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April 30, 2026

Zachary Mandell, Esq.
Chairperson
Judicial Nominating Commission
c/o Mandell, Boisclair & Mandell
1 Park Row
Providence, RI 02903

VIA MAIL AND EMAIL
zmandell@mbmjustice.com

Dear Mr. Mandell:

First, please accept my congratulations on your appointment as Chair of the state's Judicial Nominating Commission.

I am writing to follow up on correspondence I had with your predecessor three months ago in the hope that you will revisit the issue I raised with her at the time. Specifically, I wrote her to raise concerns after we learned in January that the Commission has had a practice, for meetings at which it receives comment from the public on the consideration of judicial nominees, of requiring individuals who wish to testify to register at least *two weeks* in advance.

The ACLU of Rhode Island has long had an interest in strengthening public access to government meetings and encouraging the widest reasonable opportunities for the public to participate in those meetings. We are not aware of any other state or local public body with a vested interest in receiving public comment that has established such a restrictive policy regarding advance notice as the Commission has. Nor do we believe there is a compelling rationale for imposing this lengthy advance notice requirement. It can only impede the Commission from receiving all the public comment it should be interested in obtaining when considering the weighty matter of recommending judicial nominees.

I have enclosed a copy of the response I received from Ms. Tadesse in which she largely justified the lengthy advance notice requirement on the basis of logistics and limited resources. While we are sympathetic to that concern, many other committees of much less importance manage to arrange for public participation without imposing such an exacting obligation on potential commenters.

We also understand the Commission's interest in having an orderly process for taking public comment at these meetings. If it does not already do so, the Commission clearly has the ability and the right put a time limit on the total comments and on individual statements. For individuals who have not signed up in advance, the Commission can place them at the end of the allotted speaking time. But a complete bar on speaking for individuals who missed this strict deadline strikes us as inappropriate.

The two-week notice requirement is not contained in the Commission's formal regulations establishing its procedures. Those rules instead only reference the convening of a public meeting "to afford an opportunity to members of the public to comment on the list of candidates," an opportunity that is severely limited by this informal policy. While we recognize that individuals retain the ability to submit written comments after the sign-up deadline, the particular impact that verbal testimony may have cannot be discounted.

We also trust that you can appreciate that some people with an interest in speaking at a Commission meeting about a candidate might not have gone to the original source – the meeting notice itself – to become aware of this requirement. And we can easily envision other interested individuals not learning about the hearing, or not deciding to speak, until after that deadline has passed.

In short, we believe it is unwarranted to prevent individuals from commenting at Commission meetings based on formalistic adherence to a practice that is uncommon and potentially unique, not a part of the agency's regulations, and a significant barrier to accommodating to the public. Instead, we would encourage the Commission to exercise its discretion and maximize transparency and the public interest by allowing individuals to be able to offer comments within appropriate time limits without the necessity of signing up in advance, much less two weeks in advance.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in cursive script that reads "Steven Brown".

Steven Brown
Executive Director

cc: Judicial Nominating Commission members
Lexi Dorotinsky

Enclosure



STATE OF RHODE ISLAND JUDICIAL NOMINATING COMMISSION

Krystle Tadesse
Chairperson

Department of Administration
3rd Floor – Conference Room 2
One Capitol Hill
Providence, RI 02908-5890

January 29, 2026

VIA E-MAIL ONLY

Steven Brown
Executive Director
Rhode Island ACLU
128 Dorrance Street, Suite 400
Providence, RI 02903
sbrown@riaclu.org

**Re: January 28, 2026, Letter – Public Comment at January 28, 2026
Rhode Island Judicial Nominating Commission Meeting (“JNC”)**

Dear Steven:

Thank you for your January 28, 2026, letter on behalf of the Rhode Island ACLU concerning the JNC’s public comment practices, specifically in relation to the JNC’s scheduled meeting yesterday evening (“Letter”). The concerns raised by the Letter were briefly addressed at the beginning of the JNC’s meeting last night. A copy of the Letter will be appended to the meeting minutes.

