PROPOSED AMENDMENT

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

ARTICLE III: EXECUTIVE COMMITTEE

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

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

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

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