

# HISPANIC BAR ASSOCIATION OF THE DISTRICT OF COLUMBIA

## ENDORSEMENT POLICY

### I. Introduction

The Hispanic Bar Association of the District of Columbia (HBA-DC or Association) has adopted the following policy regarding endorsement of individuals seeking endorsement (“candidates”). The policy sets forth the general criteria which the HBA-DC will consider in making endorsement decisions and the procedures for processing such requests. It is a principal goal of the HBA-DC to first and foremost endorse qualified Hispanic candidates and/or candidates who have demonstrated a strong commitment to the betterment of the Hispanic community. This policy may be modified at any time by the HBA-DC Board of Directors.

### II. Procedures

- A. Pursuant to Article VII, Section A of the HBA-DC By-Laws, the Endorsement Committee is a standing committee of the Association. The President shall appoint the chairperson. The Committee shall be comprised of at least three members. The term for each Committee member shall be one year. A Committee member shall be considered to have resigned if the member has three unexcused absences from Committee meetings or has failed to participate in any Committee activity in any six month period. The President or Committee chairperson may remove Committee members for cause.
- B. Requests for HBA-DC endorsements must be submitted in writing no less than 30 days before the endorsement is due. The President or the Committee chairperson may waive this requirement. Requests for endorsements shall be directed to the Committee chairperson. In the event of incapacity of the Committee, the President shall present any endorsement request directly to the Board at the next regularly scheduled Board meeting or at a special meeting of the Board called by the President for this purpose.
- C. For each candidate, the Endorsements Committee shall:
  - 1. Assure that the applicant’s file is complete;
  - 2. Conduct an electronic data base search on the candidate;
  - 3. Call references and bar members for views on the candidate; and
  - 4. Prepare a confidential report on the candidate.

The confidential report shall not be circulated by electronic mail, nor shall any confidential Committee deliberations on any candidate take place by electronic mail.

- D. The Endorsements Committee shall conduct personal interviews of all candidates for endorsement, whenever possible. When time limitations prohibit a face-to-face interview, the Committee chairperson may permit either a telephone

interview or a waiver of an interview altogether.

1. The Committee chairperson shall distribute copies of the confidential report to Committee members prior to the personal interview with the candidate.
  2. The interview must be attended by at least two Committee members. Committee members may participate in meetings by telephone conference. The Committee should allot no less than twenty minutes for each interview.
  3. The Committee shall devise a set of questions which reflect HBA-DC's endorsement criteria. The questions shall be used with all candidates, modified to respond to particular offices, including DC Bar offices, with follow-up questions as necessary. Individuals seeking judicial endorsement may submit the standard questionnaire that they provide to the DC Judicial Nominations Commission.
  4. The Committee should discuss the merits of each candidate immediately after all scheduled interviews, or as soon thereafter as practical.
- E. The Endorsements Committee shall present a written recommendation for each candidate to the HBA-DC Board for consideration. A majority of a quorum of Committee members must agree with the recommendation before it may be given to the Board. In the event that the Committee cannot reach consensus on a candidate, the Committee will report the results of its deliberations to the Board at the next regularly scheduled Board meeting. If it is not practical to wait until the next meeting, then the Board may be polled by telephone conference call. Written recommendations to the Board or deliberations on such recommendations shall not be circulated by electronic mail.
- F. The HBA-DC Board shall consider the Endorsement Committee's recommendation at any regular or special meeting, provided that the Board's action complies with Article IV, Sections F and/or H of the HBA-DC By-Laws. A majority vote of a quorum of HBA-DC Board members is needed to make any endorsement decision.
- G. Requests from candidates seeking to renew HBA-DC endorsements may be considered directly by the HBA-DC Board, without prior review by the Endorsements Committee. If time limitations prohibit waiting until the next regularly scheduled Board meeting, the President may permit the Board to be polled by telephone conference call. Renewal of HBA-DC endorsements will be granted where a majority vote of a quorum of Board members agree to renew the endorsement. An interview is not required for an endorsement renewal. The Committee may request updated information.

