

TAB 1

SAMPLE NOTICE SEEKING COMMITTEE MEMBERS

Dear [CHAPTER] VWAA Members:

Judge [NAME] has announced his retirement from the [NAME OF COURT] Court effective [DATE]. As such, this Chapter will empanel a Judicial Screening Committee to interview and consider candidates for the judicial vacancy. The Committee will consist of at least five Chapter members.

If you wish to apply for a seat on the Committee, please contact [NAME], Chair of our Judiciary Committee, by [DATE].

Kind Regards,

[LOCAL JUDICIARY CHAIR OR LOCAL CHAPTER PRESIDENT]

SAMPLE NOTICE TO CANDIDATES



The Judicial Selection Committee of the [NAME OF CHAPTER] Chapter, pursuant to the By-Laws of the Virginia Women Attorneys Association (“VWAA”), hereby gives notice of the judicial selection process for the vacancy in the [NAME OF COURT].

Candidates interested in applying for the vacancy are asked to send, via email, an advisory of their intent to apply to the members of the Judicial Selection Committee (“Committee”) (as listed below) [OR COMMITTEE CHAIR] by **5:00 p.m. on [DATE]**.

Candidates must then complete and electronically submit to each member of the Committee [OR COMMITTEE CHAIR] a signed VWAA Judicial Candidate Questionnaire no later than **5:00 p.m. on [DATE]**. Questionnaires are available on the VWAA website:

http://www.vwaa.org/qform/judicial_candidates_questionnaire.php.

Upon submission to the Committee of a completed VWAA questionnaire, candidates will be contacted by the Committee to set an interview. Interviews will be conducted in [LOCATION] on [DATE, IF KNOWN].

Following the interview, the Committee will prepare a report on each candidate addressing the individual’s qualifications for the bench in accordance with the Rules of the VWAA Judiciary Committee. A copy of these Rules will be provided to each candidate who requests an interview with the Committee [OR The Rules are available on the VWAA website: http://www.vwaa.org/judiciary-committee/VWAA_Judiciary_Committee_Rules.pdf]. After the interview, each candidate will be rated as Highly Recommended, Recommended, Qualified or Not Qualified. The reports will be forwarded to the VWAA Judiciary Committee for review and to the VWAA Board of Directors for review and approval before issuance to the Governor and legislators.

This is a confidential process. The Committee members will not disclose who the candidates are to anyone outside of the Committee except to the VWAA Judiciary Committee and Board of Directors prior to the submission of the approved VWAA report to the Governor and legislators. If a candidate withdraws from consideration prior to the issuance of the VWAA-approved report to the Governor and legislators, that candidate’s name will not be made public to the VWAA or the delegation.

Please direct any questions to the members of the Committee listed below [OR TO THE COMMITTEE CHAIR]. We encourage all candidates for this vacancy to participate in this VWAA process.

The VWAA-[CHAPTER] Judicial Selection Committee is comprised of:

- [NAME] (VWAA-[CHAPTER] Judiciary Chair) (EMAIL ADDRESS)
- [NAME] (EMAIL ADDRESS)
- [NAME] (EMAIL ADDRESS)
- [NAME] (EMAIL ADDRESS)
- [NAME] (EMAIL ADDRESS)

SAMPLE SEEKING COMMITTEE MEMBER
AND CANDIDATE APPLICATIONS SIMULTANEOUSLY



**VIRGINIA WOMEN ATTORNEYS ASSOCIATION,
[NAME OF CHAPTER] CHAPTER
JUDICIAL SCREENING INTERVIEWS FOR ANTICIPATED
[NAME OF COURT] VACANCY**

The Virginia Women Attorneys Association, [NAME OF CHAPTER] Chapter's Judicial Screening Committee will conduct interviews of applicants for the vacancy on the [NAME OF COURT]

Interviews of applicants for the [NAME OF COURT] vacancy will take place on [DATE] at [LOCATION AND ADDRESS].

Candidates interested in applying should submit an application to [NAME AND CONTACT INFORMATION OF CHAIR] by [DATE]. The application can be found on the VWAA website: http://www.vwaa.org/pdf/VWAA_Judicial_Candidates_Questionnaire_new.pdf.

The Rules of the Judiciary Screening Committee can also be found on the VWAA website: http://www.vwaa.org/judiciary-committee/VWAA_Judiciary_Committee_Rules.pdf.

