

**ASIAN AMERICAN BAR ASSOCIATION OF GREATER CHICAGO (“AABA”)  
GUIDELINES FOR LETTERS OF SUPPORT FOR INDIVIDUALS SEEKING  
JUDICIAL APPOINTMENTS**

**INTRODUCTION**

Individuals who are seeking appointment to the state or federal judiciary often seek letters of support from AABA. To ensure that a fair and consistent process is used to evaluate each request, AABA has developed this list of guidelines to determine whether it will support an individual candidate. These are meant to be guidelines to assist the Judicial Development Committee and the Board to determine whether to endorse candidates, but are not intended to be strict requirements. Also set forth below is a formal procedure for drafting and approving letters of support and renewed requests for letters of support if a letter was provided in a previous bar year. The final version of the guidelines and formal procedure will be provided to the entire AABA Board of Directors (including honorary Board members) for adoption and approval. Upon approval, the guidelines and formal procedure will be displayed on AABA’s website and made available to any active member of AABA upon request.

AABA does not discriminate based upon race, color, religious creed, political affiliation, ancestry, national origin, sex, age, marital status, sexual orientation, disability, pregnancy, and childbirth or related medical conditions.

**GOALS**

AABA’s principal goals in endorsing candidates for judicial appointment include promoting the appointment of the most qualified judges to the bench and increasing diversity on the bench. AABA seeks to endorse candidates for judicial appointment who have demonstrated a commitment to promoting diversity and equal treatment of all individuals without regard to race, color, ethnic heritage, national origin, sex, age, religion, political affiliation, disability, sexual orientation, gender identity or expression, marital status, or any other prohibited basis, and who are sensitive and responsive to the needs and concerns of the Asian Pacific American community.

**CRITERIA FOR CANDIDATES SEEKING LETTERS OF SUPPORT**

The principal criteria for deciding whether to provide letters of support to candidates is the candidate’s demonstrated legal acumen, experience and intellectual capability. In addition, the following factors are taken into consideration, although the failure to meet any of the below criteria (with the exception of (a)) will not bar a candidate from receiving a letter of support from AABA.

- (a) Candidates must be members of the State Bar of Illinois in good standing;
- (b) It is preferred that the candidate has been consistently licensed to practice law for a minimum of ten (10) years immediately preceding his or her request for a letter of support;

- (c) It is preferred that candidates have at least (5) years of litigation experience, including at least one (1) first-chair, bench trial or one (1) jury trial;
- (d) It is preferred that candidates should not have been reprimanded or disciplined by the Illinois Attorney Registration and Disciplinary Commission or equivalent out-of-state attorney licensing or disciplinary commission;
- (e) Candidates should not have been convicted of any crime (excluding minor traffic violation(s)). If the candidate has been arrested or charged with any crime, he or she shall disclose the nature of the arrest or charge, including relevant dates of arrest, charge and disposition and brief description of the particulars of the offense, to the Chair of the AABA Judicial Development Committee for consideration. The Chair shall not disclose the nature of the arrest or charge to the Judicial Development Committee or the Board of Directors without prior consent from the candidate;
- (f) Ideal candidates possess the highest character and integrity and have the ability to work well with others;
- (g) Ideal candidates have demonstrated the ability to be temperamental, fair, unbiased and impartial, commensurate with the responsibilities associated with the state and federal judiciary;
- (h) It is preferred that candidates have demonstrated industry and diligence;
- (i) It is preferred that candidates can demonstrate active or past participation in civic and community activities; and
- (j) Active commitment to advancing diversity, including but not limited to interests and concerns for the Asian Pacific American Community, is preferred. This includes participation in an Asian American association or non-profit organization such as AABA (*i.e.*, current or former officers or members of the Board of Directors); however, lack of past participation with AABA will not necessarily bar support from AABA. Where candidates have not actively participated in AABA or Asian American activities in the past, the Judicial Development Committee shall use its discretion to determine whether other criteria (*i.e.*, active participation in other bar associations, community organizations or significant experience in pro bono work) can be used as a substitute for participation in Asian American legal and community activities.

### **PROCESS FOR PROVIDING CANDIDATES WITH LETTERS OF SUPPORT**

1. **Initiating Process.** Candidates must initiate the endorsement process by submitting a written request to AABA, together with all documents/applications submitted or to be submitted to the appointment committee. Any individual affiliated with AABA who receives a request for a letter of support from any candidate shall immediately forward the request to the President of AABA and Chair(s) of the Judicial Development Committee (“Committee”). Such

individual should refrain from making any commitment or assurances as to the ultimate determination of the Committee.

2. **Materials to be Submitted.** A request for a letter of support should include: (1) a list of the positions for which the candidate is seeking an appointment (*e.g.*, federal or state, associate judge and/or full circuit judge); (2) any previous attempts to secure a judicial appointments (year and result); (2) candidate's current *curriculum vitae* or resume; (3) Judicial application or other application materials/statement of candidacy that the candidate has submitted or intends to submit to the appointment or election authorities, if available; (4) a completed Alliance of Bar Associations for Judicial Screening or Chicago Bar Association Judicial Candidate Questionnaire, if applicable; (5) any letters of support from other associations, groups or individuals; (6) Name, title, and address of the recipient of the requested letter of endorsement; (7) Deadline for submission of the requested letter of endorsement; and (8) a list of the candidate's charitable, pro bono, bar association or community activities that are related to the Asian American community. Formal consideration of a request for endorsement shall not begin until all of the materials listed have been submitted to the Chair of the Committee.

