

APALA/NJ Endorsement Policy and Procedures¹

(Effective September 17, 2010)

Introduction

The Asian Pacific American Lawyers Association of New Jersey, Inc. (“APALA/NJ”) has adopted the following revised policies and procedures regarding endorsement of individuals seeking judicial appointment or a prosecutorial appointment. Because of its status as a tax exempt organization under §501(c)(6) of the Internal Revenue Code, APALA-NJ does not become involved in partisan elections for political office.

This revised policy sets forth the criteria which APALA/NJ will consider in making endorsement decisions and the procedures for processing such requests, and supersedes all prior endorsement policies and procedures. This policy may be modified at any time by the APALA/NJ Board of Directors. Any questions concerning APALA/NJ’s endorsement policies and procedures may be directed to the Chair(s) of APALA/NJ’s Judicial and Prosecutorial Appointments Committee (“JPAC”) or the President of APALA/NJ at the email address listed on the APALA/NJ website (www.apalanj.com).

Goals of APALA/NJ and its JPAC

APALA/NJ’s principal goals in endorsing candidates for judicial appointment include promoting the appointment of the most qualified judges to the bench and increasing diversity on the bench. APALA/NJ endorses candidates for judicial appointment who have demonstrated a commitment to equal treatment of all litigants before the courts, and who are sensitive and responsive to the needs and concerns of the Asian Pacific American community in New Jersey.

APALA/NJ’s principal goals in endorsing candidates for prosecutorial appointments include increasing diversity among those who hold senior level appointed positions in local, state or federal government. APALA/NJ endorses only the most qualified candidates for these positions who have demonstrated a commitment to promoting diversity and equal treatment of all individuals without regard to race, color, ethnic heritage, national origin, sex, age, religion, disability, sexual orientation, gender identity or expression, marital status, or any other prohibited basis, and who are sensitive and responsive to the needs and concerns of the Asian Pacific American community.

In addition to its primary role in handling requests for endorsement, the JPAC is also committed to promoting diversity on the bench in the courts of the State of New Jersey and assisting the local courts to be aware of matters of concern to the Asian Pacific American community with respect to the legal system and access to justice. Accordingly, the JPAC’s goals also include: (1) establishing relationships with representatives of the courts or independent judicial working committees to serve as a resource to the judiciary concerning diversity issues and matters of concern to the Asian Pacific American community; (2) establishing relationships with

¹ Special Thanks to our affiliate, APABA-DC. This policy was largely adopted from APABA-DC’s Endorsement Policy, which NAPABA has identified as a model for all affiliates.

organizations such as bar associations, governmental entities or any other types of organizations that may be involved in the judicial nomination process; (3) educating members of the legal community regarding the judicial nomination process; and (4) assisting in identifying potential candidates for the judiciary or senior level government appointments, and providing guidance and support to those candidates, if requested.

Categories of Candidates

APALA/NJ's endorsement policy generally applies to candidates for appointment to the State and Federal courts located within the State of New Jersey and senior level prosecutorial appointments. The Board of Directors, however, has discretion to consider requests for endorsement for other positions not listed above on a case by case basis and at the direction of the APALA/NJ Executive Board.

Composition of Nominations Committee

The JPAC is composed of at least five members, all of whom must be current members of APALA/NJ in good standing. There shall be at least one Chair or no more than a total of three Co-Chairs. In addition, the APALA/NJ president, president-elect and immediate past president shall be members of JPAC. At least two or three additional members (as the case may be to form a minimum five-member committee) shall be selected on an annual basis by the APALA/NJ Executive Board. The Chair(s) shall be appointed by the president of APALA/NJ to serve one year terms concurrent with the President's term on the Executive Board.

Initiation of Endorsement Process

A candidate may initiate APALA/NJ's endorsement process by contacting the current Chair(s) of the JPAC, or the president or president-elect of APALA/NJ, all of whom shall be identified on the APALA/NJ website, www.apalanj.com. Formal consideration of a request for endorsement shall not begin until all of the materials listed below have been submitted to the Chair(s) of APALA/NJ's JPAC.

Materials to be Submitted

- Resume;
- Title of the position sought and a brief description of the position (such as a vacancy announcement or other published announcement inviting submission of applications for the position, or the candidate's own description of the position);
- Copy of any statutory requirements or other published qualifications for the position;
- Judicial application or other application materials/statement of candidacy that the candidate has submitted or intends to submit to the appointment or election authorities, if available;
- Name, title, and address of the recipient of the requested letter of endorsement;
- Deadline for submission of the requested letter of endorsement; and

- Completed Endorsement Questionnaire (Exhibit A hereto).