VWAA members who practice in the [NAME OF COURT] are needed to sit on the Committee. To apply for a seat on the Committee, please contact [CHAIR] at [PHONE AND EMAIL].

TAB 2

Guidelines for
Reviewing Qualifications
of Candidates for
State Judicial Office

American Bar Association
Judicial Administration Division

Judicial Administration Division Council

Chairman

Hon. James Duke Cameron

Supreme Court of Arizona

Phoenix, Arizona

Hon. James E. Noland
Indianapolis, Indiana

Lowell D. Snorf, Jr., Esquire
Chicago, Illinois

Leon Segan, Esquire
New York, New York

Hon. Florence K. Murray
Providence, Rhode Island

Hon. Michael Levant
Silver Spring, Maryland

Hon. Irving Sommer
Washington, DC

Hon. James J. Richards
Hammond, Indiana

Alice L. O'Donnell, Esquire
Washington, DC

Hon. Herzel H. E. Plaine
Washington, DC

Hon. Frank Q. Nebeker
Washington, DC

Hon. Robert E. Bakes
Boise, Idaho

Hon. Norman P. Ramsey
Baltimore, Maryland

Hon. Delphene C. Strickland
Tallahassee, Florida

Hon. John F. Daffron, Jr.
Chesterfield, Virginia

Hon. Robert F. Peckham
San Francisco, California

John A. Sutro, Esquire
San Francisco, California

Hon. Ernest S. Hayeck
Worcester, Massachusetts

Hon. Thomas C. Wicker
Gretna, Louisiana

Hon. Robert C. Broomfield
Phoenix, Arizona

Mr. James E. Dighero
Citrus Heights, California

Theodore A. Kolb, Esquire
San Francisco, California

David G. Russell, Esquire
Atlanta, Georgia

Committee on Guidelines for Judicial Selection

Chairman

Jeanne S. Miller, Esquire

New Haven, Indiana

Hon. Charles M. Allen
Louisville, Kentucky

Hon. Marvin H. Morse
Washington, DC

James P. Economos, Esquire
Chicago, Illinois

Hon. George T. Smith
Atlanta, Georgia

Hon. Harry W. Low
San Francisco, California

Hon. Melvyn Tanenbaum
Huntington, New York

Preface

The *Guidelines for Reviewing Qualifications of Candidates for State Judicial Office* were prepared by the Judicial Administration Division Committee on Guidelines for Judicial Selection. They are based on a study of criteria used for judicial selection in several jurisdictions. While much has been discussed and written on the subject of judicial selection, there has been no general basis for the application of criteria or guidelines to assist those charged with this responsibility. The American Judicature Society's *Report of the Committee on Qualification Guidelines for Judicial Candidates*, draft dated January 7, 1983, does address this application at pages 46-80. As an increasing number of states have adopted plans calling for the use of nominating commissions and as many bar associations have committees screening judicial candidates, it is apparent that a need exists for a set of criteria to guide them in selecting the most qualified candidates for state and local judicial offices. The American Bar Association's Standing Committee on Federal Judiciary which, for many years, has been reviewing the qualifications of lawyers who have been proposed for appointment to the federal courts has developed criteria for use in its screening process.

The Association's *Standards Relating to Court Organization* state: "The quality of a court system is determined chiefly by the quality of its judges. Judges should be selected on the basis of ability, character, training and experience, by a procedure that assures that selection is made on a merit basis." This theme is developed in Standard 1.21:

- (a) Personal and professional qualifications. All persons selected as judges should be of good moral character, emotionally stable and mature, in good physical health, patient, courteous, and capable of deliberation and decisiveness when required to act on their own reasoned judgment. They should have a broad general and legal education and should have been admitted to the bar.

The eight criteria set out in the guidelines more fully delineate the qualities to be sought in judicial candidates.

The guidelines are not to be used in evaluating the performance of sitting judges. While certainly many of the traits sought for in judicial candidates ought also to be found in sitting judges, criteria to evaluate experienced judges need to be separately addressed. These guidelines were approved by the House of Delegates at the 1983 annual meeting.

James Duke Cameron
Chairman
Judicial Administration Division
1983-84

Guidelines for Reviewing Qualifications of Candidates for State Judicial Office

Introduction

These guidelines are intended for use by bar association committees and judicial nominating commissions which are evaluating candidates for state and local judicial office. It is assumed that the evaluators desire to recommend to the electorate or to the appointing authority the candidates who are most qualified by virtue of merit.

