Application Procedures for District Court Judge

An attorney may become a judge by being elected or appointed by the Governor. The Minnesota Constitution directs the Governor to fill judicial vacancies across the state in a manner provided by law. The Commission on Judicial Selection advises the Governor on appointments to the district court and Workers Compensation Court of Appeals.

The members of the Commission tasked with making recommendations for district court vacancies are the four district members for the district in which the vacancy is to be filled plus the Commission’s nine-at large members. The Commission members include attorneys and non-attorneys. A list of Commission members can be found at www.mn.gov/governor.

The Commission solicits applicants, evaluates candidates, and recommends three to five finalists to the Governor for each vacancy that occurs on the district court and the Workers’ Compensation Court of Appeals. The Governor is not required to appoint a finalist recommended by the Commission.

Appointed district court judges must stand for election district-wide in the next general election that is more than one year after the appointment. An elected judge’s term is six years.

The Commission is committed to providing equal access to the judicial selection process for all interested individuals. If you need alternative formats or services because of a disability, please contact the Office of the Governor & Lt. Governor at (651) 201-3400 or via email at judicial.selection@state.mn.us with your request.

The Commission’s procedure for evaluating and recommending judicial candidates is set forth below:

I. Commission Outreach.

A. Per statute, the Commission “shall actively seek out and encourage qualified individuals, including women and minorities, to apply for judicial offices.” The Commission must also “evaluate the extent to which candidates have the following qualifications for judicial office: integrity, maturity, health if job related, judicial temperament, diligence, legal knowledge, ability and experience, and community service.”

B. An applicant must be a resident of the judicial district for which the applicant submits an application at the time the application is submitted, and, if appointed, for the duration of the term. There are ten judicial districts made up of the 87 Minnesota counties, as shown on the attached map.
C. The Commission seeks candidates from a variety of practice settings and practice backgrounds, including but not limited to private practice, small firm, large firm, corporate, government, public defenders’ offices, city and county attorneys’ offices, academia, and non-profit organizations.

II. **Application Process.** The Commission will announce all judicial vacancies after they are certified by the Supreme Court and will specify a deadline for application. Announced vacancies will be posted on the Governor’s website, www.mn.gov/governor. Notice of vacancies and application procedures will also be distributed to the district in which a vacancy occurs.

A. **Requesting Application Materials.** An attorney wishing to apply may request application materials, including a link to the online applicant data form, via email at judicial.selection@state.mn.us.

B. **Application Materials:** The application materials include the following:

1. **Application for Judge of District Court.** (Required) All applicants must complete the application form.

2. **Online Applicant Data Form.** (Required) All applicants must complete the applicant data form for statutorily required statistical purposes. The Governor’s Office will send each applicant a link to this form along with the other application materials.

3. **Cover Letter.** (Required) An applicant’s cover letter should be addressed to the Chair of the Commission. The cover letter should concisely state why the applicant wishes to become a judge and is qualified for the position.

4. **Resume.** (Required) An applicant’s resume should be current and reflect relevant legal experience.

5. **Letters of Recommendation.** (Strongly Encouraged) The Commission strongly encourages candidates to solicit letters of recommendation. The Commission asks for **no more than 10 letters of recommendation per candidate.** All recommendations for judicial applicants should be made in writing and directed to the attention of the Chair and sent to the Governor’s Office via e-mail at judicial.selection@state.mn.us.

6. **Photograph (optional).** An applicant may include a traditional portrait photograph (*i.e.*, subject looking at the camera and posing, preferably shot in the studio or against a non-white backdrop, cropped to show head and shoulders rather than full body). If an applicant becomes a finalist or an appointee, this picture will be used in a press release.
C. **Application Materials Available to the Commission.** Application materials, including any supplements, will be made available to the members of the Commission. The Commission, or a designated subcommittee of the Commission, will review the application materials and determine which applicants will be granted interviews with the Commission.

D. **Conducting Due Diligence.** After the Commission has selected interviewees, the Commission will conduct due diligence on each interviewee. The Governor’s Office may also conduct additional due diligence on each interviewee.

E. **No Contact with the Commission during the Application Period.** Unless contacted as part of the Commission’s due diligence process, an applicant or other individuals should not make direct personal, telephonic, or written contact with members of the Commission regarding any judicial application during the period between the announcement of a judicial vacancy and the announcement of finalists recommended to the Governor. Communication about an applicant during this period must be directed to the Chair of the Commission or to the Governor’s Office at judicial.selection@state.mn.us.

