



HISPANIC NATIONAL BAR ASSOCIATION

**HNBA Standing Committee on Endorsements Manual**

**Purpose:**

The HNBA Standing Committee on Endorsements (the “Committee”) is responsible for reviewing requests for an HNBA endorsement for a judicial appointment with an emphasis on Article III federal courts<sup>1</sup> or service in the U.S. executive branch with an emphasis on legal and policy positions. The Committee vets, endorses, advocates for and coaches candidates. The Committee also supports diversity efforts in the U.S. judicial and executive branches at the direction of the HNBA President.

**Mission:**

The Committee’s principal goal in endorsing candidates for judgeships is to promote the selection of qualified Hispanic and diverse candidates with an emphasis on Article III federal courts.<sup>2</sup> The Committee’s principal goal in endorsing candidates in the U.S executive branch with an emphasis on legal and policy positions is to promote the selection of qualified Hispanic and diverse candidates for such roles. The Committee follows a non-partisan process that is open to all people, HNBA members and non-members alike, and endorses and supports candidates without regard for political affiliation. The Committee is committed to serving candidates and building relationships among all political affiliations.

**Composition of the Committee and Voting:**

The Committee consists of the following members: President, the President Elect, Chairs of the Endorsement Committee, Chairs of the Subcommittees, the Region Presidents, and up to eight (8) regular or affiliate non-voting members appointed by, and at the discretion of, the President. The Committee may vote in-person, virtually or by e-mail, and the voting members are as follows: (1) President, (2) President Elect, (3) Chair(s) of the Endorsement Committee, and (4) the Region President where the candidate to be endorsed resides; for example, if the position is for a District Court in Texas and the candidate resides in Texas, the Region 12 President has a vote. The votes required to endorse a candidate include a majority of the voting members. The Committee members who do not have a vote are as follows: the Region Presidents outside of the candidate’s state of residency, the Chairs of the Subcommittees and the regular or affiliate non-voting members. Voting members may give their proxies to other members of the Committee or their deputies. In the event of deadlock, the endorsement will be subject to a vote of Board of Governors.

**Process and Qualifications for Endorsement:**

---

<sup>1</sup> The Committee endorses judicial candidates for Article III federal courts. The Committee will not consider endorsement requests for Article I courts, state and local courts unless (i) requested by a local or state bar association; (ii) the candidate is a historic first; or (iii) in the discretion of the HNBA President.

<sup>2</sup> See footnote 1.

### *How to apply for an endorsement*

Anyone interested in seeking an HNBA endorsement for a judicial appointment or service in the U.S. executive branch should first contact their HNBA Region President and complete the appropriate endorsements nomination application located here: <https://hnba.com/endorsements-committee/>. Candidates may also contact any member of the Committee for assistance or additional information on the endorsement process. The application shall consist of a completed Endorsement Questionnaire and a resume, and may include letters of support or other relevant materials.<sup>3</sup>

Identification as Hispanic is not a necessary qualification for endorsement. Membership to the HNBA is encouraged and noted, but it is not required for an endorsement.

### *Qualifications of candidates for endorsement*

The order of the below factors does not indicate their priority. In weighing these factors, a decision will be made based on the totality of the qualifications' factors. There is no limit on the number of endorsements the Committee can make; however, the Committee will endorse only those candidates who demonstrate that they satisfy the requirements for the position they seek. There will be no levels of ratings of candidates (e.g., qualified, very qualified, etc.). Generally, the Committee will take no position regarding a candidate if it chooses not to endorse that candidate.

### *Qualifications of judicial candidates for endorsement*

The Committee prioritizes the following criteria as the qualifications of a judicial candidate for endorsement:

- (1) Integrity, character and professional reputation;
- (2) Litigation, adjudicative, administrative and other professional experience;
- (3) Scholarship and communication skills (oral and written);
- (4) Judicial temperament;
- (5) Demonstrated commitment to the concept of equal opportunity and equal justice under law;
- (6) The extent to which a candidate has been involved in, supportive of and responsive to Hispanics needs and concerns; and
- (7) Membership in the HNBA, the local HNBA affiliate, other Hispanic bars or community service organizations serving the needs of Hispanics.