The guidelines attempt to identify those characteristics to be sought after in the judicial candidates. They attempt to establish criteria for the prediction of successful judicial performance. The identified traits are not mutually exclusive and cannot be wholly separated one from another. The outlined areas have been selected as essential for inquiry in considering all candidates for judicial office. With the exception of integrity, which is always indispensable, the degree to which the characteristics should be present in any particular candidate may vary in relation to the responsibility of the office.

These guidelines are not intended to deal with methods or procedures for judicial selection; nor are they intended to provide specific operating rules for the commissions and committees. The guidelines are not intended as a definitive review of the qualifications of sitting judges when being considered for retention or elevation, since judicial experience will then provide important additional criteria which are treated elsewhere.

It is hoped that the use of these guidelines, if made known to the public and the press, will enhance the understanding and respect to which the judiciary is entitled in the community being served. The ultimate responsibility for selecting the judiciary is in the appointing power of any given judicial system. The function of these guidelines is to present minimum criteria for appointment; the more rigorous the criteria the better the quality of the judiciary.

1. Integrity

A candidate should be of undisputed integrity.

The integrity of the judge is, in the final analysis, the keystone of the judicial system: for it is integrity which enables a judge to disregard personalities and partisan political influences and enables him or her to base decisions solely on the facts and the law applicable to those facts. It is, therefore, imperative that a judicial candidate's integrity and character with regard to honesty and truthfulness be above reproach. An individual with the integrity necessary to qualify must be one who is able, among other things, to speak the truth without exaggeration, admit responsibility for mistakes and put aside self-aggrandizement. Other elements demonstrating integrity are intellectual honesty, fairness, impartiality, ability to disregard prejudices, obedience to the law and moral courage.

A candidate's past personal and professional conduct should demonstrate consistent adherence to high ethical standards. The evaluator should make inquiry of judges before whom the candidate has appeared and among other members of the bar as to whether or not a candidate's representations can be relied upon. A candidate's disciplinary record, if any, should be considered. Hence, a candidate should waive any privilege of confidentiality, so that the appropriate disciplinary body may make available to the evaluator the record of disciplinary sanctions imposed and the existence of serious pending grievances. The reputation of the candidate for truthfulness and fair dealing in extra-legal contexts should also be considered. Inquiry into a candidate's prejudices that tend to disable or demean others is relevant. However, since no human being is completely free of bias, the im-

* Approved by the American Bar Association House of Delegates in August, 1983.

portant consideration is that of whether or not the candidate can recognize his or her own biases and set them aside.

2. Legal Knowledge and Ability

A candidate should possess a high degree of knowledge of established legal principles and procedures and have a high degree of ability to interpret and apply them to specific factual situations.

Legal knowledge may be defined as familiarity with established legal principles and evidentiary and procedural rules. Legal ability is the intellectual capacity to interpret and apply established legal principles to specific factual situations and to communicate, both orally and in writing, the reasoning leading to the legal conclusion. Legal ability connotes also certain kinds of behavior by the judge such as the ability to reach concise decisions rapidly once he or she is apprised of sufficient facts, the ability to respond to issues in a reasonably unequivocal manner and quickly to grasp the essence of questions presented.

Legal knowledge and ability are not static qualities, but are acquired and enhanced by experience and by the continual learning process involved in keeping abreast of changing concepts through education and study. While a candidate should possess a high level of legal knowledge, and while a ready knowledge of rules of evidence is of importance to judges who will try contested cases, a candidate should not normally be expected to possess expertise in any particular substantive field. More important is the demonstration of an attitude reflective of willingness to learn the new skills and knowledge which will from time to time become essential to a judge's performance and of a willingness to improve judicial procedure and administration.

A review of a candidate's academic record, participation in continuing legal education forums, legal briefs and other writings and reputation among judges and professional colleagues who have had first-hand dealings with the candidate will be helpful in evaluating legal knowledge and ability.

3. Professional Experience

A candidate should be a licensed, experienced lawyer.

A candidate should be admitted to practice law in the jurisdiction. The length of time that a lawyer has practiced is a valid criterion in screening applicants for judgeships. Such professional experience should be long enough to provide a basis for the evaluation of the candidate's demonstrated performance and long enough to ensure that the candidate has had substantial exposure to legal problems and to the judicial process.

