

Data used to compile this memorandum was obtained from the American Judicature Society.

Alaska

Number of Commissioners: Seven

Composition of Commission: Three nonlawyer members appointed by the governor and confirmed by a majority of the legislature in joint session, three lawyer members appointed by the board of governors of the Alaska Bar Association, and the chief justice of the Alaska Supreme Court.

Tenure: Staggered six-year terms, except for the chief justice who serves for three years.

Arizona

Number of Commissioners: Sixteen

Composition of Commission: Five lawyers and ten nonlawyers who are appointed by the governor and confirmed by the senate. The chief justice or a designated associate justice of the supreme court serves as chair.

Tenure: Staggered, four-year terms.

Colorado

Number of Commissioners: Fifteen

Composition of Commission: The chief justice, who serves as a non-voting chair, one lawyer from each of the state's seven congressional districts, and one nonlawyer from each congressional district.

Tenure: Six years.

Connecticut **

Number of Commissioners: Twelve

Composition of Commission: Two members are appointed from each congressional district--one lawyer and one nonlawyer. The six lawyer members are appointed by the governor; the six nonlawyer members are appointed by the president pro tempore of the senate, the speaker of the house of representatives, the majority leaders of the house and senate, and the minority leaders of the house and senate.

No more than six commission members may belong to the same political party.

Tenure: Three years.

Delaware **

Number of Commissioners: Nine

Composition of Commission: The governor appoints eight members, including four lawyers and four nonlawyers. The president of the Delaware State Bar Association appoints the ninth member, with the consent of the governor.

No more than five commissioners may be members of the same political party at the time of their appointment.

Tenure: Commissioners serve staggered, three-year terms and may be reappointed by the governor.

D.C. **

Number of Commissioners: Seven

Composition of Commission: The president appoints one member to the commission, the board of governors of the D.C. Bar appoints two lawyer members, the mayor of D.C. appoints one lawyer and one nonlawyer member, the D.C. Council appoints one nonlawyer member, and the chief judge of the U.S. District Court for the District of Columbia appoints an active or retired D.C. federal judge.

Tenure: Six years terms.

Florida

Number of Commissioners: Nine

Composition of Commission: All appointed by Governor. Four members are lawyers appointed from lists of nominees submitted by the Florida Bar. Of the remaining five members, at least two must be lawyers.

Tenure: Four years.

Georgia (Interim Vacancies Only)

Number of Commissioners: Eighteen

Composition of Commission: Appointed by Governor.

Tenure: Serve at Governor's pleasure.

Hawaii **

Number of Commissioners: Nine

Composition of Commission: The governor appoints two members, only one of whom may be an attorney. The president of the senate and the speaker of the house of representatives each appoint two members to the commission. The chief justice appoints one commission member, and the Hawaii State Bar Association selects two lawyer members.

No more than four may be lawyers.

Tenure: Commission members serve staggered six-year terms, and members are limited to one term.

Idaho (Interim Vacancies Only)

Number of Commissioners: Seven

Composition of Commission: The chief justice who serves as chairperson. Three members are lawyers (at least one must be a district judge) selected by the board of commissioners of the Idaho State Bar with the consent of the state senate. Three nonlawyer members are chosen by the governor with the consent of the state senate.

No more than three of the appointed members may belong to the same political party.

Tenure: Six years.

Indiana

Number of Commissioners: Seven

Composition of Commission: The chief justice, who serves as chair; one lawyer elected from each of the three geographic court of appeals districts by bar members in that district; and one nonlawyer appointed by the governor from each geographic court of appeals district.

No more than two lawyer members, and no more than four commissioners, may be of the same party.

Tenure: Commission members serve four-year terms.

Iowa

Number of Commissioners: Fifteen

Composition of Commission: A chairperson and one elected and one appointed member from each of the state's congressional districts. (Although there are currently only five congressional districts in Iowa, selection of commission members is based on the seven congressional districts that existed in 1969 when the authorizing legislation was passed.) The chairperson is the senior associate justice of the

supreme court. The elected members are chosen by resident members of the bar in each congressional district, and the appointed members are chosen by the governor, subject to senate confirmation.

