

JUDICIAL MERIT SELECTION COMMISSION

➤ **Bottom Line on Pledging: the 48-Hour Rule**

- **For Candidates:** From the time a candidate files for a judicial office until the Report on Judicial Qualifications is final, (48 hours after the release of the Draft Report), a candidate is prohibited from seeking a pledge of support from a member of the General Assembly, or from having a third party seek support.
- **For Members of the General Assembly:** No member of the General Assembly should, orally or by writing, communicate about a candidate's candidacy until after release of the Judicial Merit Selection Commission's Final Report of Candidate Qualifications, 48 hours after the release of the Draft Report.
- **Only candidates, and not members of the General Assembly, are permitted to issue letters of introduction, announcements of candidacy, or statements detailing the candidate's qualifications.**
- **A candidate should not mail information regarding his candidacy (i.e. letters of introduction, announcements of candidacy, or statements detailing the candidate's qualifications) to members of the Judicial Merit Selection Commission. Six Commission members are also legislators. The application packet and Personal Data Questionnaire should be sent to the Administrative Assistant for the Commission.**

Forty-eight hours after the Judicial Merit Selection Commission publishes the Draft Report on Judicial Qualifications, the Report becomes final. During that 48-hour period, JMSC may make corrections to the Report. At the time the Report on Judicial Qualifications becomes final, candidates are free to seek election pledges of members of the General Assembly and legislators are at liberty to give pledges to support the candidate at the time of the election.

Under Commission Rule 24, a candidate for judicial office cannot directly or indirectly seek pledges before the final release of the screening report. A third party may not seek pledges of members of the General Assembly on behalf of a candidate.

Prior to the end of the 48-hour period after the Draft Report is issued, legislators are prohibited from communicating verbally or in writing regarding a candidate, be it introducing a candidate, endorsing a candidate, serving as a reference for a candidate, or writing letters of introduction on behalf of a candidate. The prohibition affects legislators both individually and as members of a delegation.

The only interaction a candidate may have with a member of the General Assembly prior to 48 hours after the draft report is issued is an announcement of candidacy and qualifications by the candidate. In giving out written or verbal information, the candidate may not directly or indirectly solicit pledges.

It should be noted that members of the Judicial Merit Selection Commission should not be mailed letters of introduction. Three members of the Senate and three members of the House of Representatives are members of the Commission in addition to four member of the public.