It is desirable for a candidate to have had substantial trial experience. This is particularly true for a candidate for the trial bench. Trial experience includes the preparation and presentation of matters of proof and legal argument in an adversary setting. The extent and variety of a candidate's experience as a litigator should be considered in light of the nature of the judicial vacancy that is being filled. Although substantial trial experience is desirable, other types of legal experience should also be carefully considered. An analysis of the work performed by the modern trial bench indicates that, in addition to adjudication, many judges perform substantial duties involving administration, discovery, mediation and public relations. A private practitioner who has developed a large clientele, a successful law teacher and writer or a successful corporate, government or public interest attorney all may have experience which will contribute to successful judicial performance. Outstanding persons with such experience should not be deemed unqualified solely because of lack of trial experience. The important consideration is the depth and breadth of the professional experience and the competence with which it has been performed, rather than the candidate's particular type of professional experience.

For a candidate for the appellate bench, professional experience involving scholarly research and the development and expression of legal concepts is especially desirable.

4. Judicial Temperament

A candidate should possess a judicial temperament, which includes common sense, compassion, decisiveness, firmness, humility, openmindedness, patience, tact and understanding.

Judicial temperament is universally regarded as a valid and important criterion in the evaluation of a candidate. There are several indicia of judicial temperament which, while premised upon subjective judgment, are sufficiently understood by lawyers and non-lawyers alike to afford workable guidelines for the evaluator.

Among the qualities which comprise judicial temperament are patience, openmindedness, courtesy, tact, firmness, understanding, compassion and humility. Because the judicial function is essentially one of facilitating conflict resolution, judicial temperament requires an ability to deal with counsel, jurors, witnesses and parties calmly and courteously, and the willingness to hear and consider the views of all sides. It requires the ability to be even-tempered, yet firm; openminded, yet willing and able to reach a decision; confident, yet not egocentric. Because of the range of topics and issues with which a judge may be required to deal, judicial temperament requires a willingness and ability to assimilate data outside the judge's own experience. It requires, moreover, an even disposition, buttressed by a keen sense of justice which creates an intellectual serenity in the approach to complex decisions, and forbearance under provocation. Judicial temperament also implies a mature sense of proportion; reverence for the law, but appreciation that the role of law is not static and unchanging; understanding of the judge's important role in the judicial process, yet recognition that the administration of justice and the rights of the parties transcend the judge's personal desires. Judicial temperament is typified by recognition that there must be compassion as the judge deals with matters put before him or her.

Factors which indicate a lack of judicial temperament are also identifiable and understandable. Judicial temperament thus implies an absence of arrogance, impatience, pomposity, loquacity, irascibility, arbitrariness or tyranny. Judicial temperament is a quality which is not easily identifiable, but which does not wholly evade discovery; its absence can usually be fairly ascertained.

Wide-ranging interviews should be undertaken to provide insight into the temperament of a judicial candidate.

5. Diligence

A candidate should be diligent and punctual.

Diligence is defined as a constant and earnest effort to accomplish that which has been undertaken. While diligence is not necessarily the same as industriousness, it does imply the elements of constancy, attentiveness, perseverance, painstakingness and assiduousness. It does imply the possession of good work habits and the ability to set priorities in relation to the importance of the tasks to be accomplished.

Punctuality should be recognized as a complement of diligence. A candidate should be known to meet procedural deadlines in trial work and to keep appointments and commitments. A candidate should be known to respect the time of other lawyers, clients and judges.

6. Health

A candidate should be in good physical and mental health.

Good health embraces a condition of being sound in body and mind and with relative freedom from physical disease or pain. This is one criterion which may be capable of objective consideration. Any history of a past disabling condition or suggestion of a current disabling condition should require further inquiry as to the degree of impairment. Physical handicaps and diseases which do not prevent a person from fully performing judicial duties should not be a cause for rejection of a candidate. However, any serious condition

must be considered carefully as to the possible effect it would have on the candidate's ability to perform the duties of a judge. Thus, it is proper for the evaluator to require a candidate to provide a physician's written report of a recent thorough medical examination.

