INTRODUCTION

THE 1978 CONSTITUTIONAL Convention of Hawai‘i adopted a merit-based process and created the Judicial Selection Commission. Subsequent to the seating of the first commission in 1980, there have been refinements to the process, all of which have continued to preserve and improve the selection and retention system based on merit.

THE PRIMARY REASONS for creating the Judicial Selection Commission include the following:

1. It removes the selection of judges from the political consideration of one person and places it in the hands of a nonpartisan board of citizens;

2. The choice of nominee is made without consideration or influence of partisan politics;

3. It forms an independent panel of commissioners whose sole and exclusive function is to seek out, encourage and screen all candidates for judicial appointment;

4. It includes both lawyers and laypersons’ views in the selection and retention of judges;

5. It permits consideration of many more qualified candidates who might otherwise be overlooked by one person; and

6. It is structured to support the sole focus on the merits of each candidate.

This system reflected the sentiment that a judicial selection commission would help ensure a fair and impartial judiciary.

The following slides detail the merit selection process.
Slide #1

**TITLE:** JUDICIAL SELECTION COMMISSION (JSC)

**GRAPHICS:** ROBE graphic transitions from black to grey at bottom

**COPY:** SELECTING THE MOST QUALIFIED APPLICANTS
(Type superimposed on robe transitions from grey to black at bottom)

Slide #2

**TITLE:** STEP 1 JSC JUDICIAL APPLICATION

**GRAPHICS:** ROBE: Light Grey; 20% black

**COPY:** (Black type superimposed on robe.)
WAIVER, AUTHORIZATION AND RELEASE FORM
EDUCATION HISTORY
PROFESSIONAL QUALIFICATIONS AND SKILLS
PROFESSIONAL AND COMMUNITY ACTIVITIES
CODE OF JUDICIAL CONDUCT
APPEAL DECISIONS
LITIGATION
PENDING MATTERS
PERSONAL INFORMATION
(NO) CRIMINAL RECORD
HEALTH INFORMATION
TAX STATUS REPORT
CURRENT CREDIT REPORT
ADDITIONAL QUALITIES
REFERENCES

Slide #3

**TITLE:** STEP 2 JSC MERIT SELECTION PROCESS

**GRAPHICS:** Include following copy within magnifying glass
JSC & HSBA
EVALUATIONS and
PROFESSIONAL
REFERENCES

**TEXT:** (Text wraps around magnifying glass)
Applicants waive and authorize release of confidential information to the Judicial Selection Commission. Complete access to private information—personal and professional—enables the Commission to evaluate and compare the merits of all applicants in order to identify and recommend the most qualified candidates.

Slide #4
The Constitution authorizes the Governor and Chief Justice to appoint judges and the Judicial Selection Commission to confirm, or deny, petitions of retention. In making appointments, the Governor and Chief Justice strive to nominate highly qualified individuals who reflect the diversity of our community.

RETENTION IS CONFIRMED BY JSC BASED ON THE MERITS OF JUDICIAL PERFORMANCE APPEAL DECISIONS PENDING MATTERS PROFESSIONAL REFERENCES CODE OF JUDICIAL CONDUCT RULE 19 EVALUATION, AND HAWAI'I STATE BAR ASSOCIATION (HSBA) EVALUATION AND SURVEY PERSONAL INFORMATION HEALTH AND FINANCIAL FITNESS