F. **Background Check Forms.** If an applicant is selected for an interview with the Commission, the applicant will be asked to undergo a background check. Each applicant will be asked to complete, sign, and return a background questionnaire, and release forms for the Department of Revenue, Department of Public Safety, Lawyer’s Professional Responsibility Board, and Board on Judicial Standards (for current or previous judicial officers, like court referees). Applicants are not legally required, and may refuse, to provide the requested data. If an applicant refuses to complete the background check forms, the Commission or Governor’s Office may not be able to process the applicant’s application.

G. **Minnesota Government Data Practices Act.** The following judicial applicant data are public: veteran status, job history, education and training, and work availability. When an applicant is selected as a finalist, the applicant’s name also becomes public (Minn. Stat. § 13.43, subd. 3). All other judicial applicant data, including demographic information, is classified as private under the Minnesota Government Data Practices Act.

H. **Changes to Disclosed Information.** If any information in an applicant’s materials changes while an application is pending (e.g., employment status, address change, etc.), the applicant must promptly disclose such changes via email at judicial.selection@state.mn.us.

I. **Previously Submitted Application Materials.** Applications and letters of recommendations are kept on file for two years.
1. **Reapplying Generally.** An applicant must affirmatively apply for each vacancy for which an applicant wishes to be considered.

2. **Reapplying within Two Years of Original Application.** If an applicant applies for a vacancy within two years of their originally submitted application, such applicant must submit an updated cover letter and resume, confirming whether they would like to use already submitted application materials and whether they intend to submit any other supplements.

3. **Reapplying more than Two Years after Original Application.** If an applicant originally submitted an application more than two years before the current vacancy, all materials, including letters of recommendation, must be resubmitted.

III. **Commission Interviews.**

   A. The applicants who are selected to interview with the Commission will meet with a quorum of the Commission’s nine at-large members and four district members from the judicial district in which the vacancy occurred. A quorum is defined as seven members from the Commission.

   B. The Commission will determine which 3-5 finalists to recommend to the Governor for each judicial vacancy.

   C. Apart from Commissioner interviews, individual Commission members must not meet with applicants during the period between the announcement of a judicial vacancy and the announcement of finalists recommended to the Governor.

IV. **Announcement of Finalists.** The Commission will announce the list of finalists, which will also be posted on the Governor’s website at www.mn.gov/governor/

V. **Final Selection and Announcement.** The Governor has the option to interview finalists. The Governor may fill a vacancy from the finalists recommended by the Commission. However, the Governor is not required to appoint a finalist recommended by the Commission. The Governor will announce all appointments by press release.

VI. **Commission Conflicts and Recusal.** The Commission intends for its processes to be fair, and to be perceived as fair, to the public and to candidates. These principles guide the implementation of the following rules.

   A. **Commission Members Temporarily Ineligible for Judicial Appointment.** By statute, members of the Commission who would otherwise be eligible to hold judicial office may not be considered or appointed to fill a district court judicial vacancy while they are members of the Commission or for one year following the end of their membership on the Commission.
B. **Recusal.** A member of the Commission should recuse himself or herself from participating in the review of, interview of, and vote on any candidate, where the member or, to the member’s knowledge, the member’s employer, law firm, law partner or family member, has a relationship with a candidate, or with another candidate competing for the same office, that could reasonably render the member’s participation unfair to the public or any candidate, or that might cause others reasonably to perceive that the participation is inappropriate or unfair. Reasons for recusal may, depending on the circumstances, include a business, professional or family association, active political support by either the member or the member’s employer, law firm, law partner, or family member, or any other close or adversarial relationship, whether of a public or private nature. Nothing in this paragraph requires a Commission member to make inquiry of his or her law partners, law firm or employer as to their relationships with candidates.

C. **Determining Commission Member’s Participation.** The appropriateness of a Commission member’s participation may be raised by the member or by any other member, either privately with the Chair or to the members of the Commission present at the meeting. Every effort, however, should be made to raise the question first directly with the member whose participation is being questioned. If necessary, the appropriateness of a member’s participation may be decided by the Chair or, at the discretion of the Chair, by a majority of the members of the Commission present at the meeting.

