#

# Commonwealth of Massachusetts

## **Office of the Governor**

## **Supreme Judicial Court**

## **Application for Associate Justice**

 **Personal Information**

1. Full name:
2. Have you ever used or been known by any other name? Yes No

 If so, please state:

1. Residential Address:

1. Work Address:

1. Telephone number: (a) Home:

 (b) Work:
(c) Cell:

1. E-mail address: (a) Home:

 (b) Work:

1. Date of birth:
2. Place of birth:

1. *Optional*: If you wish to be identified with an under-represented group, please list that here:
2. Spouse/Domestic Partner’s Full Name:
3. Spouse/Domestic Partner’s Maiden/Birth Name:
4. Spouse/Domestic Partner’s Current Employment:
	1. Employer’s Name:
	2. Office Address:
	3. Office Telephone Number:
	4. Nature of Business:
	5. Job Title:
5. Please list the names and ages of your children and their full-time employment if they are so employed.
6. Please list the names of all immediate family members as well as persons related to immediate family members by marriage who serve as employees or elected officials of the Commonwealth and include in your answer their position and supervisor. For example, anyone who is married to your sibling is considered to be related to an immediate family member.
7. List all colleges and graduate schools (including law school) that you have attended. For each, provide the name of the school, dates attended, degrees conferred, honors or awards received, and describe any significant activities, including any offices or leadership positions held, in the order of their interest/importance to you.
8. Are you a permanent Massachusetts resident?

 Yes No

1. Are you a United States citizen?

 Yes No

**Bar Admission(s)**

1. a. Are you currently a member in good standing of the Massachusetts bar?

 Yes  No  BBO #\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 b. How many years have you practiced law in Massachusetts?

1. List all courts in addition to Massachusetts in which you have been admitted to the practice of law with dates of admission. Please provide the same information for administrative bodies which require special admission to practice.
2. Have you ever been denied admission to the bar of any state due to failure to pass the character and fitness screening? If so, please explain.

**Employment History (Non-legal)**

1. Have you ever been engaged in any occupation other than the practice of law (exclusive of employment during your school years)? If so, please list the names of your prior employers, the dates of employment, and the positions held. *Include a description of any military service in your answer to this question.*
2. Have you ever been discharged from employment (including military) for any reason or have you ever resigned after being informed that your employer intended to discharge you? If yes, please explain.

**Employment History (Legal)**

1. How many years have you been engaged in the practice of law?
2. Provide a list, starting with the most recent, of all legal positions held since you became a member of any state bar and include for each such position (in paragraph format) the following information:
	1. Full name and address of the law office, firm, company, government agency, educational institution or other organization where you have ever practiced law.
	2. Start and end dates of employment.
	3. Brief description of your responsibilities.
	4. Nature of your affiliation/position with the employer or firm, the general nature of your practice, and any other relevant particulars.
	5. Name, current address, and telephone number of a person, preferably your supervisor, who can verify your employment.
	6. If you were discharged from employment or resigned after being informed that your employer intended to discharge you, please explain.

 **The SJC-NC seeks applicants from a wide variety of legal backgrounds. Questions 25-34, as well as Questions 69-71, are primarily tailored to lawyers from a firm or similar practice. If your experience is in academia, in-house counsel, or other, please complete all relevant questions and submit an essay of no more than 2,500 words as to your qualifications and experience for the position of Associate Justice of the Supreme Judicial Court.**

 **If currently a judge, please answer Questions 25-34 in relation to the years preceding your appointment to the bench.**

1. What has been the general character of your career over the last five years? Please describe your typical client and/or your legal specialties, if any. If your practice during this time period differs from the nature of your practice in earlier years, briefly explain how and why.
2. Describe any pro bono or public interest work that you have performed during the past 10 years and estimate the number of hours (or percentage of your time) that you have devoted to such work on an annual basis. If you have not performed such service, please explain.
3. What percentage of your practice has been devoted to litigation? If that percentage has changed over time, please explain how and why.
4. Of your litigation work, specify what percentage falls in the following categories:
	* 1. Civil \_\_\_\_\_ % (b) State \_\_\_\_\_ %

