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PROPOSED AMENDMENT  
to the  
RULES AND REGULATIONS OF THE DEMOCRATIC PARTY  
OF THE COUNTY OF NEW YORK

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ARTICLE III: EXECUTIVE COMMITTEE

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Section 7. *Subcommittees.* (a)

(ii) *Committee on the Judiciary.* (1) The Committee on the Judiciary shall consist of at least five members of the Executive Committee appointed by the County Leader, additional members to be appointed in the discretion of the County Leader and the Chairperson or Chairpersons of the Law Committee, ex-officio. It shall, by majority vote, select organizations (or heads of organizations acting in their individual capacity) which shall each designate one member of an independent panel for screening judicial candidates, and the Committee on the Judiciary shall report its selections to the Executive Committee. In selecting such organizations, the Committee on the Judiciary shall insure broad representation of all elements of the community.

(2) The Committee on the Judiciary shall also designate a person, not a member of the Executive Committee, who shall act as Administrator of the independent panel, without being a voting member thereof. *The Committee shall cooperate with the independent panel by establishing timetables and procedures for the operation of the panel, and shall establish guidelines for the qualifications and method of selection of members designated to serve on the independent panel and for the conduct of the panel. The Committee shall also provide for adequate publicity in advance of the first meeting of the panel with respect to each judicial position.* The Committee shall meet with the Administrator and with the independent panel at the first meeting to review the guidelines and timetables set by the Committee. At such meeting the Administrator shall inquire as to the availability and qualifications of each panel member, and in a proper case may request the designation of a substitute for a particular member of the independent panel, such request to be made to the organization (or head of organization) which had originally designated such member. No person shall be proposed or approved as a member of the independent panel who shall not have agreed to follow the guidelines established by the Committee. No person may serve as a voting member of an independent screening panel for more than one year in any consecutive three year period. Any member of a panel who is or was a relative, partner, associate, employer or employee of any person who appears before said panel for the purpose of being screened shall disclose such relationship to the Administrator and shall be disqualified from voting with respect to such person; *the Committee on the Judiciary may establish guidelines which are more restrictive in order to prevent conflicts of interest.*

(3) Neither the Executive Committee nor the County Leader shall designate, nominate or propose any candidate for judicial offices which are to be elected county-wide in New York County, or which are to be proposed for appointment by the Mayor of the City of New York or by the Governor of the State of New York, exclusive of recommendations for interim appointment by the Mayor or the Governor, unless such candidate shall have been approved in that calendar year for such office by the independent panel, *except that once a candidate for the office of Justice of the Supreme Court has been reported as highly qualified by at least two of the last four independent screening panels for that office as of and after the date of adoption of this amended rule, that candidate shall be considered as having been approved by the panel for such office during each of the four calendar years after the year in which the candidate shall have last achieved such status, and such candidate shall not make application to the panel during any of such years unless the Committee on the Judiciary shall require the candidate to make such an application.*

37 (4) The independent panel shall report as approved for each judicial position all highly qualified persons  
 38 who make application to the panel applicants, provided that if the number of highly qualified applicants exceeds  
 39 three times the number of existing vacancies to be filled in such position (determined as of the time the panel  
 40 renders its report), the independent panel shall report as approved the most highly qualified applicants in a  
 41 number equal to three times the number of vacancies to be filled in such position, provided further that if the  
 42 number of highly qualified applicants is less than three times the number of vacancies to be filled in such  
 43 position the independent panel shall report as approved the most highly qualified applicants in a number  
 44 equal to not less than two times the number of such vacancies, and provided further that the following  
 45 categories of applicants who are eligible for reelection or reappointment shall be reported as approved if their performance  
 46 during their term of office merits continuation in office, and no other applicants shall be reported as approved for their  
 47 vacancies: in the case of a vacancy created by the expiration of the term of (a) a judge or justice completing a  
 48 full term of office seeking re-election to that office, or (b) in the case of an interim Supreme Court justice who  
 49 has been appointed by the Governor to fill an existing vacancy no later than the previous June 1 after  
 50 approval of the Governor's screening panel, who has been confirmed by the State Senate and has assumed  
 51 office no later than the date the panel renders its report, and who otherwise would not be required to make  
 52 application to the independent screening panel pursuant to the provisions of sub-paragraph (3). has been reported as  
 53 highly qualified by at least two independent screening panels under these Rules for Supreme Court in the  
 54 previous four years, who is eligible for reelection or reappointment and who is reported as approved by the  
 55 panel, no other applicants shall be reported as approved for such vacancy. In the event that the panel should  
 56 receive an application from a candidate who is required to make application to the panel by the Committee on the  
 57 Judiciary pursuant to the last clause of sub-paragraph (3), the panel shall report such applicant as approved if the  
 58 applicant's performance since the most recent panel report on that applicant merits continuation of such status and such  
 59 applicant shall not be counted in determining the number of additional applicants to be reported as approved in  
 60 accordance with the first sentence of this sub-paragraph (4).

61 (4)(5) The report of the independent panel shall be delivered to the chairperson of the Committee on the  
 62 Judiciary and the chairperson of the Law Committee at a final panel meeting to be attended by members of the  
 63 Committee immediately upon its adoption. The chairperson of the Committee on the Judiciary shall immediately confer  
 64 with the members of the Committee on the Judiciary to determine whether the report complies with these Rules and the  
 65 guidelines established by the Committee. Such meeting shall take place. The report shall be delivered at least ten  
 66 days prior to the following times: (A) the first day for circulating designating petitions in the case of an  
 67 elective position; provided that if the vacancy in such position occurs at such a time as to make it impossible  
 68 to comply with the aforesaid timetable, the panel shall deliver its report as expeditiously as possible; (B) the  
 69 meeting date of the Judicial Nominating Convention or other body nominating a candidate for elective  
 70 judicial positions; or (C) the date any candidate is to be proposed for appointment for any such judicial  
 71 position; or (D) if the vacancy in such position occurs at such a time as to make it impossible to comply with the  
 72 aforesaid timetable, the panel shall deliver its report as expeditiously as possible. In the event that it is determined that  
 73 the report does not comply with these Rules and the Committee's guidelines, the Administrator shall immediately  
 74 reconvene the panel to correct its report.

75 (5)(6) The independent panel shall have no power to make any change in its report after the final  
 76 meeting. The Committee shall release the report to all members of the Executive Committee within 24 hours  
 77 after the close of such final meeting.

78 (6) The Committee on the Judiciary shall cooperate with the screening panel in providing timetables,  
 79 procedures and guidelines for the operation of the screening panel, and shall provide for adequate publicity