D. **Disclosure during Deliberation.** The recusal of a member does not preclude that member from offering to the Commission factual information or opinion about the candidate in question or being present during deliberations of the Commission regarding the candidate, provided that the member first discloses to the Commission members evaluating candidates for a particular vacancy the fact of, and reasons for, his or her recusal. The member, however, should not otherwise participate in the review, or be present in the Commission room during the interview of the candidate, or participate in any other meeting or discussion about that candidate among Commission members.

VII. **Political Activity.** The Code of Judicial Conduct establishes standards for the ethical conduct of judges and judicial candidates.

A. The Code of Judicial Conduct defines a “judicial candidate” as:

> any person, including a sitting judge, who is seeking selection for judicial office by election or appointment. A person becomes a candidate for judicial office as soon as he or she makes a public announcement of candidacy, declares or files as a candidate with the election or appointment authority, authorizes, or, where permitted, engages in solicitation or acceptance of contributions or support, or is nominated for election or appointment to office.
B. Canon 4 of the Code of Judicial Conduct states that a “judge or candidate for judicial office shall not engage in political or campaign activity that is inconsistent with the independence, integrity, or impartiality of the Judiciary.” Rule 4.1 states as follows:

(A) Except as permitted by law, or by Rules 4.2, 4.3, and 4.4, a judge or a judicial candidate shall not:

(1) act as leader in a political organization;
(2) make speeches on behalf of a political organization;
(3) publicly endorse or, except for the judge or candidate’s opponent, publicly oppose another candidate for public office;
(4)(a) solicit funds for a political organization or a candidate for public office, or (b) make a contribution to a candidate for public office;
(5) attend or purchase tickets for dinners or other events sponsored by a candidate for public office;
(6) personally solicit or accept campaign contributions other than as authorized by Rules 4.2 and 4.4;
(7) use or permit the use of campaign contributions for the private benefit of the judge, the candidate, or others;
(8) use court staff, facilities, or other court resources in a campaign for judicial office in a manner prohibited by state law or judicial branch personnel policies;
(9) knowingly, or with reckless disregard for the truth, make any false or misleading statement;
(10) make any statement that would reasonably be expected to affect the outcome or impair the fairness of a matter pending or impending in any court; or
(11) in connection with cases, controversies, or issues that are likely to come before the court, make pledges, promises, or commitments that are inconsistent with the impartial performance of the adjudicative duties of judicial office.

(B) A judge or judicial candidate shall take reasonable measures to ensure that other persons do not undertake, on behalf of the judge or judicial candidate, any activities prohibited under paragraph (A), except as permitted by Rule 4.4.
VIII. **Economic Interest Statements.** Judges and justices are public officials and must file economic interest statements upon appointment. Additional information can be found on the Campaign Finance Board’s website at [www.cfb.mn.gov](http://www.cfb.mn.gov).
First Judicial District – Carver, Dakota, Goodhue, Le Sueur, McLeod, Scott, Sibley
Second Judicial District – Ramsey
Third Judicial District – Dodge, Fillmore, Freeborn, Houston, Mower, Olmsted, Rice, Steele, Wabasha, Waseca, Winona
Fourth Judicial District – Hennepin
Fifth Judicial District – Blue Earth, Brown, Cottonwood, Faribault, Jackson, Lincoln, Lyon, Martin, Murray, Nicollet, Nobles, Pipestone, Redwood, Rock, Watonwan
Sixth Judicial District – Carlton, Cook, Lake, St. Louis
Seventh Judicial District – Becker, Benton, Clay, Douglas, Mille Lacs, Morrison, Otter Tail, Stearns, Todd, Wadena
Eighth Judicial District – Big Stone, Chippewa, Grant, Kandiyohi, Lac qui Parle, Meeker, Pope, Renville, Stevens, Swift, Traverse, Wilkin, Yellow Medicine
Ninth Judicial District – Aitkin, Beltrami, Cass, Clearwater, Crow Wing, Hubbard, Itasca, Kittson, Koochiching, Lake of the Woods, Mahnomen, Marshall, Norman, Pennington, Polk, Red Lake, Roseau
Tenth Judicial District – Anoka, Chisago, Isanti, Kanabec, Pine, Sherburne, Washington, Wright