

JUDICIAL MERIT SELECTION COMMISSION

◆ JMSC Rule 24 Regarding Pledging Prohibitions

1. No person may seek, directly or indirectly, the pledge of a member of the General Assembly's vote or, directly or indirectly, contact a member of the General Assembly regarding screening for the judicial office until the qualifications of all candidates for that office have been determined by the Judicial Merit Selection Commission and the commission has formally released its report as to the qualifications of all candidates for the vacancy to the General Assembly. No member of the General Assembly may offer his pledge to any person until the qualifications of all candidates for that office have been determined by the Judicial Merit Selection Commission and until the commission has formally released its report as to the qualifications of its nominees to the General Assembly.

The formal release of the report of qualifications shall occur no earlier than twelve days after the nominees have been initially released to members of the General Assembly. For purposes of this section, indirectly seeking a pledge means the candidate, or someone acting on behalf of and at the request of the candidate, requesting a person to contact a member of the General Assembly on behalf of the candidate before nominations for that office are formally made by the commission. Prior to the formal release of the report as to the qualifications of judicial candidates, a person may not request that a member of the General Assembly, nor may a member of the General Assembly offer to, act on behalf of a candidate in furtherance of the candidate's candidacy in any capacity including, but not limited to, acting as a vote counter for a candidate. The prohibitions of this section do not extend to an announcement of candidacy by a person and statements by the candidate detailing the candidate's qualifications.

The privilege of the floor in either house of the General Assembly may not be granted to a former member during the time his application is pending before the commission and during the time his nomination by the commission for election to a particular judicial office is pending in the General Assembly.

Any violations of the rules, including violations of this section may be considered by the commission when it considers the candidate's qualifications and until the time set for election of the candidates. Violations of this section by members of the General Assembly shall be reported by the commission to the House or Senate Ethics Committee, as may be applicable. Violations of this section by nonlegislative commission members shall be reported by the commission to the State Ethics Commission. If the commission finds there is substance to an alleged violation, the violation shall be reported in the form of a formal complaint from the Judicial Merit Selection Commission to the Senate or House Ethics Committee or to the State Ethics Commission. The Ethics Committee or Ethics Commission shall respond to the Judicial

Merit Selection Commission within ten days, as to the merit of the complaint. If the complaint is groundless, the election will be held as scheduled. If an investigation is required, the nature of that investigation will be included in the findings the commission makes to the General Assembly regarding qualifications of candidates. A violation of this section is a misdemeanor, and, upon conviction, the violator must be fined not more than \$1,000 or imprisoned not more than 90 days. For reference, see Section 2-19-70 (E)