Tenure: Six years.

Kansas

Number of Commissioners: Nine

Composition of Commission: Five lawyer members and four nonlawyer members (one lawyer and one nonlawyer member from each congressional district, and one additional lawyer member who serves as chairperson). Lawyer members are elected by their peers in each congressional district, and nonlawyer members are appointed by the governor.

Tenure: Four years.

Kentucky (Interim Vacancies Only)

Number of Commissioners: Seven

Composition of Commission: The chief justice serves as chair. Two commission members are lawyers elected by the Kentucky Bar Association, and the remaining four members are nonlawyers appointed by the governor. Among the four nonlawyer members, there must be two members from each of the state's two largest political parties.

Tenure: Four years.

Maryland **

Number of Commissioners: Seventeen members.

Composition of Commission: Twelve appointed by Governor and five appointed by Bar Association.

Tenure: None stated.

Massachusetts ***

Number of Commissioners: Twenty-one

Composition of Commission: All appointed by Governor

Tenure: A one-year term at the pleasure of the Governor and may be removed without cause.

***gubernatorial appointment with approval of governor's council. Governor not required to follow Commission recommendations.

Montana (Interim Vacancies Only) **

Number of Commissioners: Seven

Composition of Commission: Four nonlawyer members, who reside in different areas of the state and each of whom represents a different industry, business, or profession, are appointed by the governor. Two lawyer members from different parts of the state are appointed by the supreme court, and one district court judge is elected by other district court judges.

Tenure: Staggered four-year terms and may not serve more than two full terms.

Nebraska

Number of Commissioners: Nine

Composition of Commission: Four lawyers elected by the **Nebraska State Bar Association**, four nonlawyers appointed by the governor, and a supreme court justice who serves as a non-voting chair. No more than two lawyers and two nonlawyers may be members of the same political party.

Tenure: Staggered, four-year terms.

Nevada

Number of Commissioners: Seven

Composition of Commission: The chief justice or a designated associate justice, three lawyers appointed by the board of governors of the State Bar of Nevada, and three nonlawyers appointed by the governor.

Of the members appointed by the state bar and by the governor, none may reside in the same county and no more than two may be members of the same political party.

Tenure: Four years.

New Hampshire ***

Number of Commissioners: Eleven

Composition of Commission: Six attorneys and five non-attorneys, appointed by the governor. When a vacancy arises on any state court, the commission evaluates applicants and recommends qualified persons to the governor. While the governor may request that the commission engage in a further search for qualified applicants, he must make his nomination from the persons identified by the commission. *** Nominated by the governor; appointed by the executive council.

Tenure: Three years. No more than two terms.

New Jersey **

Number of Commissioners: Seven

Composition of Commission: Five or more retired judges and up to two non-lawyers or non-practicing lawyers.

Tenure: Five years.

New Mexico (Interim Vacancies Only)

Number of Commissioners: Fourteen

Composition of Commission: The chief justice or the chief justice's designee; two court of appeals judges appointed by the chief judge of the court of appeals; one lawyer and one nonlawyer appointed by the governor, the speaker of the house of representatives, and the president pro tempore of the senate; the dean of the University of New Mexico law school, who serves as chair; and four lawyers appointed jointly by the president of the state bar and the judge members of the commission.

Appointments to the judicial nominating commissions are to be made so that the state's two largest political parties are equally represented.

Tenure: No terms.

New York **

Number of Commissioners: Twelve

Composition of Commission: Four chosen by the governor, four chosen by the Chief Judge of the court of appeals, and one each chosen by the president pro tem of the senate, the speaker of the assembly, the minority leader of the senate, and the minority leader of the assembly.

The governor and the chief judge are each required to appoint two lawyers and two nonlawyers, and no more than two of each official's appointees may be members of the same political party.

Tenure: Four years.

North Dakota (Interim Vacancies Only)

Number of Commissioners: Six

Composition of Commission: The governor, the chief justice, and the president of the State Bar Association of North Dakota each appoint two members, including one lawyer and one nonlawyer.