### *Qualifications of federal executive candidates for endorsement*

The Committee prioritizes the following criteria as the qualifications of a federal executive position for endorsement:

- (1) Integrity, character and professional reputation;
- (2) The depth of the candidate's professional experience and its relevance to the position sought;
- (3) Communication skills (oral and written);
- (4) Demonstrated commitment to the concept of equal opportunity and equal justice under law;

---

<sup>3</sup> The Committee will accept completed United States Senate Committee on the Judiciary Questionnaires. In such case, the candidate must submit additional responses to the HNBA relating to HNBA membership and demonstrated commitment to, and work in, the Hispanic community.

- (5) The extent to which a candidate has been involved in, supportive of and responsive to Hispanic needs and concerns; and
- (6) Membership in the HNBA, the local HNBA affiliate, other Hispanic bars, or other community service organizations serving the needs of Hispanics.

### *The endorsements process*

All requests by candidates seeking endorsement of their candidacy will be reviewed by the Committee. The Committee will examine each candidate's qualifications, conduct necessary due diligence and an interview of the candidate, and vote on whether or not to endorse such candidates. In the event the Committee is unable to render an endorsement decision, the candidate's candidacy for endorsement must be determined by a vote of the Board of Governors at a duly scheduled board meeting. The candidate will be informed of the requirement for a vote of the Board of Governors and will be given the option to proceed with his or her endorsement request or withdraw.

The Region President where the position to be endorsed is located is responsible for overseeing, coordinating and conducting due diligence and preparing a report on the candidate. A due diligence investigation may include: (i) a review of the candidate's professional background; (ii) a review of the candidate's significant legal cases (if applicable); (iii) contacting those who know the candidate, including, but not limited to, former employers, co-counsel, and opposing counsel; (iv) a review of the candidate's writings; and (v) a media and internet search of the candidate. The Region President's diligence shall not include an interview of the candidate beyond a basic conversation to obtain the details necessary to complete the due diligence. The due diligence report and the candidate's resume and completed Endorsements' Questionnaire must be submitted to the Committee in advance of a candidate's interview by the Committee.<sup>4</sup>

The Committee will interview the candidate and vote on the endorsement. If the Committee votes in favor of an endorsement for an active judicial or executive branch appointment, the HNBA will issue and promptly send the letter of endorsement to appropriate recipients, including, but not limited to, the White House, Senators, Members of the House of Representatives and Committee Members. In the event a judicial candidate is seeking an endorsement for a future judicial appointment, the HNBA may either, at the candidate's request, issue and send the letter of endorsement at the time of the endorsement or add the candidate to the Judicial Candidate Identification and Pipeline Program for issuance and sending of the letter of endorsement at a future date when the candidate informs the Committee that the candidate is seeking an endorsement for an active judicial appointment.

### *Nuances of the endorsements process for judicial candidates*

Judicial candidates for federal district court seats must formally apply for the position as per the application process stipulated by the Senators or judicial review commission or council, if applicable, in the candidate's home State. Nominations for judicial seats on the U.S. Court of Appeals and Court of International Trade are made directly by the President of the United States and the White House. There are no formal application processes for these seats and candidates must express their interest in the U.S. Court of Appeals and the Court of International Trade seats directly to the White House. The Committee can assist candidates with that process.

---

<sup>4</sup> See footnote 3.

The Committee will work with candidates on the timing of their HNBA endorsement; however, a candidate should submit their request for endorsement to the Committee with sufficient time to have an HNBA endorsement included in their application or, if already nominated, their confirmation process.

Judicial candidates also undergo the American Bar Association (the “ABA”) peer review process, which involves the evaluation of the professional qualifications of all nominees to the Supreme Court of the United States, U.S. Circuit Courts of Appeals, district courts (including territorial district courts) and the Court of International Trade. Judicial candidates do not participate in this process. It is conducted independently by the ABA.

#### *Nuances of the endorsements process for executive branch candidates*

The HNBA endorses and supports executive branch candidates seeking legal or policy positions, which are made directly by the President of the United States or within an agency by an agency head. Every federal appointment position is listed in the “U.S. Government Policy and Supporting Positions” book, known as the “Plum Book.” As a first step, every candidate should do their homework and review the plum book to narrow down what positions are of interest to them (*i.e.*, which agency, in which area, and what specific role).

#### *Nuances of the process for all candidates*

The HNBA often conducts advocacy for its endorsed candidates before the White House, the Senate, Committee Members and, if appropriate, Members of the House of Representatives. The advocacy may occur before or after a candidate is endorsed, in the Committee’s sole discretion. While the Committee conducts due diligence on a candidate, candidates are vetted by the White House, the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI). A candidate’s personal life and political activity may also be taken into consideration and can have an impact.