Good health includes the absence of erratic or bizarre behavior which would significantly affect the candidate's functioning as a fair and impartial judge. Addiction to alcohol or other drugs is of such an insidious nature that the evaluator should affirmatively determine that a candidate does not presently suffer from any such disability.

The ability to handle stress effectively is a component of good mental health. A candidate should have developed the ability to refresh himself or herself occasionally with non-work-related activities and recreations. A candidate should have a positive perception of his or her own self-worth, in order to be able to withstand the psychological pressures inherent in the task of judging.

The evaluator should give consideration to the age of a candidate as it bears upon health and upon the number of years of service that the candidate may be able to perform.

7. Financial Responsibility

A candidate should be financially responsible.

The demonstrated financial responsibility of a candidate is one of the factors to be considered in predicting the candidate's ability to serve properly. Whether there have been unsatisfied judgments or bankruptcy proceedings against a candidate and whether the candidate has promptly and properly filed all required tax returns are pertinent to financial responsibility. Financial responsibility demonstrates self-discipline and the ability to withstand pressures which might compromise independence and impartiality.

8. Public Service

Consideration should be given to a candidate's previous public service activities.

Participation in public service and pro bono activities adds another dimension to the qualifications of the candidate. The degree of participation in such activities may indicate social consciousness and consideration for others. The degree to which bar association work provides an insight into the qualifications of the candidate varies in each individual. Significant and effective bar association work may be seen as a favorable qualification.

The rich diversity of backgrounds of American judges is one of the strengths of the American judiciary, and a candidate's non-legal experience must be considered together with the candidate's legal experience. Experience which provides an awareness of and sensitivity to people and their problems may be just as helpful in the decision-making process as a knowledge of the law. There is, then, no one career path to the judiciary. A broad, non-legal academic background, supported by varied and extensive non-academic achievements are important parts of a candidate's qualifications. Examples of such non-legal experience are involvement in community affairs and participation in political activities, including election to public office. The most desirable candidate will have had broad life experiences.

There should be no issue-oriented litmus test for selection of a candidate. No candidate should be precluded from consideration because of his or her opinions or activities in regard to controversial public issues. No candidate should be excluded from consideration because of race, creed, sex or marital status.

While interviews of candidates may touch on a wide range of subjects in order to test a candidate's breadth of interests and thoughtfulness, the candidate should not be required to indicate how he or she would decide particular issues that may arise in litigated cases. However, a candidate's judicial philosophy and ideas concerning the role of the judicial system in our scheme of government are relevant subjects of inquiry.

GUIDELINES TO THE REGIONAL JUDICIAL SCREENING COMMITTEE MEMBERS

The Regional Judicial Screening Committee will be responsible for gathering information about local judiciary candidates for evaluating the candidates and for making a recommendation to the VWAA Board of Directors for endorsement. The following guidelines and the VWAA questionnaire should be used in evaluating candidates.

Guidelines for Gathering Information from the Candidate

1. Ascertain from the candidate the individuals with whom it would be appropriate to speak regarding the candidate's career.
2. Determine the nature of the candidate's present practice, including types of cases and representative clients.
3. Ascertain trial experience.
4. Has the candidate engaged in any activities in the area of women's rights or public interest matters generally?
5. Has the candidate made any efforts within his/her firm or his/her local bar or his/her local organizations to promote women's rights or other public interest matters?
6. Has the candidate done any work with a political candidate or on a specific piece of legislation? If so, who or what?
7. Does the candidate provide representation to any legally under-represented/disadvantaged groups? Attitude towards pro bono activities?
8. Ask what the most significant case or cases the candidate has worked on and why he/she considered it significant.
9. Does the candidate have an awareness of current law effecting women or minorities?
10. Does the candidate perceive that there is any racism or sexism in the present societal structure? If so, does he/she have any proposed means of remedying past discrimination? (The purpose of this question is to ascertain attitude towards affirmative action.)

The interviewer should attempt to develop a clear sense of the kinds of activities in which the candidate has been involved

which demonstrate a commitment to equal justice and an ability to carry out that commitment.

Guidelines for Interviewing Persons Knowledgeable about the Candidate

1. Interview candidate's references, partners and/or associates (particularly any women or minority persons having a working relationship with the candidate) and/or persons in organizations the candidate is associated with.

Try to ascertain if the candidate has a reputation for being fair, experienced, even-tempered, and free of bias against any class of persons.