 Criminal \_\_\_\_\_ % Federal \_\_\_\_\_ %

 Other \_\_\_\_\_ % Other \_\_\_\_\_ %

 *Total* *100 % Total* *100 %*

 Explain the general nature of any proceedings that fall in the category “other.” If a material component of your litigation practice has involved appearing in state or federal courts outside Massachusetts, please list the jurisdictions and estimate the percentage of your time spent in those jurisdictions.

1. Of your practice in the Massachusetts court system, specify the approximate percentage of time that you have spent in each of the following courts:

 Supreme Judicial Court \_\_\_\_\_ %

 Appeals Court \_\_\_\_\_ %

 Superior Court \_\_\_\_\_ %

 District Court /Boston Municipal Court \_\_\_\_\_ %

 Juvenile Court \_\_\_\_\_ %

 Housing Court \_\_\_\_\_ %

 Probate and Family Court \_\_\_\_\_ %

 Land Court \_\_\_\_\_ %

 *Total* *100 %*

1. State the approximate number, nature, and average length of court cases you have tried to conclusion. If it is easier for you to do so, you may provide an estimate of the number of trials completed per year. Also, if many of your cases settle after trial commences, please provide us with number of cases (on average) that settle each year after trial begins.
2. State the approximate number of appellate matters you have handled and the percentage of your practice that is devoted to appellate work. What number (or percentage) of your appellate cases resulted in oral argument?

1. State the approximate number of arbitrations, mediations or administrative hearings you have tried to conclusion or in substantial part. Briefly describe the types of matters heard during these hearings.
2. Have you ever served as a master or arbitrator? If so, please describe the nature and extent of your experience and provide the date of each such proceeding, and the names and contact information for the parties and attorneys involved in the cases.
3. Have you served on any bar association referral panel, criminal justice panel, or legal aid or public defender boards of directors in the last fifteen years? If so, please provide the dates and describe the nature and extent of your involvement, and the names and contact information for attorneys involved.
4. Have you ever previously applied for a state or federal judgeship? List all courts and years of application. As to Massachusetts state courts, please specify whether the JNC recommended you to the governor for nomination and, if so, whether the governor nominated you.

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| **Court** | **Year** | **Interviewed by the JNC****(Yes/No)** | **Recommended by JNC (Yes/No)** | **Nominated by Governor****(Yes/No)** |
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 **Activities**

1. List any activities or organizations in which you have participated to a significant extent in the last ten years and, if you wish, prior to the last ten years, in the order of their interest/importance to you. For each, specify the dates and nature of your involvement, estimate the number of hours devoted (whether weekly, monthly, or annually), describe any major accomplishments in which you played a principal role, and provide the name and contact information for persons knowledgeable about your involvement.
2. List any courses or programs that you have taught or at which you have lectured. For each, specify the date, course (or program) name, and nature of your participation.
3. List all books, articles or other publications that you personally have authored, including the citations, dates of publication, and names of any co-authors.
4. Have you held any appointive or elective public office, or have you been a candidate for elective office or leadership of administrative committees or functions? If so, please provide the details, excluding information identifying your political affiliation.
5. List all organizations to which you belong, or have belonged to within the past fifteen years, that are active in lobbying before public bodies. Please include any leadership positions and names and contact information for each organization.
6. Please describe any experience you have had in budgeting, personnel management or leadership of committees that has not already been discussed in the summary of your employment history.
7. List any hobbies or vocational interests that you have that do not already appear in your answers to prior questions, in the order of their interest to you.
8. Do you currently belong, or have you ever belonged, to any organization that discriminates (including limiting membership) on the basis of race, gender, ethnicity, sexual orientation, national origin or religion? If yes, please explain.
9. Have you ever been sued by a client or former client, or been a party to a fee arbitration or grievance proceeding, or had a legal malpractice claim against you settled? If so, please provide the details, including docket number and court.
10. Other than as counsel, have you or your spouse ever been a party to or been involved in any civil legal proceedings? If so, please provide the details, and include all divorces and bankruptcies, as well as proceedings in which you or your spouse was a party in interest or a witness. Please do not list proceedings in which you served as a guardian ad litem, executor or administrator.
11. To the best of your knowledge, has any complaint ever been made against you to or by the Board of Bar Overseers or any other bar grievance committee or professional association? If so, please provide the details. If you are currently a judge, has any past or present complaint ever been made against you to the Commission on Judicial Conduct? If so, please provide the details.
12. Have you or your spouse ever been found in violation of any court order or been held in contempt of court or been sanctioned in excess of $1,000 by any court? If yes, please provide the details, including case number(s) and court(s).
13. Have you and your spouse timely filed all required state and federal tax returns in each year since you became a member of the Bar? If not, please explain.
14. Have federal, state or local authorities ever instituted a tax lien or other collection procedure against you or your spouse? If so, please provide the details, including case numbers and court.
15. State the nature and disposition of any of the following actions that apply to you:
16. Are there any unsatisfied judgments against you or your spouse?

