

Bylaws of the Judicial Candidate Evaluation Committee Detroit Bar Association

Article I. Name and Purpose

The name of this committee shall be the **Judicial Candidate Evaluation Committee** ("JCEC" or the "Committee") of the **Detroit Bar Association** (the "Association" or "DBA").

The purpose of the Committee is to evaluate candidates for judicial office whose names appear on the ballot in Wayne County, including elections for the **Michigan Court of Appeals, Third Judicial Circuit Court, and District Courts**, and to provide the public and the legal community with fair, impartial, and informed evaluations.

Article II. Membership

Section 1. Composition

The Committee shall consist of members of the Detroit Bar Association in good standing. Members shall be selected for their sound judgment, independence, and commitment to active and impartial participation.

Section 2. Appointment

Committee members shall be appointed by the Association President. Appointments should reflect the diversity of the Bar and strive for broad representation across legal practice areas and demographics.

Section 3. Term of Service

Members shall serve **two-year terms**, with no limitation on reappointment. Terms may be staggered to ensure continuity.

Section 4. Chair

The Committee Chair(s) shall be appointed by the Association President. The Committee Chair(s) shall serve at the President's discretion.

Section 5. Vacancies

Vacancies shall be filled by appointment by the Association President.

Section 6. Disqualification and Conflicts of Interest

The following individuals are ineligible to serve on the Committee:

- (a) Candidates for judicial office under the Committee's purview;
- (b) Individuals professionally associated with a judicial candidate, including partners, associates, or others in shared practice (shared office space, prosecutor's offices, or corporate/government legal departments without shared financial interests do not constitute disqualifying associations);
- (c) Campaign managers or equivalent campaign staff for any judicial candidate;
- (d) Individuals who have contributed **\$500 or more during the current election cycle** to any judicial candidate for Wayne County or Michigan Court of Appeals;
- (e) Any member with campaign involvement, including contributions below \$500, must **affirmatively disclose** such involvement.

The **Committee Chair(s)** must remain neutral and must not support, endorse, or financially contribute to any judicial candidate evaluated by the Committee.

Article III. Duties and Responsibilities of Members

Section 1. Confidentiality

All Committee discussions, interview content, deliberations, and evaluations are strictly confidential. Members are prohibited from disclosing such information outside the Committee. Members are also prohibited from making audio and/or video records of any discussions, interviews, deliberations and/or evaluations. This prohibition does not apply to the Association Executive Director or their delegate who is tasked with recording the committee meeting minutes in compliance with **Robert's Rules of Order, Newly Revised** ("RRONR"). **Violation of confidentiality will result in immediate removal** by the Association President, subject to appeal to the Board of Directors on the limited issue of whether the disclosure occurred.

Section 2. Impartiality

Members must remain impartial and must not commit to or disclose their intended vote on any candidate prior to full Committee deliberation.

Section 3. Attendance and Participation

Active participation and attendance are critical to the Committee's function. Committee members are expected to attend and actively participate in all scheduled interviews, meetings, and deliberations of the Committee for which they are scheduled to appear, including a minimum of three (3) panel interviews. Members who are unable to attend a meeting or a scheduled interview must notify the Association's Executive Director and the Committee Chair(s). Any absence without notice will be considered unexcused. If a member has two (2) unexcused absences from meetings or does not appear for a minimum of three (3) panel interviews, the member will automatically be removed from the Committee.

Article IV. Evaluation and Ratings

Section 1. Evaluation Criteria

Candidates shall be evaluated based on the following criteria:

- (a) Legal ability (scholarship, analytical skills, clarity, judgment);
- (b) Trial experience;
- (c) Integrity;
- (d) Honesty;
- (e) Judicial temperament (fairness, open-mindedness, courtesy, patience);
- (f) Physical and mental health;
- (g) Professional reputation.

No consideration may be given to party affiliation, race, gender, sexual orientation, or creed.

Section 2. Rating Categories

The Committee uses the following four rating categories:

- **Outstanding:** Reserved for candidates of exceptional distinction. These individuals demonstrate the highest level of legal ability, experience, temperament, and community commitment. They are widely recognized as preeminent by their peers.

