



## *Federal Judicial Nominations Conference*

U.S. Representative Debbie Wasserman Schultz  
Dean of the Florida Democratic Congressional Delegation



### **Federal Judicial Nominating Conferences of Florida Rules of Procedure 2021-2025 Term**

#### **Rule 1. Preamble**

Upon the request of the President of the United States, Florida's U.S. House Democratic Delegation under the signature of the Dean of the Delegation ("Dean") provide to the President the names of persons to be considered for nomination to serve as U.S. District Judge, U.S. Attorney, or U.S. Marshal for the Northern District of Florida, the Middle District of Florida, or the Southern District of Florida, respectively. To facilitate the identification of excellent, highly-qualified, and eligible candidates, Florida's U.S. House Democratic Delegation establishes Federal Judicial Nominating Conferences to conduct a selection process that identifies the most qualified finalists to serve the public in these positions. The Dean adopts these Rules to govern the work of these Conferences.

#### **Rule 2. Formation**

Florida's U.S. House Democratic Delegation establishes three Federal Judicial Nominating Conferences, which shall be governed by these Rules of Procedure ("Rules") and known as the Federal Judicial Nominating Conferences of Florida ("District Conferences" or "Conferences"). Each Conference shall represent one of the three federal judicial districts of Florida: the Northern District Conference, the Middle District Conference, and the Southern District Conference.

#### **Rule 3. Designee**

The Dean may designate for any reason any member of Florida's U.S. House Democratic Delegation to carry out the duties and powers of the Dean established herein. The Dean will communicate the designation to the Designee, Florida's U.S. House Democratic Delegation, and District Conference Chairs via written communication. The Dean may revoke the designation at any time and for any reason. Revocation of the designation will be communicated in the same manner used for designation. The Designee shall have all powers reserved to the Dean herein except that of designation.

#### **Rule 4. Charge to the District Conferences**

The District Conferences are charged with identifying highly qualified individuals as finalists to become U.S. District Judges in each of the three judicial districts within Florida; U.S. Marshal; and U.S. Attorney. The Conferences welcome all qualified applicants, but particularly those who would bring diverse viewpoints, backgrounds, and experiences to these positions. Upon the completion of a careful and thorough review of these applications, the Conferences shall select finalists who possess the professional qualifications, character, integrity, intellect, experience, temperament, professional competence, maturity, capacity for growth, and other characteristics necessary to perform the duties of that office and uphold the public trust.

**Rule 5. Equal Opportunity**

The selection process for the District Conferences shall be open, inclusive, and afford any applicant an equal opportunity to receive consideration for the office to which they apply.

**Rule 6. District Conference Chairs**

Each of the three District Conferences shall be chaired by a District Conference Chair. The District Conference Chair shall be a member of the District Conference they chair and shall be selected by a majority vote of the members of that District Conference.

**Rule 7. District Conference Members**

Members of a District Conference may be members of the Florida Bar or the general public.

**Rule 8. Northern District Conference**

Members of the Northern District Conference shall be appointed at the discretion of those members of the U.S. House Florida Democratic Delegation who represent congressional districts within the Northern District. Two members may be appointed in consultation with Florida’s Senators.

**Rule 9. Middle District Conference**

Members of the Middle District Conference shall be appointed at the discretion of those members of the U.S. House Florida Democratic Delegation who represent congressional districts within the Middle District. Two members may be appointed in consultation with Florida’s Senators.

**Rule 10. Southern District Conference**

Members of the Southern District Conference shall be appointed at the discretion of those members of the U.S. House Florida Democratic Delegation who represent congressional districts within the Southern District. Two members may be appointed in consultation with Florida’s Senators.

**Rule 11. Terms of Members**

The terms of all District Conference members shall commence on the date of appointment and end on January 20, 2025. If a Conference member is unable to complete his or her term, the member of the U.S House Florida Democratic Delegation who made the initial appointment shall appoint an individual to serve the remainder of the term. If a new member is added to the U.S. House Florida Democratic Delegation, that member shall be entitled to make an appointment to the relevant District Conference.

**Rule 12. Member May Not Seek Appointment**

No Conference member may apply to fill any position for which any conference reviews applications while serving on a District Conference. By joining a District Conference, members are ineligible for consideration during the member's term of appointment, as specified in Rule 11. After a member's term concludes, the member shall be permitted to apply for any position according to the deadlines and criteria applicable to all other applicants.

**Rule 13. Meetings; Expenses**

District Conference meetings shall take place at such places and times as determined by the District Conference Chairs with at least five days prior written notice to the members. Conference members perform an important public service in a volunteer capacity and are responsible for all expenses associated with their service on the Conference.

**Rule 14. Notice to Applicants**

Following the establishment of the District Conferences, the Conferences shall commence the selection process by inviting applications for the specified U.S. District Judge position(s); U.S. Marshal Service position(s); and U.S. Attorney position(s). The relevant District Conference Chair shall provide public notice that it is accepting applications for the specified position(s) in the Florida Bar News, on the website(s) of the Federal Bar Association(s) for the applicable Federal Judicial District(s), and any other appropriate publication of general circulation. The Conference shall provide an application for the specified position(s) upon request. Applications may be considered on a rolling basis.