1. Have you or your spouse ever defaulted in the performance of any court-imposed obligations, including payment of child support or alimony or compliance with another court order or decree?
2. In each case, please list the name and address of the creditor, the court that rendered the judgment, the docket number, the date of judgment, the amount of the judgment, and the circumstances on which such claim was based.
3. Has property owned by you (or jointly with others including property held in a real estate trust or a legal entity in which you own an interest) ever been either judicially or non-judicially foreclosed? Please state the circumstances and outcome of any such unsatisfied or default judgment or any foreclosure.

1. Have you ever made an assignment for the benefit of creditors? Has any petition in bankruptcy ever been filed by you or your spouse? If so, please state the circumstance, docket number, and the outcome
2. In the interests of full disclosure, and reading this question broadly, is there any other information which the SJC-NC and the Governor should know about you and/or any immediate or related family members that might reflect adversely on your personal or professional background and qualifications or otherwise have an impact on your ability to serve? If so, please explain in full detail.

**Health**

1. Are you able to perform the essential functions of the judicial position for which you are applying?

**Conflicts of Interest**

1. List all corporations, partnerships, trusts, or other businesses (other than your law practice but including real estate investments other than your residence) with which you are now or during the last ten years have been affiliated as an officer, director, trustee, partner, or equity owner of more than 1% of the voting common stock or other financial interests.
2. Please provide the name and address of the organization, the nature of the business and your position as well as the term of your affiliation.
3. Please describe the nature of your interest and what steps, if any, you will take to avoid any potential conflicts of interest under the Code of Judicial Conduct if you are appointed.
4. Identify, with particularity, every entity not listed in the previous question in which you have any interest, financial or otherwise, including by way of example any holding of equity in public or private companies or interests in mutual funds.
5. List each debt or loan you owe of more than $10,000 to any non-family creditor and include in your response the approximate balance and whether the debt is held jointly with your spouse.

**Additional Information**

1. List three cases, matters, transactions or activities in which you have significantly participated and of which you are the most proud, and explain why.
2. What was your greatest professional disappointment?  Why? What did you learn from that experience?
3. Why are you interested in serving as Associate Justice of the Supreme Judicial Court, and what strengths would you bring to this position?
4. Which of the assignments undertaken by SJC justices, in addition to hearing and deciding cases, appeals to you most and why? Which of such assignments appeals to you least and why?
5. What are the four attributes or qualities you believe should be given the greatest weight in evaluating a candidate for serving as a Justice of the Supreme Judicial Court and how do you assess yourself with respect to those attributes?
6. A diverse range of interests, personal perspectives and life experiences adds much to the judicial mix. Describe something about your personal background or experiences that would contribute to your perspective as a member of the Supreme Judicial Court.
7. What is the greatest strength or asset of the Supreme Judicial Court and how would you preserve and improve it?
8. What would you find most challenging about serving as a Justice of the Supreme Judicial Court, and how would you address that challenge?
9. *Optional*: Please set forth any additional information that you wish to bring to the Commission's attention regarding your experience and suitability for this judicial position.

