

Table 1. Rules Governing Submission of List of Judicial Nominees in Localities Where Merit Selection Occurs

| State/court          |                                      | Days<br>allowed to<br>submit list | Number of<br>names<br>submitted | Order names<br>are submitted             | Additional information sent to<br>appointing authority                            | Governor<br>bound by<br>recommen-<br>dation | Legislative<br>confirmation<br>required | Nominees<br>names<br>made<br>public |
|----------------------|--------------------------------------|-----------------------------------|---------------------------------|--|---|---|---|-------------------------------------|
| Alabama              | Baldwin County                       | 30                                | 3                               | Alpha                                    | No  | Yes   | No                                      | Yes                                 |
|                      | Jefferson County                     | 90                                | 3                               | Alpha                                    | No  | Yes   | No                                      | Yes                                 |
|                      | Madison County                       | —                                 | 3                               | —  | —   | Yes   | No                                      | Yes                                 |
|                      | Mobile County                        | —                                 | 3                               | —  | —   | Yes   | No                                      | —                                   |
|                      | Talladega County                     | —                                 | 3                               | —  | —   | Yes   | No                                      | —                                   |
|                      | Tuscaloosa County                    | 45                                | 3                               | —  | No  | Yes <sup>1</sup>                            | No                                      | Yes                                 |
| Alaska               |                                      | 90 <sup>2</sup>                   | 2 or more                       | Alpha                                    | Applicant questionnaires, voting record, bar survey, letters of recommendation    | Yes   | No                                      | Yes                                 |
| Arizona              |                                      | 60                                | 3 or more                       | Alpha                                    | —   | Yes   | No                                      | Yes                                 |
| Colorado             | Appellate courts                     | 30                                | 3                               | Alpha                                    | Applicant questionnaire   | Yes   | No                                      | Yes                                 |
|                      | Trial courts                         | 30                                | 2–3                             | Varies by judicial district <sup>3</sup> | Varies by judicial district <sup>3</sup>  | Yes   | No                                      | Yes <sup>4</sup>                    |
| Connecticut          |                                      | —                                 | —                               | —  | —   | Yes   | Yes <sup>5</sup>                        | —                                   |
| Delaware             |                                      | 60                                | 3                               | Alpha                                    | No  | Yes <sup>6</sup>                            | Yes                                     | Yes                                 |
| District of Columbia |                                      | 60                                | 3                               | —  | —   | Yes (president)                             | Yes                                     | Yes                                 |
| Florida              | Supreme Court                        | 30                                | 3–6                             | Alpha                                    | Investigative file  | Yes   | No                                      | Yes                                 |
|                      | District Court of Appeal             | 30                                | 3                               | Alpha                                    | Investigative file  | Yes   | No                                      | Yes                                 |
|                      | Trial courts                         | 30                                | 3 or more                       | Alpha                                    | Investigative file  | Yes   | No                                      | Yes                                 |
| Georgia              |                                      | —                                 | 5 at most                       | —  | —   | No  | No                                      | —                                   |
| Hawaii               |                                      | —                                 | 4–6                             | Alpha                                    | Applicant questionnaire   | Yes   | Yes                                     | No                                  |
| Idaho                |                                      | —                                 | —                               | —  | —   | Yes   | No                                      | Yes                                 |
| Indiana              | Appellate courts                     | 70                                | 3                               | —  | Nominee evaluations   | Yes   | No                                      | Yes                                 |
|                      | Tax Court                            |                                   |                                 |  |   |   |   |                                     |
|                      | Allen County                         | 60                                | 3                               | —  | Nominee evaluations   | Yes   | No                                      | Yes                                 |
|                      | Lake County                          | 60                                | 3                               | —  | Nominee evaluations   | Yes   | No                                      | Yes                                 |
|                      | St. Joseph County                    | 60                                | 5                               | —  | Nominee evaluations   | Yes   | No                                      | Yes                                 |
| Iowa                 | Supreme Court                        | 60                                | 3                               | Alpha                                    | Applicant questionnaire   | Yes   | No                                      | Yes                                 |
|                      | Court of Appeals                     | 60                                | 5                               | Alpha                                    | Applicant questionnaire   | Yes   | No                                      | Yes                                 |
|                      | District Court                       | 60                                | 2                               | Alpha                                    | —   | Yes   | No                                      | Yes <sup>7</sup>                    |
|                      | District associate judges            | 15–30                             | 3                               | —  | —   | Yes <sup>8</sup>                            | No                                      | —                                   |
|                      | Magistrate judges                    | 15–30                             | 1                               | —  | —   | N/A <sup>8</sup>                            | No                                      | —                                   |
| Kansas               | Appellate courts                     | 60                                | 3                               | —  | —   | Yes   | No                                      | —                                   |
|                      | District court                       | 30                                | 2–3                             | —  | —   | Yes   | No                                      | —                                   |
| Kentucky             |                                      | —                                 | 3                               | Alpha                                    | —   | Yes   | No                                      | Yes                                 |
| Maryland             | Court of Appeals                     | 85                                | 5–7                             | Alpha                                    | Applicant questionnaire   | Yes <sup>9</sup>                            | No                                      | Yes                                 |
|                      | Trial courts                         | 85                                | 2–7                             | Alpha                                    | Applicant questionnaire   | Yes <sup>9</sup>                            | No                                      | Yes                                 |
| Massachusetts        |                                      | —                                 | 3–6                             | Alpha                                    | —   | No <sup>10</sup>                            | No <sup>11</sup>                        | No                                  |
| Minnesota            |                                      | 60                                | 3–5                             | —  | —   | No  | No                                      | Yes                                 |
| Missouri             |                                      | —                                 | 3                               | —  | —   | Yes   | No                                      | Yes                                 |
| Montana              |                                      | 90                                | 3–5                             | —  | Entire applicant file, Commission voting record and recommendations               | Yes   | Yes                                     | Yes                                 |
| Nebraska             |                                      | 90                                | 3 or more                       | Alpha                                    | Applicant questionnaire, investigative file                                       | Yes   | No                                      | Yes                                 |
| Nevada               |                                      | —                                 | 3                               | Alpha                                    | Entire file   | Yes   | No                                      | Yes                                 |
| New Mexico           |                                      | 30                                | 2 or more                       | Alpha                                    | —   | Yes <sup>12</sup>                           | No                                      | Yes                                 |
| New York             | Court of Appeals                     | 120 <sup>13</sup>                 | 3–7                             | —  | Entire file, including commission recommendations, applicant financial statements | Yes   | Yes                                     | Yes                                 |
|                      | Supreme Court                        | —                                 | —                               | —  | Written evaluation, entire file   | Yes   | Yes                                     | No                                  |
|                      | Appellate division of Supreme Court  |                                   |                                 |  |   |   |   |                                     |
|                      | Trial courts (outside New York City) |                                   |                                 |  |   |   |   |                                     |
| New York City        | 90                                   | 3                                 | —                               | Information re: qualifications           | Yes (mayor)   | No  | No                                      |                                     |
| North Dakota         |                                      | 60                                | 2–7                             | Alpha                                    | —   | No  | No                                      | Yes                                 |
| Oklahoma             |                                      | —                                 | 3                               | Random                                   | Applicant questionnaire, writing sample, investigative file                       | Yes   | No                                      | Yes                                 |
| Rhode Island         |                                      | 90                                | 3–5                             | Alpha                                    | Entire file   | Yes   | Yes                                     | Yes                                 |
| South Dakota         |                                      | —                                 | 2 or more                       | Alpha                                    | Investigative file  | Yes   | No                                      | —                                   |
| Tennessee            |                                      | 60                                | 3                               | Alpha                                    | Applicant questionnaire, investigative file                                       | Yes <sup>14</sup>                           | No                                      | Yes                                 |
| Utah                 | Appellate courts                     | 45                                | 5–7                             | Alpha                                    | Applicant questionnaire, investigative file                                       | Yes   | Yes                                     | Yes                                 |
|                      | Trial courts                         |                                   | 3–5                             |  |   |   |   |                                     |
| Vermont              |                                      | —                                 | Open                            | Alpha                                    | Applicant questionnaire   | Yes   | Yes                                     | No                                  |
| Wisconsin            |                                      | —                                 | —                               | —  | —   | Yes   | No                                      | —                                   |
| Wyoming              |                                      | 60                                | 3                               | Alpha                                    | Entire file   | Yes   | No                                      | —                                   |

