

State of New York
Commission on Judicial Nomination

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FOR IMMEDIATE RELEASE

The Commission on Judicial Nomination has released for public comment a revised draft of proposed revisions to the rules under which it operates and nominates candidates for appointment to the Court of Appeals, New York's highest court and the Nation's preeminent common law court.

In July of this year, the Commission published for public comment its initial draft of proposed revisions to its rules. The Commission received and carefully considered a number of comments on these proposed revisions from private and public individuals and organizations, including the New York State Bar Association, the City Bar Association, the New York County Lawyers' Association and The Fund for Modern Courts. The revised draft of the rules incorporates many of the comments received.

Judith S. Kaye, the Commission Chair and former Chief Judge, stated, "The Commission is fortunate to have received a number of carefully considered commentaries to our initial draft of revised rules. These new rules reflect the experience of the Commission and the collective wisdom of a number of very thoughtful New Yorkers, and ensure that the Commission will continue to serve the public interest well."

The Commission on Judicial Nomination was created in 1977 by an amendment to the New York State Constitution. The members of the Commission are appointed by the three branches of government, and the Commission is constitutionally charged as an independent body to evaluate and nominate candidates for vacancies on the New York Court of Appeals. The Commission serves a critical role in our State's government: to ensure that the judges who sit on

the Court of Appeals are chosen from among the State's most highly qualified and accomplished judges, practicing lawyers and legal scholars.

The creation of the Commission on Judicial Nomination was a landmark, collaborative achievement of New York's judicial leaders, political leaders, the leaders of the bar, and public interest groups that were and remain vitally committed to the nomination of outstanding judges for the Court of Appeals. The Commission has served New York's citizens well for over 30 years.

The republished rules are treated as proposed changes to State regulations. All changes to State regulations are filed with the Secretary of State and published in the State Register. The public is again given 30 days to comment, this time from the date of publication of the revised rules. The Commission must assess any comment received. If the Commission makes no substantive changes to the rules based on such public comment, the rules may be adopted by the Commission.

The substantive changes contained in the republished rules include: clarification of the duty of an interim chairperson; a provision for orientation sessions for new members; broadening the outreach for candidates to include notice to civic and public interest organizations who register with the Commission; establishing the two-step application procedure as the Commission's preferred procedure for nomination; and further clarification of the Commission's voting procedure.

The revised rules are available on the Commission's website (<http://nysegov.com/cjn>). Comments on the revised rules may be sent to the Commission's counsel, Stephen P. Younger, at spyounger@pbwt.com.