3. **Timing.** Because AABA believes that an interview of each candidate and thorough investigation and consideration of each candidate is essential to making a well-reasoned decision regarding endorsement and preparing a persuasive letter of endorsement, candidates should submit their request for endorsement and all required materials at least two months prior to the deadline for submission of an endorsement letter. Requests for endorsement that are received less than two months prior to the deadline for submission of endorsement letters may not be considered, due to time constraints. The Committee may use its discretion to vary the above requirements in extraordinary and extenuating circumstances.

4. **Review Process.** The Committee shall consult the guidelines adopted by the Board of Directors and consult with the AABA President regarding the request. The Committee shall confer with members of the judiciary, lawyers and/or others having knowledge of the candidate's qualifications. The Chairs of the Committee may select one of the members of the Committee to act as point person on each request for endorsement. Neither the candidate (nor any individual sponsoring such candidate) may have any input or involvement in selecting the point person or other members of the Committee who will evaluate the candidate's request for endorsement.

5. **Additional Information Sought/Interviews.** The Committee shall have the discretion to request additional information from the candidate or other sources designed to solicit information relevant to the evaluation of the candidate. The manner in which information may be solicited includes, but is not limited to, written questionnaire, telephonic communications and personal interview. If the Chair(s) of the Committee schedules an interview, s/he will attempt to inform all AABA Board members of the date and time of the interview, who are welcome to participate in the interview.

6. **Voting Procedure and Presentation to the Board.** Upon completion of review of the candidate's materials and any interview, the Chair(s) or point person will prepare a summary of the interview and any deliberations of the Committee. After due consideration of the materials and summary, the Committee Chair(s) shall make a recommendation for

endorsement or non-endorsement of the candidate and forward to the AABA Board such recommendation, including reasons supporting the recommendation with respect to each candidate, along with the candidate's resume. General committee members do not have voting rights.

The Board shall then vote pursuant to any AABA bylaws and/or existing rules related to voting to endorse, not endorse or request additional information from a candidate, and AABA shall affirm, reject, and/or request additional information for the endorsement. The Committee Chair(s) or designated point person will handle any requests by the Board for additional information.

7. **Notification to Candidate.** If the Committee Chair(s) or AABA Board votes against recommending a candidate for approval, the Chair(s) or point person shall inform the candidate that he or she will not be receiving an endorsement. The decision of the Board or Committee Chair(s) shall be final and unappealable. Decisions not to endorse a candidate shall not be made public.

8. **Endorsement Letter.** Upon approval by the AABA Board, the Chair(s) will draft a letter of support for the candidate. Although it is preferred that one of the Chairs or a member of the Committee draft the letter of support, the Chair(s) may designate an AABA Board member to assist in the drafting the letter of support. Any letter of support must be approved in form and substance by the Board of Directors prior to submission on behalf of the candidate. A copy of the final letter shall be mailed to the candidate's address on file.

9. **Changes to Application.** The candidate should inform the Committee Chair(s) of any important changes to his or her application, or to discuss any questions the candidate may have regarding his/her request for AABA endorsement. AABA would also appreciate notice from the candidate regarding the ultimate outcome of any application for judicial appointment.

10. **Renewal Process.** Candidates who have received a letter of support from AABA in the past but are unsuccessful in securing appointment must re-apply for a letter of support in efforts to secure a judgeship in subsequent years. Candidates should be made aware that the fact that a letter of support was provided in previous years does not automatically mean that AABA will necessarily provide a letter of support for the current appointment. Each application will be reviewed independently based on the totality of the circumstances relating to the particular request for support. Candidates may not re-submit letters approved in previous years without re-applying for a new or updated letter of support, although any candidates that received such letters can so indicate. Candidates seeking updated letters of approval must submit an updated *curriculum vitae* or resume and a written update on any changes to previously submitted materials. They must also inform the Committee of the results of any previous judicial evaluations ratings they have received.

11. **Confidentiality.** In order to maintain the integrity and confidentiality of the process, to respect the privacy interests of the candidate and those who provided information regarding candidates, and to encourage open communication from sources, all investigations and proceedings of the Committee, and its investigative members, shall be treated as confidential and may only be disclosed or discussed with other members of the Committee and the AABA Board.

All inquiries concerning the Committee's proceedings shall be referred to the Chair(s) and/or his or her assigned point person, if any.

12. **Conflict of Interest.** No member of the Committee or the AABA Board who has a potential or actual conflict of interest shall be appointed to investigate a potential candidate. Any Committee member who believes he or she may have a potential or actual conflict regarding a candidate shall disclose the conflict to the Committee at the earliest possible opportunity. The Committee shall evaluate the nature of any apparent conflict and decide whether the disclosing Committee member must recuse himself or herself from interviewing and voting on the candidate. The candidate shall be informed of the nature of any apparent conflict that results in a Committee member's recusal from the endorsement process. Nevertheless, following full disclosure of the conflict to the Committee, the recused Committee member may share his or her views concerning the candidate with the rest of the Committee.