2. Interview any potential political contacts to determine if there exists a means of obtaining support for the candidate's nomination.

Summary

1. A general summary of the Regional Committee's impressions of the candidate's strong and weak points should be submitted with the Regional Committee's recommendations to the VWAA Board of Directors.

FUNCTIONS OF THE REGIONAL JUDICIAL SCREENING COMMITTEE

The purpose of the regional judicial screening committee is two-fold: (1) to provide outreach and guidance to women interested in judicial positions; and (2) to recommend candidates for VWAA endorsement for judicial vacancies as they occur.

I. REGIONAL JUDICIAL ENDORSEMENT PROCEDURES

1. Regional endorsements should be requested and processed through VWAA members in the jurisdiction in compliance with relevant procedures and guidelines.
2. The VWAA Judicial Committee will appoint a VWAA member as the regional judicial committee chair in each district. The regional chair will select a committee to process local endorsements as vacancies occur.
3. Upon the occurrence of a vacancy, the regional chair will notify announced candidates that the VWAA intends to review qualifications of the candidates in order to make an endorsement.
4. The Committee should make recommendations for endorsement after reviewing the following information:
 - a. A completed VWAA questionnaire.
 - b. A personal interview with the candidate.
 - c. Any other relevant information submitted to the Committee by the candidate or known to the Committee members.
5. After evaluation, the Committee should rate the candidates as either highly recommended, recommended, qualified, or not qualified.
6. The recommendations of the Committee should be forwarded to the Regional representative. Thereafter, the Regional representative or her designee shall poll all members of the Board of Directors of the VWAA. Upon a majority affirmation of those Board members, the VWAA endorsement shall issue.
7. The endorsement shall then be communicated to the candidates, the membership, any appropriate judicial appointing authority, and may be reported to the press.
8. The Chair of the VWAA Judicial Committee may authorize a variation from these procedures if warranted under

the circumstances surrounding a particular judicial vacancy.

II. OUTREACH

1. The regional chair should make efforts to publicize judicial vacancies to women attorneys in the jurisdiction.
2. The regional chair should conduct broad and open outreach to solicit and encourage interested and qualified candidates for judicial positions in the jurisdiction.
3. The regional chair should make efforts to provide guidance to women attorneys interested in pursuing a judicial career.
4. The regional chair should keep information regarding women qualified for judicial positions in the jurisdiction.

**GUIDELINES FOR SELECTION OF
REGIONAL JUDICIAL SCREENING COMMITTEE MEMBERS**

1. Committee should be composed of an odd number of members, preferably five.
2. Members should be well respected members of the local bar and preferably VWAA members. Non-VWAA members should be supportive of the goals and objectives of the VWAA.
3. Members should have at least three years of relevant litigation experience in the jurisdiction.
4. Members should not have publicly declared support for any individual candidate for the vacancy.
5. Members must be able to review and evaluate candidates in light of the goals and objectives of the VWAA.

**REGIONAL SCREENING COMMITTEE CRITERIA
FOR EVALUATION OF CANDIDATES**

In considering candidates for judicial vacancies, the VWAA Regional Screening Committee should weigh and evaluate the following factors with respect to a candidate:

1. Fairness, intellectual ability, judgment, civility, integrity, and common sense.
2. Commitment to equal justice under the law.
3. Flexibility, adaptability, ability to listen, open-mindedness.
4. Experience:
 - a. Legal Experience
 - (1) Type of practice, litigation experience;
 - (2) Prior judicial or quasi-judicial experience;
 - (3) Special experience or expertise.
 - b. Pro bono Experience - representation of under-advantaged groups
 - c. Community activities
 - (1) Women's/minority rights;
 - (2) Local/state bar groups;
 - (3) Political activities;
 - (4) Legislative work.
5. Sensitivity to social/legal issues of particular concern to women and minorities.
6. Awareness of courtroom problems and procedures and ideas for improvement.
7. Health.
8. All other things being equal, the candidate who supports the goals and objectives of the VWAA is superior.