I understand the frustration from people who missed the January 14th deadline to sign up to provide public comment at the JNC’s January 28, 2026, meeting. The purpose of that meeting was for the JNC to receive public comment on the 18 candidates under consideration for the vacancies on the Superior Court created by the retirements of Associate Justices Stephen P. Nugent and Melanie Wilk Thunberg. The JNC’s meeting notice and agenda, which detailed the deadline, was posted in accordance with the Open Meetings Act on December 30, 2025. The 18 candidates were selected at a JNC meeting on November 12, 2025.

Public comment is essential to the JNC’s process, and we welcome and encourage public participation, including written public comment. I have served as chair of the JNC since February 2021. During my tenure, there has been minimal public interest and attendance at JNC meetings. Most of the meetings I have chaired are attended only by members of the Commission, the candidates, and their supporters. I have been heartened to see that change in the last eight months. I sincerely hope that public awareness, attention, and education around the judicial vetting and nomination process in Rhode Island continue to grow.

The Letter claims that “sometime in the last year” the JNC revised its public comment practices to require registration two weeks in advance of its meetings, and that “a number of” individuals sought to sign up to speak at yesterday’s meeting “about five days ago,” but were “rebuffed.” This is incorrect. For over three years (since the fall of 2022), spanning 12 vacancies, the JNC has required individuals to sign up to provide public comment at least two weeks before a scheduled meeting. This is not a new practice, and it is grounded in the administrative limitations of the JNC, as discussed in more detail below.

Further, the JNC did not receive and “rebuff” numerous requests from individuals to speak at the meeting late last week. The JNC received three inquiries related to public comment following the January 14th deadline: (1) January 20 – request received seeking clarification on the public comment process; (2) January 27 – request received mid-afternoon inquiring whether it was possible to still provide written and/or public comment; and (3) January 28 – request received mid-morning to speak at the meeting.

The JNC does not have permanent staff. It consists of nine commissioners, including myself serving as chair, and a legal assistant who is selected by the chair. The JNC’s amazing legal assistant is Laura Jeanne (“LJ”) Verdecchia. LJ and I have worked together for many years at my law firm, where she is employed as a full-time paralegal.

Candidates are permitted to designate up to two speakers to provide comment on their behalf, in addition to members of the public being able to sign up.¹ LJ is responsible for managing the logistics involved in all JNC meetings. Those logistics are even harder to navigate with public comment meetings, especially when, like last night’s meeting, they cover more than one vacancy – scheduling, coordinating speakers, security, etc. The timing also allows us to determine whether the scheduled meeting time is sufficient. We aim to finalize the schedule and let speakers know their scheduled time as soon as possible after the expiration of the deadline. This involves dozens of emails for LJ. Even once finalized, there are inevitably requests LJ must manage when conflicts arise.

¹ The January 14, 2026, deadline also applied to candidate-designated speakers.

Steven Brown
January 29, 2026
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I hope that this provides more insight into the JNC's public comment practices and addresses any concern that the JNC is attempting to limit the public's ability to participate in the process. The JNC understands that public involvement in the process is essential.

The JNC will meet on February 4, 2026, to interview and vote on candidates for Justice Nugent's vacancy, and on February 11, 2026, to interview and vote on candidates for Justice Thunberg's vacancy. The JNC encourages members of the public to submit written comments concerning the candidates to krystle.tadesse@troutman.com and laura.verdecchia@troutman.com (ideally at least two days before the scheduled meeting to ensure that the JNC has time to review them), and to attend the meetings to observe the candidates' interviews because the process does not end with the JNC. There are still opportunities to advocate and provide feedback to the Governor and the Senate.

Sincerely,

/s/ Krystle Tadesse

Krystle Tadesse
Chairperson

cc: Judicial Nominating Commission members (by email)
Laura Jeanne Verdecchia, Judicial Nominating Commission Legal Assistant (by email)
Megan Khatchadourian (by email)
Jocelyn Foye, The Womxn Project (by email)