Tenure: Commission members serve three-year terms, and no member may serve more than two full terms.

Oklahoma

Number of Commissioners: Thirteen

Composition of Commission: The governor appoints one non-lawyer member from each of Oklahoma's six congressional districts. The Oklahoma Bar Association elects one of its members from each congressional district. These commission members serve staggered six year terms. The remaining member--the member-at-large--is a non-lawyer selected by at least eight commission members.

No more than three may be of the same political party.

Tenure: The member-at-large serves two years. Commission members select a chair who serves for one year.

Rhode Island **

Number of Commissioners: Nine

Composition of Commission: The governor appoints three lawyers and one nonlawyer of his or her choice. The governor also appoints five additional commission members, one from each of the following lists: at least three lawyers submitted by the speaker of the house; at least three lawyers and/or nonlawyers submitted by the senate majority leader; four nonlawyers submitted jointly by the speaker and the senate majority leader; at least three nonlawyers submitted by the minority leader of the house; and at least three nonlawyers submitted by the minority leader of the senate.

Tenure: Four years.

South Carolina ***

Number of Commissioners: Ten

Composition of Commission: Commission chooses three nominees, from which joint assembly must elect one.

Five members are appointed by the speaker of the house of representatives; of these five, three must be serving members of the general assembly and two must be selected from the general public. Three members are appointed by the chairman of the senate judiciary committee and two members are appointed by the president pro tempore of the senate; of these appointments, three must be serving members of the general assembly and two must be selected from the general public.

Tenure: N/A

South Dakota

Number of Commissioners: Seven

Composition of Commission: Two circuit court judges are elected by the judicial conference; three lawyers, no more than two of whom may be members of the same political party, are appointed by the president of the State Bar of South Dakota; and two nonlawyers, not of the same political party, are appointed by the governor.

Tenure: Commission members serve four-year terms and may not serve more than two terms.

Tennessee

Number of Commissioners: Seventeen

Composition of Commission: Fourteen lawyers and three nonlawyers. Twelve commission members are appointed from lists of nominees submitted by the Tennessee Bar Association, the Tennessee Defense Lawyers Association, the Tennessee Trial Lawyers Association, the Tennessee District Attorneys General Conference, and the Tennessee Association for Criminal Defense Lawyers.

The speakers of the senate and the house of representatives each appoint six lawyer members from the lists submitted by these organizations, one lawyer member not nominated by an organization, and one nonlawyer member. The speakers jointly appoint the third nonlawyer member. The speakers are required to appoint members to the commission who "approximate the population of the state with respect to race, including the dominant ethnic minority population, and gender."

Tenure:

Utah **

Number of Commissioners: Eight

Composition of Commission: The governor appoints seven members, including at least two lawyers and no more than four nonlawyers, and the chief justice or a designee of the chief justice serves as a nonvoting member. No more than four members of each commission may be members of the same political party, and commission members must reside in the judicial district they serve.

Tenure: Single four year term.

Vermont **

Number of Commissioners: Eleven

Composition of Commission: The governor appoints two nonlawyers; the house and the senate each

elect two nonlawyers and one lawyer (not all of whom may be members of the same party) from their members; and attorneys admitted to practice before the Vermont Supreme Court elect three lawyers.

Tenure: Board members serve two-year terms; the governor's appointees may serve no more than three terms; all other members may serve no more than three consecutive terms.

Wisconsin * (Interim Vacancies Only)**

Number of Commissioners: Nine

Composition of Commission: Appointed by the Governor.

Tenure: N/A

*** The governor is not bound by the committee's recommendations.

Wyoming

Number of Commissioners: Seven

Composition of Commission: Chaired by the chief justice. Three additional members are elected by the Wyoming State Bar and must be active attorneys in the state. The remaining three members are nonlawyers appointed by the governor. No more than two members of the commission may be residents of the same judicial district. When a vacancy occurs on a district or circuit court and that district or county is not represented on the commission, one lawyer and one nonlawyer from the district or county are appointed as temporary, nonvoting advisors.

Tenure: Single four year term.