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On the Future of the State Constitution’s Commission on Judicial Nomination

Statement by New York City Bar Association President Susan J. Kohlmann

A recent legislative [statement](#) concerning the possible elimination of the State Constitution’s Commission on Judicial Nomination is raising alarm bells, and for good reason. Reasonable minds can differ as to whether the current Commission process can be improved; in fact, this is a topic the New York City Bar Association is examining through a newly forming working group – notwithstanding our longstanding support for commission-based judicial appointments in New York. Since it was put in place by the voters in 1977 to create an independent and depoliticized selection and appointment process for Court of Appeals judges, the Commission has played an important role in how the Governor, with the advice and consent of the Senate, fills vacancies on that court. Rushed consideration of a sweeping proposal that would undo a constitutional amendment and that implicates the independence of our State’s highest court is extremely ill-advised. As a matter of good governance, transparency and democracy, any such proposal should allow for robust public input and debate.

About the Association

The mission of the New York City Bar Association, which was founded in 1870 and has over 23,000 members, is to equip and mobilize a diverse legal profession to practice with excellence, promote reform of the law, and uphold the rule of law and access to justice in support of a fair society and the public interest in our community, our nation, and throughout the world. www.nycbar.org