

When a judicial vacancy exists it is not filled by the back room politics, but by a public process mandated by the N.M. Constitution to guarantee that only qualified persons are appointed. After a vacancy is announced, applicants provide an extensive work history and letters of recommendation to the Judicial Nominating Commission (the Commission). The Commission is a 15 member board comprised of N.M. judges, attorneys and citizens chaired by the Dean of the UNM Law School. The Commission membership must include an equal number of Democrats and Republicans, and should reflect diversity in terms of gender, ethnicity, and type of practice.

The names of the applicants are published in the New Mexico Bar Bulletin and in public news sources. This allows those who know the applicant to provide information to the Commission members before the Commission meeting.

The Commission meeting is held with each applicant interviewed by the Commission. Each Commission member is given the opportunity to question the applicant. The Commission meeting includes public input as well as candidate interviews. Members of the public are given five minutes to speak on behalf of or against any applicant. The Commission evaluates each candidate in twelve (12) different areas:

- Physical and mental ability to perform tasks required
- Impartiality
- Industry
- Integrity
- Professional skills
- Community involvement
- Social awareness
- Collegiality
- Writing ability
- Decisiveness
- Judicial temperament
- Speaking ability

The Commission, in deciding on the candidates to nominate to the Governor, votes on two issues: Is the candidate qualified, and should the candidate be recommended to the Governor based on the evaluation criteria.

Charlie was first nominated in 1998 to Governor Johnson. He was a unanimous Commission nominee to Governor Richardson in 2007. After receiving six nominations for two positions, members of the Governor's executive committee interviewed each of the nominees, and then Governor Richardson conducted personal interviews with the nominees. Charlie was appointed by the Governor in August of 2007.