**Rule 15. Recruitment of Applicants**

Although Conference members are expected to recruit and encourage qualified individuals to apply, Conference members must make clear to any prospective applicant that their recruitment affords them no special preference or status, nor will it guarantee or ensure they are being recommended to the Dean or nominated by the President.

**Rule 16. Recusal**

In the case of a Conference member who has a preexisting relationship with an applicant, by virtue of a professional, personal, or familial relationship that would reasonably give rise to questions about the member's objectivity in the selection process, it is the obligation of that Conference member to disclose this relationship to their respective District Conference Chair, who will have the sole discretion to determine whether the particular relationship at issue requires the member's recusal from any Conference deliberations or actions taken regarding the specific position in question.

**Rule 17. Submission of Applications**

For those seeking nomination, the application shall, at a minimum, consist of providing the Conference with the relevant Judicial Nominating Conference application form. In the notice required by Rule 14, the relevant District Conference Chair shall identify an application due date that is at least 14 days from the date on which applications for a position are first invited by advertisement. Completed applications must be submitted to the relevant District Conference Chair and Conference members according to the instructions included in the announcement. Applications may be considered on a rolling basis.

**Rule 18. Applicant Contact with Conference Members**

Following an applicant's submission of an application to a District Conference, the applicant is prohibited from contacting members of any District Conference regarding any aspect of the applicant's candidacy except in response to inquiries received from a District Conference Chair.

**Rule 19. Review of Information**

District Conference members may seek, receive, and review pertinent information, in addition to the written applications, in assessing the qualifications and eligibility of applicants.

**Rule 20. Public Comment**

In evaluating candidates for a position, the District Conference Chairs will accept written comments from interested members of the legal community and the general public.

**Rule 21. Public Review**

The “Confidential Application Form” shall not be made public. Subject to the discretion of the District Conference Chairs to exclude highly sensitive personal information and information provided to the Conference by a government agency under terms of limited review, all other material, submitted by an applicant who has been selected for an interview will be available to the general public for review. Applicants who are not selected for an interview shall not have their names and material made available for public review.

**Rule 22. Review of Applications**

It will be the responsibility of each Conference member to review each application received and rank each application in accordance with the method established by their District Conference Chair.

**Rule 23. Selection of Applicants for Interview**

In the district where the relevant position is located, it will be the responsibility of Conference members to forward their individual rankings of applicants to their District Conference Chair. The District Conference shall meet in closed session to discuss the rankings and identify those applicants who will be invited to interview with the District Conference.

**Rule 24. Applicant Interviews**

To the extent possible, applicant interviews are to be open to the public. To ensure the fairness of the interview process, an applicant may not attend the interview of another applicant for the same position.

**Rule 25. Deliberations; Finalists**

Within 30 days of a specified application due date, District Conference members who are present for all candidate interviews will deliberate in closed-door session and identify finalists, whose names will be forwarded in writing by the District Conference Chair to the Dean or their Designee. Finalists will be selected according to the criteria set forth in Rule 4 of these Rules. Unless directed otherwise by the Dean or their Designee, no more than three names per position will be submitted in unranked, alphabetical order. Deliberations taking place in closed-door sessions will remain confidential, and the contents of those deliberations shall not be disclosed or discussed by any Conference member. After the names of the finalists are transmitted to the Dean or their Designee, members of any Conference may take no further action to influence the selection process of a nominee, except in response to a request from the Dean or their Designee.

**Rule 26. Public Statements**

Only the District Conference Chairs will make public statements or communicate with the media regarding their respective Conference activities.

**Rule 27. Interviews with the Dean or Designee**

Upon receiving the names of recommended finalists from a District Conference for a position, the Dean or their Designee reserves the right to conduct individual interviews with each of the finalists.

**Rule 28. Submission of Finalists**

Upon conclusion of any interview(s) with the Dean or their Designee, or, if no such interviews are held, upon receipt of the names of the recommended finalists from a District Conference for a position, the Dean or their Designee shall forward the alphabetical list of finalists to the White House. It is understood that forwarding a name for consideration by the White House does not explicitly or implicitly indicate that a Senator will support that individual. Both Senators reserve their Constitutional rights to render advice and consent consistent with their own determinations at a later date.

**Rule 29. Rules Available to the Public**

Copies of these Rules will be available for public inspection at the respective offices of the District Conference Chairs.

**Rule 30. Rules Subordinate**

Nothing contained in these Rules is intended in any way to impair the Constitutional and statutory powers, duties, or prerogatives of the President to nominate individuals to fill a position, or of the Senate to provide its advice and consent in connection with the nomination.

**Rule 31. Amendments; Rescission**

Upon notice to Conference members and Florida's U.S. House Democratic Delegation, these Rules may be amended or rescinded by the Dean or their Designee.

I have reviewed these rules and agree that they will govern the operation of the Florida Federal Judicial Nominating Conferences.



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ALCEE HASTINGS

Dated: March 22, 2021