TAB 3



CLAIRE E. KEENA

President

JANET CHO

President-Elect

GERARDA CULIPHER

Secretary

CYNTHIA KAPLAN REVESMAN

Treasurer

MICHELLE PARKER

Immediate Past President

Board of Directors

BRETT A. CALLAHAN

MAUREEN CARR

LINDSEY COLEY

NANDA DAVIS

LAURIE FORBES

SHEMEKA HANKINS

MARGARET HARDY

KAY HEIDBREDER

LA BRAVIA JENKINS

ANN C. LAHREN

DARREL TILLAR MASON

JOAN C. MCKENNA

ELIZABETH ROSS

BETSY SUE SCOTT

TAMEEKA WILLIAMS

KATIE HOVDA

Administrative Director

POST OFFICE BOX 3806

MERRIFIELD, VIRGINIA 22116-3806

PHONE: 804-282-6363

www.VWAA.org

E-Mail: VWAA@live.com

[Date]

VIA FIRST-CLASS MAIL & FACSIMILE:

The Honorable Ralph S. Northam
Governor, Commonwealth of Virginia
1111 East Broad Street
Richmond, Virginia 23219

VIA FIRST-CLASS MAIL & EMAIL:

Senator Mark D. Obenshain
Chair, Courts of Justice Committee
Senate of Virginia
Pocahontas Building, Room E502
P.O. Box 396
Richmond, Virginia 23219
district26@senate.virginia.gov

VIA FIRST-CLASS MAIL & EMAIL:

Representative Robert B. Bell
Chair, Courts of Justice Committee
Virginia House of Delegates
Pocahontas Building, Room E311
900 E. Main Street
Richmond, Virginia 23219
DelRBell@house.virginia.gov

Re: Vacancies in the [] Judicial Circuit of Virginia, [] County [] Court

Dear Governor Northam, Senator Obenshain, and Representative Bell:

On behalf of the Virginia Women Attorneys Association (“VWAA”), a regional committee (“the Committee”) was impaneled to evaluate candidates for anticipated vacancies in the [] Judicial Circuit of Virginia, [] County [] Court.

The VWAA requested that interested candidates complete the VWAA Judicial Candidates Questionnaire (the “Application”), submit a short biography, and participate in an interview with the Committee. On [], the Committee interviewed [] candidates.

It is worth noting that the VWAA ratings are based upon a review of each candidate’s merits against published standards and guidelines, including the following: fairness, integrity, experience, intellect, temperament, professionalism, and *pro bono* service. Ratings are not a function of a general vote by the VWAA membership, nor are they a comparison of candidates within the “pool” presented.

The following rating categories are used by the VWAA:

- (1) NOT QUALIFIED: Applied to any applicant who fails to meet the minimum requirements for fairness, experience, intellect, temperament, professionalism, integrity and/or other basic criteria set forth in the ABA Guidelines.
- (2) QUALIFIED: Applied to any applicant who meets the minimum requirements for fairness, experience, intellect, temperament, professionalism, integrity and/or other basic criteria set forth in the ABA Guidelines.
- (3) RECOMMENDED: Applied to any applicant whose qualifications are sufficiently above the minimum requirements to warrant the Committee’s affirmative recommendation.
- (4) HIGHLY RECOMMENDED: Reserved for any candidate who is especially well-qualified for the position and merits special recommendation.

The VWAA’s procedures provide that ratings of “Qualified” and “Recommended” require a vote in support by at least a simple majority of the Committee. A rating of “Highly Recommended” requires a vote in support by at least a two-thirds majority of those voting. In order for the Committee to find that a candidate fails to meet the minimum qualifications and is “Not Qualified,” at least two-thirds of those voting must so find.

The Executive Committee of the Board of Directors of the VWAA approved, in accordance with its procedures, the following endorsements of the Committee for these judicial vacancies:

[] was found *highly recommended*
[] was found *highly recommended*

[] was found *recommended*
[] was found *recommended*

[] was found *qualified*
[] was found *qualified*

[] was found *not qualified*
[] was found *not qualified*

Executive summaries of the qualifications of each of the above candidates are attached to this letter.

For your further information, the Committee members participating in the interview process were as follows:

[]: Ms. [] is a shareholder at [], where she focuses her practice on []. Ms. [] is the [] for the VWAA. She has been a member of the Virginia State Bar since []. She served as a judicial law clerk to the Honorable [] of the [] Circuit Court.