Timing

Because APALA/NJ believes that an interview of each candidate and thorough consideration of each candidate is essential to making a well-reasoned decision regarding endorsement and preparing a persuasive letter of endorsement, candidates should submit their request for endorsement and all required materials at least four weeks before the deadline for submission of an endorsement letter. Requests for endorsement that are received less than four weeks prior to the deadline for submission of endorsement letters may be considered, depending on the circumstances, and taking into consideration, for example, whether the candidate could have contacted APALA/NJ sooner.

Criteria for Endorsement

For All Candidates:

Current membership in APALA/NJ is required for endorsement of all candidates and long-standing, active membership may be considered a positive evaluation factor. In evaluating candidates, the Committee may consult any available sources of information, including without limitation, the internet; electronic databases such as Westlaw or Lexis; news services; respected leaders in the Asian Pacific American community; APALA/NJ members; or other personal contacts.

For Judicial Candidates:

Qualifications for the Position Sought:

- Satisfaction of requirements for the position sought set by statute, or by the appointment authorities;
- Professional experience, including trial, adjudicative, or other litigation experience;
- Scholarship, including teaching experience, publications, speeches;
- Professional awards or honors;
- Communication skills;
- Demeanor (including temperament, interpersonal skills, sincerity, fairness, impartiality); and
- Prior experience in leadership, management, or administrative positions.

Demonstrated Commitment to Diversity:

- Involvement in the Asian Pacific American community, or other evidence of a commitment to the rights of the Asian Pacific American community;
- Involvement in other minority organizations or communities, or other evidence of a commitment to the rights of other minority or historically disadvantaged groups;

- Evidence of a commitment to promoting diversity and equal opportunity; and
- Evidence of a willingness to serve as a role model for Asian Pacific Americans, such as by participating in mentoring or other programs to provide guidance, training, or support to members of the Asian Pacific American community.
- In evaluating these factors, consideration will be given to the consistency of involvement over time and the nature of the candidate's involvement over time.

Ties to the Community At Large

- Involvement in civic and community activities (including involvement in community or neighborhood organizations, religious or educational institutions or organizations, and pro bono activities); and
- Length of time the candidate has lived or worked in the State of New Jersey.

Candidates for Political Appointments:

Qualifications for the Position Sought

- Satisfaction of requirements for the position sought set by statute, or by the appointment or election authorities;
- Professional experience;
- Scholarship, including teaching experience, publications, speeches;
- Professional awards or honors;
- Communication skills;
- Demeanor (including temperament, interpersonal skills, sincerity, fairness); and
- Prior experience in leadership, management, or administrative positions.

Demonstrated Commitment to Diversity

- Involvement in the Asian Pacific American community, or other evidence of a commitment to the rights of the Asian Pacific American community;
- Involvement in other minority organizations or communities, or other evidence of a commitment to the rights of other minority or historically disadvantaged groups;
- Evidence of a commitment to promoting diversity and equal opportunity; and
- Evidence of a willingness to serve as a role model for Asian Pacific Americans, such as by participating in mentoring or other programs to provide guidance, training, or support to members of the Asian Pacific American community.
- In evaluating these factors, consideration will be given to consistency of involvement over time and the nature of involvement over time.

Ties to the Community At Large

- Involvement in civic and community activities (including involvement in community or neighborhood organizations, religious or educational institutions or organizations, and pro bono activities); and
- Length of time the candidate has lived or worked in the State of New Jersey.

Number of Endorsements per Position

In order to avoid dilution of the value of an APALA/NJ endorsement, APALA/NJ generally will endorse only one candidate for each open position. The term “open position” shall include a specific vacancy, or in the event a formal nominations commission is charged with recommending a slate of candidates, or to some other authority, to fill a specific vacancy or vacancies, each position on the slate of candidates shall be considered an “open position.” JPAC may recommend that APALA/NJ endorse more than one candidate for an open position in exceptional circumstances where the endorsement signifies that the endorsed candidates *exemplify* the goals of APALA/NJ and strongly satisfy all of the criteria for endorsement.