**References**

1. List up to five members of your local community (non-lawyers) whom the Nominating Commission may contact to discuss your general character, background, and community involvement. Please describe the nature of your relationship with each listed person.

 As to each person please provide the following information:

 Name:

 Address:

 City: State: Zip Code:

 Phone: (work) (cell)

 Email:

 Relationship:

1. List up to five other persons whom the Nominating Commission may contact to discuss your professional competence and qualifications for judicial office.  *Please do not list any members of the Governor’s staff or any members of the Nominating Commission.*

 As to each person please provide the following information:

 Name:

 Address:

 City: State: Zip Code:

 Phone: (work) (cell)

 Email:

 Relationship:

**Trials and Significant Matters**

1. Please list the five most significant trials, appeals, transactions or other legal matters in which you have been involved during your career. *Current judges may list cases over which they presided and/or cases they handled prior to going on the bench.*

 As to each matter please provide the following information:

#####  Case/Matter Name, Transaction or other description:

#####  Court: Judge:

#####  Docket No.

 Nature and dates of your involvement:

 Opposing/Other Counsel (please include names, firm, addresses and office and cell numbers):

 Brief Description:

1. Please list your five most recent cases that have gone to trial. *Current judges should list the five most recent trials or appeals over which they have presided.*

 As to each matter please provide the following information:

#####  Case Name or Transaction:

#####

#####  Court: ­­ Judge:

#####  Docket No. Length: Jury/Bench:

 Nature and dates of your involvement:

 Opposing Counsel (please include names, firm, address, office and cell numbers):

 Brief Description:

1. Please list your five most recent matters that did not go to trial but in which you performed significant work. *Current judges may list cases over which they presided that involved significant work and/or cases they handled prior to going on the bench.*

 As to each matter please provide the following information:

#####  Case/Matter Name:

#####  Court: Judge:

#####  Docket No.

 Nature and dates of your involvement:

 Opposing/Other Counsel (please include name, firm, address, office and cell numbers):

 Brief Description:

**Resume**

1. Attach a current, one-page resume as a cover page to your application, containing a brief professional history and educational background.
2. Please attach as writing samples two examples of briefs, memoranda of law, legal opinions, scholarly articles or similar examples of legal writing (preferably related to an appellate matter) prepared primarily by you within the last five years. Each writing sample should not exceed 30 pages in length, exclusive of table of contents, table of authorities, and title pages.

**CERTIFICATION AND WAIVER**

I hereby swear or affirm under penalties of perjury that the information provided within my application is true and complete to the best of my knowledge and belief; and that I am a citizen of the United States and of the Commonwealth of Massachusetts, and I am licensed to practice law in Massachusetts.

I waive any privilege of confidentiality I may have with respect to information concerning my qualifications for judicial office that the Nominating Commission may desire to obtain. I specifically authorize the Commission to obtain and examine my personnel files from current and past employers, including all files maintained by the Massachusetts Court System, and to obtain information, records and documents regarding me from any credit reporting agency, any law enforcement agency, any bar association, any occupational licensing board, any educational institution, and any disciplinary body, including specifically the Board of Bar Overseers. I further authorize these institutions, organizations, and individuals, and any other institutions, organizations and individuals to make available to the Commission all confidential and non-confidential documents, records and information concerning me that the Commission may request.

I understand the submission of this application expresses my willingness to accept appointment to the judiciary of the Commonwealth of Massachusetts, if tendered by the Governor, and further, my willingness to abide by the rules of the Nominating Commission with respect to my application and the Code of Judicial Conduct, if appointed.

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**Date Signature of Applicant**

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 **Print Name**