Respectfully yours,

[]
President
Virginia Women Attorneys Association

[]
Judicial Chair, [] Chapter
Virginia Women Attorneys Association

Enclosures: Executive Summary of []
 Executive Summary of []

CC (by email only): [Applicants]

CC (by email only): Senator Adam Ebbin
 Senator Barbara Favola
 Senator David Marsden
 Senator George L. Barker
 Senator J. Chapman Petersen
 Senator Janet D. Howell
 Senator Jennifer T. Wexton
 Senator Richard L. Saslaw
 Senator Scott Surovell
 Delegate Alfonso Lopez
 Delegate Kathy KL Tran
 Delegate Jennifer B. Boysko
 Delegate David Bulova
 Delegate Eileen Filler-Corn
 Delegate Karrie K. Delaney
 Delegate Mark H. Levine
 Delegate Charniele L. Herring
 Delegate Kathleen J. Murphy
 Delegate Kenneth R. Plum
 Delegate Patrick A. Hope
 Delegate Kaye Kory
 Delegate Mark D. Sickles
 Delegate Mark. L. Keam
 Delegate Marcus B. Simon
 Delegate Richard C. Sullivan, Jr.
 Delegate Timothy D. Hugo
 Delegate Vivian E. Watts

CC (by email only): [review committee members]
 [president, local chapter]

[CANDIDATE NAME]

Experience and Legal Ability: [] earned his Juris Doctor from [] in 2003. He was admitted to practice law in the Commonwealth of Virginia in [].

Prior to becoming an attorney, []. Mr. [] began his legal career by practicing [] with [] in []. Currently, [] is [] at [] in [], where he primarily practices [].

[] is a member of the [bar associations]. [] has served on []. In the non-legal community, [] is involved with [civic groups]. [] has also spoken at [CLEs, etc.].

Fairness and Temperament: Through his submissions and interview, [] has demonstrated to the Committee that he possesses [or does not possess] the requisite fairness and temperament for the [] bench.

Professionalism and Integrity: The Committee finds that [] possesses [or does not possess] the requisite professionalism and integrity for the [] bench.

Overall Evaluation: The Committee finds that [] qualifications are well above the minimum requirements for the position of a [] judge and merit the Committee's special recommendation. He warrants the Committee's rating of **HIGHLY RECOMMENDED**.

OR

The Committee finds that [] qualifications are sufficiently above the minimum requirements for the position of a [] judge and merit the Committee's affirmative recommendation. He warrants the Committee's rating of **[RECOMMENDED]**.

OR

The Committee finds that [] qualifications meet the minimum requirements for the position of a [] judge and merit the Committee's recommendation. He warrants the Committee's rating of **[QUALIFIED]**.

OR

[OR The Committee finds that [] qualifications do not meet the minimum requirements for the position of a [] judge and do not merit the Committee's recommendation. He warrants the Committee's rating of **NOT QUALIFIED.**]

TAB 4

Dear [NAME],

Thank you for meeting with the VWAA's judicial review committee today. As stated in the Judicial Review Committee Rules ("Rules"), the following rating categories are used by the VWAA:

- (1) NOT QUALIFIED: Applied to any applicant who fails to meet the minimum requirements for fairness, experience, intellect, temperament, professionalism, integrity and/or other basic criteria set forth in the ABA Guidelines.
- (2) QUALIFIED: Applied to any applicant who meets the minimum requirements for fairness, experience, intellect, temperament, professionalism, integrity and/or other basic criteria set forth in the ABA Guidelines.
- (3) RECOMMENDED: Applied to any applicant whose qualifications are sufficiently above the minimum requirements to warrant the Committee's affirmative recommendation.
- (4) HIGHLY RECOMMENDED: Reserved for any candidate who is especially well-qualified for the position and merits special recommendation.

The VWAA's procedures provide that ratings of "Qualified" and "Recommended" require a vote in support by at least a simple majority of the committee. A rating of "Highly Recommended" requires a vote in support by at least a two-thirds majority of those voting. In order for the committee to find that a candidate fails to meet the minimum qualifications and is "Not Qualified," at least two-thirds of those voting must so find.

After your interview, the review committee deliberated and at least two-thirds of those voting assigned you a rating of Not Qualified.

Under the Rules, you are permitted to withdraw your name and rating from all materials to be disseminated by the VWAA. If you choose to withdraw your name, you will be afforded full confidentiality; provided, however, that I am permitted to confirm your participation in the VWAA process if asked by the appointing body or appointing official.

Please let me know within the next 48 hours if you would like to withdraw your name.

Sincerely,

[NAME]