

shall less than two names be recommended without the prior approval of the Governor.] HOWEVER, A COMMISSION SHALL OBTAIN THE PRIOR APPROVAL OF THE GOVERNOR IN ORDER TO RECOMMEND LESS THAN FOUR NAMES UNDER PARAGRAPH 3(E), OR LESS THAN THREE NAMES UNDER PARAGRAPH 4(E) (1) OR (2), OR LESS THAN TWO NAMES UNDER PARAGRAPH 4(E) (3) OR (4).

(b) If any person recommended for appointment notifies the Governor that he is unwilling to accept appointment, or if he is disqualified, or is otherwise unavailable for appointment, a Commission may, upon request of the Governor, submit an additional nominee if needed to increase the list to the prescribed minimum number of names.

(c) If the position to be filled is then held by an incumbent judge who is eligible for and desires reappointment, the Commission, with the prior approval of the Governor, may submit a list with less than the prescribed minimum number of names.

#### 6. Commission Procedures

(a) Each Commission shall operate under procedures specified in rules adopted by the Chief Judge of the Court of Appeals consistent with this Executive Order.

(b) Upon notification by the Secretary that a vacancy exists or is about to occur in a judicial office for which a Commission is to make nominations, the Commission shall seek and review applications of proposed nominees for the Judicial office. The Commission shall notify the Maryland State Bar Association, Inc. and other appropriate bar associations of the vacancy, and shall request recommendations from them. The Commission may also seek a recommendation from interested citizens and from among its own members.

(c) The Commission shall evaluate each proposed nominee. It shall select and nominate to the Governor the names of persons it finds to be legally and most fully professionally qualified. No person's name may be submitted unless he has been found legally and most fully professionally qualified by a vote of a majority of the entire authorized membership of the Commission, taken by secret ballot.