- **Well Qualified:** Candidates who meet a high standard for judicial service and possess strong qualifications across evaluation criteria, though with somewhat less breadth or distinction than those rated "Outstanding."
- **Qualified:** Candidates who demonstrate the necessary qualifications and competence for judicial service. Their qualifications are considered sufficient but not exceptional.
- **Not Qualified:** Candidates whose overall qualifications fall below the standards expected for judicial service. This rating does not impugn the candidate's general professional competence but reflects that they do not meet the Committee's standards for judicial office.

Section 3. No Rating – Did Not Participate

If a candidate does not submit the required questionnaire or fails to appear for an interview after proper notice (certified by the Association Executive Director), the Committee may issue a **"No Rating – Did Not Participate."** However, the Committee retains discretion to rate the candidate if sufficient information is otherwise available.

Section 4. Publication

All ratings, including "No Rating – Did Not Participate," shall be published and made available to the public and the legal community.

Article V. Committee Procedures

The Committee shall conduct its meetings in accordance with the RRONR, except as modified herein.

Section 1. Meetings and Notice

Meetings shall be scheduled as needed by the Committee Chair(s). Notice and an agenda shall be provided to members **at least two (2) days** in advance.

Section 2. Quorum

A quorum shall consist of **fifty-one percent (51%)** of appointed members. Quorum will be determined at the beginning of the meeting, and the meeting will proceed regardless of whether quorum is maintained for the duration of the meeting.

Section 3. Order of Business and Voting

The Committee Chair(s) shall determine the order of business, including the manner and time of hosting and/or holding meetings with a preference for in person deliberations and voting. Voting shall follow RRONR, and a **fifty-one percent (51%)** affirmative vote of

those present and eligible to vote shall determine all actions unless otherwise stated. If deliberations cannot be completed in a single session, deliberations will continue day to day until completed, except that quorum must be reestablished at the beginning of any such continued session. Members must abstain from voting or participating in deliberations if they recuse themselves and may abstain from voting if they believe they cannot be impartial or do not believe they have sufficient information to render a rating. Abstentions shall not be counted as votes. **No proxy voting shall be permitted.**

Section 4. Candidate Interviews

Each candidate shall be interviewed by a panel of at least **three (3)** Committee members. Panel members shall:

- Disclose potential conflicts in advance;
- Treat candidates with professionalism;
- Raise any criticism or concerns only when the candidate is present and able to respond.

Section 5. Ratings Process

- The panel shall provide a **written recommendation** (including any dissenting opinions) to the full Committee.
- A **fifty-one percent (51%)** vote of the Committee shall determine the final rating.
- In case of a tie between two ratings, the **lower rating** prevails. If votes are split across more than two ratings, the rating with the **most votes** shall be adopted.
- Reconsideration of a candidate's rating may only move to a **higher rating** after the first full vote is complete for candidates in that race.
- A candidate shall have no right to appeal or challenge a rating, nor shall a candidate or Committee member be allowed to seek reconsideration once a final rating has been decided, except that the Committee shall promptly correct any bona fide clerical and/or technical error in reporting the rating or lack of rating assigned by the Committee.

Section 6. Questionnaire and Background Checks

A uniform questionnaire shall be sent to all candidates. A designated Committee member shall review the disciplinary history of each candidate and report findings to the interview panels and full Committee.

Section 7. Solicitation of Comments

The Committee Chair(s) may designate a method to receive **written comments** on candidate qualifications from Detroit Bar members who are not on the Committee. These will be reviewed during the evaluation process.

Section 8. Minutes and Recordkeeping

The Committee shall maintain accurate **minutes of all meetings and panel interviews**, including final decisions and votes, in accordance with RRONR.

Section 9. Subcommittees

The Committee Chair(s) may establish subcommittees to evaluate specific courts or candidate groups. All subcommittees shall follow the same procedures outlined in these bylaws and RRONR.

Article VI. Amendments and Effective Date

These Bylaws shall become effective upon approval by the Association's Board of Directors and may be amended by the Board at any time pursuant to its procedures and RRONR.

Approval History

- **Originally adopted:** February 25, 1976
- **Revised:** April 13, 2017
- **Revised:** October 15, 2025