If the President of the United States nominates a candidate and the nomination requires Senate approval, the nominee goes through a Senate committee and Senate vote process. In addition to the HNBA’s advocacy on behalf of a candidate, the Committee assists and supports candidates in their nomination and confirmation processes through the Coaching Subcommittee (the “Coaching Committee”).

#### Subcommittees and the Judicial Candidate Identification and Pipeline Program:

The Committee is supported by the Executive Branch Subcommittee, the Judicial Branch Subcommittee, the Coaching Subcommittee and the Supreme Court Vetting Subcommittee.

#### *Executive Branch Subcommittee*

The HNBA President will appoint any number of members to the Executive Branch Subcommittee with advice and recommendations from the Committee. The Executive Branch Subcommittee’s principal goal is endorsing candidates for appointed (not elected) federal executive positions with an emphasis on legal and policy positions, and to promote the selection of qualified Hispanic and diverse candidates for such roles.

#### *Judicial Branch Subcommittee*

The HNBA President will appoint any number of members to the Judicial Branch Subcommittee with advice and recommendations from the Committee. The Judicial Branch Subcommittee's principal goal is endorsing candidates for judgeships and to promote the selection of qualified Hispanic and diverse candidates and judges with an emphasis on Article III federal courts.<sup>5</sup>

#### *Coaching Subcommittee*

The Coaching Subcommittee is comprised of individuals who have substantial experience in the governmental interview process. The HNBA President will appoint any number of members to the Coaching Subcommittee with advice and recommendations from the Committee. The Chair of the Coaching Subcommittee shall be entitled to appoint informal advisors to the Coaching Subcommittee to support candidates in his or her discretion, and will advise the HNBA President of any such informal appointments before making those appointments. A coach assigned to a candidate should not be assigned other candidates who are competing for the same position nor should the processes of other candidates be discussed with other coaches or other candidates.

#### *U.S. Supreme Court Vetting Subcommittee (not active when there are no nominations pending)*

The HNBA reserves the right to take it upon itself to conduct an analysis of federal judicial candidates who are nominated by the President of the United States to the U.S. Supreme Court or federal office of similar import (Attorney General, for example) due to the impact of these offices on the Hispanic legal community and Hispanic community at large. When there is a vacancy on the U.S. Supreme Court and the President of the United States nominates a candidate for the Court, the HNBA President will appoint any number of members of the Committee and other HNBA representatives with the advice of the Chairs of the Committee to serve on the U.S. Supreme Court Vetting Committee for the sole and temporary purpose of conducting due diligence, preparing a due diligence report and making a recommendation on the candidate to the Board of Governors. The U.S. Supreme Court Vetting Committee reports to the President or his or her designee. Following receipt of the report and recommendation by the U.S. Supreme Court Vetting Committee, the Board of Governors will then determine whether or not to issue a statement and opinion on the nomination (endorse, oppose, or a statement that refrains from either).

#### *Judicial Candidate Identification and Pipeline Program*

The Judicial Candidate Identification Program will be led by the Committee and involve promotion, research and due diligence to identify judicial candidates in jurisdictions across the country and its territories. Each member of the Committee has an ongoing obligation to identify candidates for the Judicial Candidate Identification Program. In the event the candidate is seeking an endorsement for a future judicial appointment, the HNBA may either, at the candidate's request, issue and send the letter of endorsement at the time of the endorsement or add the candidate to the Judicial Candidate Identification and Pipeline Program for issuance and sending of the letter of endorsement at a future date when the candidate informs the Committee that the candidate is seeking an endorsement for an active judicial appointment. Candidates in this program must go through the entire HNBA endorsement process prior to the issuance of a letter of endorsement.

---

<sup>5</sup> See footnote 1.

Work with the Standing Advocacy Committee:

The Committee and its subcommittees work with the Standing Advocacy Committee to support and advocate for candidates and matters relevant to the Committee's purpose and mission.

Metrics and Reports:

The Committee should track and report metrics for its advocacy and legislative work to the Board of Governors. The Committee should track and report on candidates who have requested endorsement by jurisdiction, the status of the Committee's endorsement process and whether or not the candidate withdrew from the process, was nominated and/or confirmed. The Committee should also report on current and upcoming vacancies in Article III courts<sup>6</sup> across the country and in its territories.

Recordkeeping:

The Committee will send Committee materials and documents to the HNBA National Secretary for record keeping.

---

<sup>6</sup> See footnote 1.