINATION PROCESS

For a vacancy in the office of Associate Judge, the Commission is required to nominate between three and seven candidates to the Governor. For the office of Chief Judge, the Commission must nominate seven candidates. The Commission does not rank the nominees submitted to the Governor. The Governor, with the advice and consent of the Senate, may only appoint judges to the Court of Appeals from the list of candidates nominated by the Commission.

In this way, the Commission fulfills its duty to the citizens of this State by making sure that our State's highest court -- our "court of last resort" -- is served by highly qualified and dedicated judges.

April, 1998

John F. O'Mara, Chair  
Warren Anderson  
Edward F. Cox  
Michael C. Finnegan  
Josephine L. Gambino  
Patricia Green  
Berta E. Hernandez  
Janet M. Kassar  
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