— means "not indicated."

**Table 1. Rules Governing Submission of List of Judicial Nominees in Localities Where Merit Selection Occurs (continued)**

- 1 **Alabama (Tuscaloosa County).** If the governor does not select from the list within 60 days, the commission is required to submit a new list.
- 2 **Alaska.** Time may be extended by the judicial council with the concurrence of the supreme court.
- 3 **Colorado.** Each of Colorado's twenty-two district judicial nominating commissions has developed its own rules of procedure.
- 4 **Colorado.** The judicial nominating commissions of two districts do not indicate whether nominees' names are made public.
- 5 **Connecticut.** The governor selects a nominee from the commission's list, sends the name to the general assembly, and the general assembly makes the appointment.
- 6 **Delaware.** The governor may refuse to appoint from the first list and may require the commission to submit one supplementary list.
- 7 **Iowa.** According to Iowa's sample procedure for district judicial nominating commissions, the names of nominees are announced in a press release. However, these sample procedures have not been formally adopted by all of Iowa's 14 judicial districts.
- 8 **Iowa.** District judges appoint district associate judges from lists of nominees recommended by the county magistrate appointing commission. The county magistrate appointing commission appoints magistrates.
- 9 **Maryland.** The governor may also fill the vacancy by selecting a person from any list submitted by the appropriate commission for a vacancy on the same court, provided the previous list was submitted within two years of the current vacancy and information on the nominee is updated.
- 10 **Massachusetts.** The governor may decline to nominate any applicant and seek further recommendations from the commission.
- 11 **Massachusetts.** Appointment requires advice and consent of the governor's council.
- 12 **New Mexico.** The governor may make one request to the commission for additional names, and the commission shall comply if a majority of the commission finds that additional persons would be qualified and recommends those persons for appointment.
- 13 **New York.** For unexpected vacancies, the commission has 120 days to submit a list of nominees. For vacancies that occur through expiration of terms on December 31, the commission has a fixed deadline of December 1, except for terms that expire during non-election years when the deadline is October 15.
- 14 **Tennessee.** For appellate court vacancies, the governor may reject the first list of nominees and request a second list, but he or she must provide in writing reasons for rejecting the first list and must select a nominee from the second list.

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