



# THE STATE OF GEORGIA

## EXECUTIVE ORDER

### BY THE GOVERNOR:

**WHEREAS:** The quality of our system of administering justice is determined by the quality of the judicial officers elected and appointed to serve within our judicial system; and,

**WHEREAS:** It is the responsibility and the duty of the Governor under Article VI, Section VII, Paragraph III, of the Georgia Constitution to appoint duly qualified persons to fill vacancies in the courts arising during the Governor's term of office; and,

**WHEREAS:** It is essential that the Governor fills judicial vacancies with men and women of the highest capacity whom by temperament, ability and integrity will freely, impartially and independently interpret the laws and administer justice; and,

**WHEREAS:** Judicial candidates demonstrating excellence should be drawn from a cross-section of our community, reflecting the diversity of our citizenry; and

**WHEREAS:** A non-partisan, non-political judicial nominating commission composed of outstanding lawyers and laypersons in aid to the discretion reposed in the Governor, drawn from all quarters of the State and a cross-section of its diverse population best ensures the highest quality of judicial appointments.

**NOW, THEREFORE, BY VIRTUE OF THE POWER VESTED IN ME AS GOVERNOR OF THE STATE OF GEORGIA, IT IS HEREBY**

**ORDERED:** That there is created the Judicial Nominating Commission for the State of Georgia. The Commission shall make nominations to fill vacancies on all courts of record in the State.

**IT IS FURTHER**

**ORDERED:** That the Commission shall consist of members that have demonstrable knowledge of the judicial system and experience in the needs and operation of Georgia courts. Members who are members of the bar shall have at least ten years of experience relevant to the courts as former judges, former magistrates, trial counsel, government counsel, or corporate counsel and shall be members of the State Bar of Georgia in good standing. Members who are not members of the Bar shall be familiar with the attributes that best qualify a person for appointment as a judicial officer.

**IT IS FURTHER**

**ORDERED:** That the Georgia Judicial Nominating Commission shall consist of members appointed by the Governor to serve at the pleasure of the Governor. All members shall be residents of the State of Georgia. Appointments shall be made with a view toward equitable geographic representation and shall reflect the diversity of the State's citizenry.

**IT IS FURTHER**

**ORDERED:** That in the event of a judicial vacancy, the Commission shall advertise the vacancy and elicit applications of qualified persons to fill the vacancy; meet and consider persons for submission as nominees according to merit and law and shall recommend to the Governor five individuals which it finds qualified for each judiciary vacancy. If less than five are found qualified, the Commission shall recommend as many as are qualified.

**IT IS FURTHER**

**ORDERED:** That all written communications by the Commission or any member with any applicant or with any person or entity concerning an applicant shall be limited to Commission stationery. No law firm or law practice letterhead stationery shall be used in connection with any such communication.

**IT IS FURTHER**

**ORDERED:** That the members of the State Bar of Georgia shall at all times act according to the professional and ethical standards set forth by the Bar. All members shall at all times act according to the highest professional and ethical standards and in harmony with the Governor's Executive Order on ethics, dated Jan 13, 2003.

IT IS FURTHER

ORDERED: That Michael J. Bowers is appointed as Chairman of the Commission to serve at the pleasure of the Governor.

IT IS FURTHER

ORDERED: That the following individuals are hereby appointed as members to the Georgia Judicial Nominating Commission:

Thurbert E. Baker  
Karen B. Baynes  
James B. Franklin  
J. Allen Hammontree  
William B. Hill, Jr.  
James P. Kelly, III  
Edward H. Lindsey, Jr.  
Michael J. Long  
Leslie D. Mattingly  
Quincy McWilliams  
Dan E. Ponder, Jr.  
Robert S. Reeves  
Michael C. Russ  
Ralph "Rusty" Simpson  
Frank B. Strickland  
H. Jerome Strickland  
Emory A. Wilkerson

IT IS FURTHER

ORDERED: That members of the Commission shall serve without compensation, but are entitled to receive reimbursement for actual and necessary expenses incurred in the performance of their duties for the Commission. Such reimbursement shall be expended from funds appropriated to or otherwise available from the Office of the Governor of the State of Georgia.

This 11<sup>th</sup> day of June, 2003.

  
GOVERNOR