



**SUPREME COURT OF CALIFORNIA**  
**REQUEST FOR NOMINATIONS FOR JUSTICES AND JUDGES**  
**TO SERVE AS SPECIAL MASTERS FOR**  
**THE COMMISSION ON JUDICIAL PERFORMANCE**  
**DEADLINE FOR SUBMISSION: FEBRUARY 20, 2015**

The Supreme Court of California maintains a list of qualified and trained justices and judges who may, upon appointment by the Supreme Court, serve as special masters in formal proceedings instituted by the Commission on Judicial Performance. The Supreme Court is in the process of updating the list and is seeking nominations, including self-nominations, of qualified candidates.

The Commission on Judicial Performance investigates complaints of judicial misconduct. The commission may institute formal proceedings if there are serious allegations that may subject a respondent judge to discipline more severe than a public admonishment, if there are material factual disputes, or if the respondent judge demands formal proceedings upon issuance of a notice of intended private or public admonishment. When formal proceedings are instituted, the commission may request the Supreme Court to appoint three special masters to preside over the evidentiary hearing and to make proposed findings of fact and conclusions of law for submission to the commission. Typically, one to three hearings are held each year, usually lasting no more than five days each.

**QUALIFICATIONS:** Nominees must have served on the bench for at least five years. Experience in a variety of court assignments, a background in judicial ethics, and experience in court administration and management are desirable, as are an excellent reputation within the judicial community and demonstrated leadership skills. Individuals with a history of public or private discipline are not eligible to serve.

In updating the list of qualified special masters, the Supreme Court will base its selection on individual qualifications, geographic distribution, court size, diversity in prior judicial and committee assignments and backgrounds, and the overall needs of the program. The justices and judges who are selected to be on the list will be provided with training in commission proceedings.

A fact sheet more fully describing the duties of a special master is attached, along with a form for submitting nominations. Please feel free to self-nominate and to recommend more than one nominee, using a separate form for each nomination. When nominating others, please ascertain, if possible, that the nominee is interested in serving. The nomination form is a Microsoft Word document, which you may fill out on your computer using as much space as necessary to provide complete information. Alternatively, you may print the form and type or handwrite clearly with dark ink.

**DEADLINE:** Nomination forms must be postmarked or received by **February 20, 2015**. Forms may be mailed to Frank A. McGuire, Court Administrator and Clerk, Supreme Court of California, 350 McAllister Street, San Francisco, CA 94102, or emailed to [Frank.McGuire@jud.ca.gov](mailto:Frank.McGuire@jud.ca.gov)

February 2, 2015



# Commission on Judicial Performance

## **THE ROLE OF SPECIAL MASTERS IN PROCEEDINGS BEFORE THE COMMISSION ON JUDICIAL PERFORMANCE**

Created by the state Constitution, the Commission on Judicial Performance investigates complaints of judicial misconduct. The commission may institute formal proceedings if there are serious allegations that, if proved, may require discipline more severe than a public admonishment, if there are material factual disputes, or if the respondent judge demands formal proceedings upon issuance of a notice of intended private or public admonishment.

The commission typically institutes formal proceedings in one to three cases a year. When formal proceedings are instituted in a matter, the commission may request the Supreme Court to appoint three judges to sit as special masters to hear evidence in the matter and to make findings of fact and conclusions of law for submission to the commission.

Once the Supreme Court has appointed the special masters — designating one as the presiding special master — the hearing is usually scheduled within two to four months. The hearing is conducted at a location convenient to the witnesses, often at the Court of Appeal for the district in which the respondent judge sits. Travel and accommodation arrangements for special masters are made by the commission. At the hearing, the commission's examiner presents the evidence in support of the charges. The respondent judge, usually represented by counsel, may cross-examine witnesses and present evidence. The California Evidence Code is applicable at the hearing. Hearings usually are completed within five days, although occasionally a hearing will take longer.

After the hearing concludes, each party submits proposed findings of fact and conclusions of law to the special masters. Within 45 days after the transcript of the hearing is mailed to the parties and the masters, or 15 days after the submission of the parties' proposed findings of fact, whichever occurs later, the masters submit a report to the commission with proposed findings of fact and conclusions of law. The commission reviews the masters' report and the parties' briefs to the commission and convenes an appearance before the commission to afford the parties an opportunity to be heard orally. The commission then makes its determination as to the appropriate disposition of the matter.

By presiding over evidentiary hearings, and submitting factual findings and legal conclusions to the commission in formal proceedings, the special masters play a critical role in assisting the commission in fulfilling its mandate of protecting the public and the integrity of the judiciary.

February 2, 2015