

State of New York  
Commission on Judicial Nomination

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**FOR IMMEDIATE RELEASE**

The New York State Commission on Judicial Nomination (“the Commission”) today announced that it is seeking recommendations and applications of persons who may be qualified to serve as an Associate Judge of the State’s highest Court, the Court of Appeals of the State of New York. On January 1, 2015, a vacancy will exist on the Court due to Associate Judge Robert S. Smith’s mandatory retirement by reason of age. Under the Constitution of the State of New York, Judges of the Court must retire at the end of the year in which they turn seventy.

Candidates for Judge Smith’s vacancy may download an application from the Commission’s website ([www.nysegov.com/cjn](http://www.nysegov.com/cjn)) or contact the Commission’s Counsel, Henry M. Greenberg, c/o Greenberg Traurig, LLP, 54 State Street, 6th Floor, Albany, New York 12208 [Tel.: (518) 689-1492; e-mail: [greenbergh@gtlaw.com](mailto:greenbergh@gtlaw.com); Fax: (518) 689-1499]. Applications may be filed electronically by e-mailing them to [CJN\\_Applications@gtlaw.com](mailto:CJN_Applications@gtlaw.com) or submitted by mail to the Commission’s Counsel. Applications must be submitted to the Commission no later than September 15, 2014.

In addition to Judge Smith’s vacancy, there are three scheduled vacancies arising at the Court of Appeals over the next few years. Candidates will also have the option to request that their applications be considered by the Commission for such future vacancies. Moreover, candidates who currently have pending applications for the upcoming vacancy on

the Court of Appeals that will occur as of November 29, 2014, due to the expiration of the term of office of Senior Associate Judge Victoria A. Graffeo, may be considered in connection with the vacancy created by Judge Smith's mandatory retirement **and do not need to submit a new application**, if they indicate to the Commission that they want to be so considered.

The Commission was created by Article 6, § 2 of the New York State Constitution. Consistent with its mandate, the Commission is entrusted with responsibility for evaluating, and then recommending to the Governor, candidates to fill vacancies on the Court of Appeals. The Commission vigorously seeks out, carefully evaluates and then nominates to the Governor three to seven well-qualified candidates from the extraordinary, diverse community of lawyers admitted to practice in New York State for at least ten years. The Governor's appointment is subject to confirmation by the New York State Senate.

As part of the Commission's process of identifying and nominating potential candidates, it will conduct an informational meeting to discuss the requirements for the position and the Commission's procedures and rules for submitting recommendations for qualified candidates. The meeting will be open to the public, and all are encouraged to attend and express their views (orally or in writing) about community needs, the general qualifications for judicial office, and the nominating process. The Commission will shortly circulate further information regarding this meeting.

To fill past judicial vacancies on the Court, the Commission has nominated to the Governor a wide variety of lawyers, including private practitioners, public interests attorneys, law professors, government officials and sitting Federal and State judges. While prospective candidates must file an application with the Commission, recommendations may be made by anyone who believes that a prospective candidate could be an excellent Judge of the Court. Recommendations of qualified candidates for a vacancy are encouraged and may be made to the Commission's Counsel.

If any person or organization wishes to receive copies of future Commission press releases, please provide an e-mail or mailing address to the Commission's Counsel. The Commission will register the address and make every effort to distribute future press releases in the designated manner. Persons interested in learning more about the Commission are encouraged to visit its website: [www.nysegov.com/cjn](http://www.nysegov.com/cjn).