

the official agency for purposes of Public Law 94-103 shall continue unless amended, altered, or withdrawn by subsequent Executive Order.

EXECUTIVE ORDER OF OCTOBER 4, 1977

01.01.1977.08

JUDICIAL NOMINATING COMMISSIONS

WHEREAS, By Executive Order 01.01.1974.23, dated December 18, 1974, Governor Marvin Mandel rescinded two previous Executive Orders and created the Appellate Judicial Nominating Commission and the Trial Court Judicial Nominating Commissions for the purpose of recommending to the Governor the names of persons for appointment to the appellate courts and trial courts of Maryland, and provided for the composition and general functions and procedures of the Commissions; and

WHEREAS, This Executive Order requires that a list containing a certain minimum and maximum number of names or nominees be submitted to the Governor by the appropriate Nominating Commission for each vacancy which occurs on an Appellate Court or a Trial Court, from which list the Governor voluntarily has bound himself to select a person to fill the judicial office; and

WHEREAS, The Order further authorizes a Nominating Commission to recommend fewer than the minimum number of names under certain conditions, including the situation in which a Commission concludes that there are less than the minimum number of persons willing to accept appointment who are legally and fully professionally qualified; and

WHEREAS, Although the Order, in establishing the required minimum number of names to be submitted for a particular judicial vacancy, takes into account such factors as the nature of the judicial office to be filled and the number of lawyers in the County, the Order authorizes each Commission to submit in some instances as few as two names for a judicial vacancy, regardless of the nature of the judicial office to be filled or the number of lawyers in the County represented by the office, and without the prior approval of the Governor; and

WHEREAS, This exception to the general rule of a required