Applicant Number: (Middle initial and last 4 digits of your social security number; if no middle initial use X)

****

**Commonwealth of Massachusetts**

**Office of the Governor**

**Judicial Nominating Commission**

**Application for Judicial Appointment**

**Part II**

(for use on or after January 8, 2015)

 **Designation of Courts**

1. Timely filed applications will be accepted only for those vacancies listed as “Open for Applications” on the JNC’s website, [www.mass.gov/jnc](http://www.mass.gov/jnc). List the specific vacancy or vacancies to which you are applying.

*For example, if you were applying for a Superior Court vacancy created by the retirement of the Honorable John Doe, with an application deadline of November 1, 2015, your answer would be: “Superior Court, The Honorable John Doe, November 1, 2015 deadline.” If you also were applying to other vacancies open for application, you would add those to your answer.*

28. If appointed, will you accept assignments in other departments and geographic divisions of the Massachusetts court system? Please state any limitations on your ability or willingness to accept such assignments.

 **Educational History**

29. 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.

 **Bar Admission(s)**

30. List all courts 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.

31. 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)**

32. 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.*

33. Have you ever been discharged from employment (including the 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)**

34. How long have you been engaged in the practice of law? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

35. Provide a chronological list (in order from earliest to most recent) of all legal positions held since you became a member of any state bar and include for each such position (in a paragraph format) the following information:

(a) Full name and address of the law office, firm, company, government agency, or other organization where you have ever practiced law.

(b) Start and end dates of employment.

(c) Brief Description of your responsibilities.

(d) The nature of your affiliation/position with the employer or firm, the general nature of your practice, and any other relevant particulars.

(e) The name, current address, and telephone number of a person, preferably your supervisor, who can verify your employment.

(f) If you were discharged from employment or resigned after being informed that your employer intended to discharge you, please explain.

**If currently a judge, please answer Questions 36 – 45 in relation to the years *preceding* your appointment to the bench.**

36. What has been the general character of your practice 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.

37. 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.

38. What percentage of your practice has been devoted to litigation? If that percentage has changed over time, please explain how and why.

39. 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 of “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.

40. 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.

41. What percentage of the trials were: (a) Jury \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_%

 (b) Non-jury \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_%

42. 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?

43. State the approximate number of arbitrations or administrative hearings you have tried to conclusion or in substantial part. Briefly describe the types of matters heard during these hearings.

44. 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 \_\_\_\_\_ %

 (or District Court Juvenile Session)

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

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

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

 *Total* *100 %*

45. Specify how frequently, on average, you currently appear in court in connection with substantive proceedings (i.e., not routine scheduling or status conferences), either by number of times per week or number of times per month. If the frequency of your court appearances has changed over time, please explain how and why.

46. 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.

47. Have you served as an administrator, executor, trustee, receiver, or in any other fiduciary capacity? If so, please provide the details including the names and contact information for the parties and attorneys involved in the cases.

48. Have you served on any bar association referral panel, criminal justice panel, or legal aid or public defender boards of directors in the last 5 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.

49. *Optional*: Describe any substantial legal experiences and accomplishments that you think should be considered as part of your application and that are not covered above such as your experience as a professor or transactional attorney.

50. Have you ever previously applied for a state or federal judgeship? List all courts and years of application. If state, specify whether the JNC recommended you to the governor for nomination and, if so, whether the governor nominated you. If federal, please note appropriate information.

|  |  |  |  |
| --- | --- | --- | --- |
| **Court** | **Year** | **Recommended by JNC\*****(Yes/No)** | **Nominated by Governor\*****(Yes/No)** |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

 \*Or if other entity, please note.

**Activities**

51. List any activities or organizations in which you have participated to a significant extent in the last five years and, if you wish, prior to the last five 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.

52. 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.

53. List all books, articles or other publications that you personally have authored, including the citations, dates of publication, and names of any co-authors.

54. Have you held any appointive or elective public office, or have you been a candidate for elective office? If so, please provide the details, excluding information regarding political affiliation.

55. List all other organizations to which you belong that are active in lobbying before public bodies and include the names and contact information for the parties involved.

56. Please describe any experience you have had in budgeting or personnel management that has not already been discussed in the summary of your employment history.

57. 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.

58. 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.

**Conduct**

59. Have you ever been sued by (or yourself sued or assigned a claim for purposes of suing) 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. **Please remember to redact your name and any further identifying information.**

60. 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 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 were a guardian ad litem, executor or administrator.**

61. To the best of your knowledge, has any complaint been made against you to the Board of Bar Overseers? If so, please provide the details. For the purposes of this question, you need not disclose any matter disposed under Section 2.7(1) of the Rules of the Board of Bar Overseers. If you are currently a judge, has any complaint ever been made against you to the Commission on Judicial Conduct? If so, please provide the details.

62. 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).

63. 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.

64. 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.

65. State the nature and disposition of any of the following actions that apply to you:

* 1. Are there any unsatisfied judgments against you or your spouse?
	2. 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?
	3. In each case, please list the name and address of the creditor, the court that rendered the judgment, the docket number, the date, the amount of the judgment, and the circumstances on which such claim was based.

66. 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) been either judicially or non-judicially foreclosed? Please state the circumstances and outcome of any such unsatisfied or default judgment, or any foreclosure.

67. 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.

68. In the interests of full disclosure, is there any other information which the JNC 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.

**Health**

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

**Conflicts of Interest**

70. Identify, with particularity, every entity in which you have any interest, financial or otherwise.

71. List each debt or loan you owe of more than $10,000 to any non-family creditor and include in your response whether the debt is held jointly with your spouse.

72. 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 five 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.

* 1. 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.
	2. Please describe the nature of said interest and what steps, if any, you will take to avoid any potential conflicts of interest under the Code of Judicial Conduct should you be appointed to the bench?

**Additional Information**

73. List three cases, matters, transactions or activities in which you have significantly participated and of which you are the most proud, and explain why.

74. Why do you want to become a judge? *If you are already a judge, please explain why you are seeking a position on a different court.*

75. What are the four attributes or qualities you believe should be given the greatest weight in evaluating judicial candidates, and how do you assess yourself pursuant to those attributes?

76. 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 judge.

77. What is the greatest strength of the court to which you are applying and how would you preserve and improve upon that strength?

78. What is the greatest challenge confronting the court to which you are applying and how would you address it?

79. *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.

80. Please attach as Appendix A-1 one example of a brief, memorandum of law, or legal opinion or similar example of legal writing (not to exceed 20 pages) prepared solely by you within the last five years. If you do not have a sample of this length, please include an excerpt from a longer writing. **Please do not exceed the 20-page limit and remember to redact your name and any further identifying information.**