



# COMMISSION ON JUDICIAL NOMINEES EVALUATION

## THE STATE BAR OF CALIFORNIA

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June 20, 2017

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Board of Trustees

Stakeholder Relations, Access to Justice and Appointments Committee

State Bar of California

180 Howard Street

San Francisco, CA 94105-1617

Re: Activities and Statistical Report 2014-2016 Commission on Judicial  
Nominees Evaluation

Dear Board of Trustees and Members of the Stakeholder Committee:

I respectfully submit the 2016-2017 Activities and Statistical Report for the  
Commission on Judicial Nominees Evaluation (JNE).

JNE is responsible for the confidential investigation and evaluation of all  
potential superior and appellate court appointments by the Governor. The  
mission of the JNE is to assist the Governor in the judicial selection process,  
promote a California judiciary of quality and integrity, and provide independent,  
comprehensive, accurate and fair evaluations of candidates for judicial  
appointment and nomination.

During my term as chair the commission consisted of 36 commissioners — 32  
lawyers (one of which was a retired judge) and four public members.  
Commissioners hailed from Alameda, Los Angeles, San Diego, San  
Bernardino, San Francisco, Riverside, Sacramento, Marin, Santa Clara and  
Bakersfield Counties. Lawyers on the commission represented a number of  
practice areas including, but not limited to, dependency, criminal, and family  
law, within small, mid-size and large law firms, as well as city, state and federal  
offices. During my tenure several commissioners resigned before the end of  
their term. We also suffered the loss of one of our public members, Claire  
Cooper, who passed away unexpectedly. Notably, though gravely ill, she  
remained committed to the commission, working on an investigation up to the  
time of her death.

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DIANE P. BLACKMON  
JNE Administration

The full commission met for 12 days (six two-day meetings, scheduled every two months) during this term. In preparation, JNE conducted 191 investigations, 13 of which were for the Courts of Appeal. During these meetings, 30 candidates were rated Exceptionally Well Qualified, 80 were rated Well Qualified and 65 were rated qualified; only seven candidates were rated Not Qualified.

The Governor made 17 appointments, three of which were Court of Appeal appointments. The statistical breakdown of the appointed candidates ratings are as follows:

- 12% were rated Exceptionally Well Qualified (2);
- 47% were rated Well Qualified (8);
- 41% were rated Qualified (7); and
- 0% were rated Not Qualified (0).

The commission was an energetic and collegial deliberative body. The volunteers were hard-working and spent countless hours undertaking investigations, drafting reports and attending meetings. The reports, ultimately provided to the Governor, contained considered, detailed analysis of each candidate's strengths and weaknesses, final conclusions and ratings.

As JNE Chair I reached out to more than 400 professional legal organizations throughout the state, continuing the recruiting and educational outreach efforts of the commission. As a result, JNE commissioners made presentations at numerous events, including those sponsored by California Women Lawyers and Bay Area Lawyers for Individual Freedom (BALIF), in Northern California, and La Verne Law School in Southern California.

The commission's new website successfully transitioned from a limited pilot to a fully functioning and officially launched platform during my term. Commissioners were able to initiate their own investigations and complete their work in a nearly paperless workflow. Other improvements included:

- JNE staff sent Confidential Comment Forms (CCF) to Supreme Court and Court of Appeal justices as a single email within each investigation cycle;
- JNE staff built a working list of those Superior Courts accepting electronic CCFs, thus streamlining a process that increased efficiencies and garnered high praise;
- JNE staff, particularly Anne Baxter, who developed the JNE Application User Guide, offered support to commissioners during the investigation process; and

- JNE staff saw postage and printing services costs decrease as a result of a paperless system.

I would like to take this opportunity to thank the wonderful State Bar staff — Heidi Schwab-Wilhelmi, Diane Blackmon, Anne Baxter, Michelle Pierce and Francisco Gomez — without whom we could not do any of this work. Shortly after my term began, Ms. Schwab-Wilhelmi left JNE to work for Member Services; the transition was smooth under the guidance of Francisco Gomez as he became more actively involved in the daily operations of JNE. Mr. Gomez was extremely helpful and provided me with insight into the history and practices of the commission. Diane Blackmon did not miss a beat as she stepped in to take on many of Ms. Schwab-Wilhelmi's duties, while Michelle Pierce made sure that we were able to do our best throughout the year with her attention to detail and enthusiastic support. I am grateful to each and every one of the State Bar staff.

Finally, I have confidence that incoming Chair David Fu and incoming Vice-Chair David Fermino will continue the outstanding work of the commission. During my term as Chair I could always count on David Fu's assistance and benefited from a truly collaborative and collegial relationship; I know I am leaving the commission in good hands.

Thank you for the privilege and opportunity to serve as the JNE Chair. Working as a commissioner, the Vice Chair, and finally the Chair was the most rewarding experience of my professional career. The JNE service is vital and important, and I trust the State Bar Board of Trustees will continue its support.

Cordially,



Jody A. Nuñez,  
Chair, JNE Commission, 2016-17