

(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.

4. 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] SECRETARIAT 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. Application shall be made on the form prescribed by the [Secretary] ADMINISTRATIVE OFFICE OF THE COURTS. 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) (1) The Commission shall evaluate each proposed nominee. In the course of its evaluation, a Commission may seek information beyond that contained in the personal data questionnaire submitted to it. It may obtain pertinent information from knowledgeable persons known to Commission members, the Attorney Grievance Commission, judges, personal references given by the candidate, criminal justice agencies, or other sources. A criminal