### III. Policy

- A. *In General:* The HBA-DC will consider every person who makes a timely request for an endorsement, and it may elect to make its views of a particular candidate known without a request for endorsement by the candidate. The HBA-DC also may encourage individuals whom it deems qualified to apply for particular positions.
1. Typically, HBA-DC endorsements may include, but not be limited to, the following types of positions:
    - a. Federal officials in the executive, legislative and judicial branches of government;
    - b. District of Columbia officials in the executive, legislative and judicial branches of government; and
    - c. Bar association officers on the national and local levels.
  2. Where there is more than one candidate requesting an HBA-DC endorsement for a single available position, it shall be the goal of the HBA-DC to endorse a single candidate. There may be exceptions. In the case of judicial endorsements, the Committee may recommend multiple endorsements for a single vacancy where the endorsement signifies that the candidates exemplify the principles of the Association.
  3. The qualifications of candidates shall be rated on a scale of Highly Recommend, Recommend, and Not Recommend.
- B. *Renewal Endorsements:* Candidates who received HBA-DC endorsements, but are initially unsuccessful in their applications for a particular position, may renew their request for HBA-DC endorsement. Candidates will be notified upon initial request for endorsement of the renewal policy.
- C. *Recusals:* Persons involved in the HBA-DC's endorsement process (Committee members and/or HBA-DC Board members) who have a strong personal interest in a candidate under consideration, whether positive or negative, are expected to advise the Committee chairperson and the Board of their personal interest. The person with the identified interest: (1) may choose to keep the cause of the precipitating bias confidential; and (2) may be asked by the President to recuse himself/herself from considering the candidate.
- D. *Confidentiality:* All internal deliberations regarding a candidate's application for endorsement shall remain confidential and not be disclosed to anyone other than the Committee members or HBA-DC Board members. No internal deliberations shall take place by electronic mail other than scheduling matters.
- E. *Publication:* The HBA-DC's endorsement policy, as well as its endorsement of a particular candidate, shall be made publicly available; decisions not to endorse a particular candidate shall not be made public, unless a majority of the Board votes

to make the decision public. All endorsements shall be reviewed by the President before they are made public. All endorsements shall be signed by the President or a member designated by the President. The President or his/her designate may respond to public inquiries regarding HBA-DC's endorsement policies and/or the endorsement of a particular candidate.

#### **IV. Factors for Endorsement Consideration**

- A. The following factors shall be a guide in evaluating candidates seeking HBA-DC endorsement. These factors are neither mandatory nor exclusive, as they may not apply to every candidate or every position. The Endorsements Committee and/or the HBA-DC Board shall use its discretion in applying and weighing these factors.
1. Demonstrated professional qualifications:
    - a. Applicable statutory or regulatory criteria;
    - b. Professional experience as appropriate;
    - c. Personal integrity and standing in the legal community;
    - d. Scholarship and other professional experience; and/or
    - e. Fairness and impartiality.
  2. Demonstrated personal traits:
    - a. Communication skills;
    - b. Interpersonal skills;
    - c. Temperament;
    - d. Administrative and organizational skills; and/or
    - e. Analytical and problem-solving skills.
  3. Demonstrated commitment to the rights of, or to the advancement of, the Hispanic community;
  4. Demonstrated commitment to the District of Columbia community. Commitment to either the greater District of Columbia metropolitan community or another relevant community will also be considered as a positive evaluation factor;
  5. Demonstrated commitment to the rights of, or to the advancement of, other historically disadvantaged groups, such as minorities or women; and
  6. Membership in the HBA-DC, though not required, may be considered as a positive evaluation factor.
- B. The HBA-DC (including the Endorsements Committee) will not discriminate against any candidate seeking endorsement because of race, national origin, sex, age, religion, disability, sexual orientation, gender identity or expression, political affiliation, or marital status.

December, 2006

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President

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Date