Specific Procedures

- JPAC shall select one of its members to act as point person for each candidate who requests endorsement from APALA/NJ.
- The point person shall conduct an initial review of the materials submitted by the candidate to determine whether the submission is complete.
- The point person shall contact the candidate to request any missing or incomplete materials, and to schedule an interview with JPAC. Participation in the interview by the candidate or by Committee members may be in person or by telephonic conference call.
- JPAC shall, to the extent possible, meet to discuss the merits of each candidate immediately after interviewing the candidate. The point person will prepare a summary of the interview and the deliberations of the Committee.
- After all of the candidate interviews have been completed, the Committee shall vote on a recommendation to present to the APALA/NJ Executive Board.
- The JPAC Chair(s) shall forward to the Executive Board the JPAC’s recommendation for endorsement or non-endorsement of all of the candidates including reasons supporting the recommendation with respect to each candidate, along with each candidate’s resume.
- The Executive Board shall vote on the recommendation. They may also request further information from JPAC with respect to any candidate before voting.
- Each candidate shall be informed of the Board’s decision by his or her assigned point person.
- Decisions not to endorse a candidate shall not be made public.
- A candidate who the Executive Board has voted to endorse will be provided with a courtesy copy of the endorsement letter.

Confidentiality

The application materials of all candidates seeking endorsement for any elected or appointed office shall be kept confidential by JPAC and the APALA/NJ Executive Board. The candidate may redact personal information contained in application materials, such as his or her social security number; personal financial information; and medical information. All internal deliberations regarding a candidate's request for endorsement shall remain confidential and not be disclosed to anyone other than JPAC members or APALA/NJ Executive Board members.

Recusal of Committee Members

Any Committee member who believes he or she may have a potential or actual conflict regarding a candidate shall disclose the conflict to the Committee at the earliest possible opportunity. The Committee shall evaluate the nature of any apparent conflict and decide whether the disclosing Committee member must recuse himself or herself from interviewing and voting on the candidate. The candidate shall be informed of the nature of any apparent conflict that results in a Committee member's recusal from the endorsement process. Nevertheless, following full disclosure of the conflict to the Committee, the recused Committee member may share his or her views concerning the candidate with the rest of the Committee. A tie vote among the remaining Committee members as to whether to recommend endorsement of the candidate shall be considered a vote against endorsement.

Endorsement of JPAC Members

No member of JPAC shall seek an endorsement from APALA/NJ during their term on JPAC.

Duration of Endorsement

Upon completion and submission of the endorsement application materials, JPAC shall make a determination as to whether to support the candidate for the position sought. In the event that JPAC determines to endorse the candidate, a form of Endorsement Letter, dated as of the date the endorsement was issued, shall be provided to the candidate and a copy of the letter shall be kept in the candidate's JPAC file. In the event, that the candidate later seeks continued endorsement in subsequent years for the *same position*, JPAC shall confirm with the candidate that the original package of materials submitted for endorsement continue to be valid and accurate and that there are no material changes in the materials previously submitted or in the candidate's circumstances. Based upon this information, JPAC may vote to re-confirm the original endorsement and provide a new form of Endorsement Letter.

Any requests for endorsement for the same person but for a different position will require JPAC to engage in the endorsement process for the new position.

Exhibit A

APALA/NJ Endorsement Questionnaire

Name:

Telephone:

Business Address:

E-mail:

Position sought:

Date of submission of application for position sought:

Status of application, if known:

1. To the extent not set out in your resume or application materials, please describe and provide examples of your involvement in the Asian Pacific American community or in other minority organizations or communications, or provide other information demonstrating your commitment to the rights of the Asian Pacific American community or the rights of other minority or historically disadvantaged groups.
2. To the extent not set out in your resume or application materials, please describe your involvement in civic and community activities (including involvement in community or neighborhood organizations, religious or educational institutions or organizations, and pro bono activities), and provide examples evidencing the level of your involvement.
3. Please provide any other information that is not contained in your resume or other materials you are submitting to the appropriate appointment or election authorities that may help us in reaching a decision regarding your request for endorsement.
4. Please provide the dates and times within the next fourteen (14) days (during or after regular business hours) when you are available for an interview, and specify whether you are available by phone or in person.

Please email your completed questionnaire and all application materials to the Co-Chairs of JPAC and President of APALA/NJ. All contact information is posted on the APALA/NJ website at www.apalanj.com.