

# **2012 State Bar Court Judicial Appointment Application Instructions**

The pages that follow are the Microsoft Word version of the judicial application for the State Bar Court for 2012. This document can be filled out on your computer, and then printed out for mailing to the State Bar Court. This document has check boxes and fillable text fields to make completing this application easier. Alternatively, this document can be printed out in its blank form and filled out with a typewriter.

Once the application is completed, you can print it out and submit it along with all attachments. Make sure you follow all instructions in the application and include all necessary documents and other attachments (writing sample, reference labels, etc.). Please do not to bind, staple or permanently fasten the application materials together.

## **Applications should be sent to:**

The State Bar of California  
State Bar Court – JUDGE  
180 Howard Street, 6th Floor  
San Francisco, CA 94105-1639

**Application deadline is 5:00 p.m, Friday, March 16, 2012**

# 2012 State Bar Court Judicial Appointment Application Part 1

<b>1. State Bar Court Judge Position Sought:</b>				
<p><b>The State Bar Court has three (3) positions that are being filled:</b></p> <p><b>Presiding Judge -- San Francisco or Los Angeles (term expires 10/31/2018)</b> Appointed by the California Supreme Court</p> <p><b>Hearing Department Judge – San Francisco (term expires 10/31/2018)</b> Appointed by the California Supreme Court</p> <p><b>Hearing Department Judge – Los Angeles (term expires 10/31/2018)</b> Appointed by the Governor</p> <p>(Please see the Fact Sheet for details regarding these positions)</p>				
Please indicate which position(s) you are applying for: <input type="checkbox"/> Presiding Judge <input type="checkbox"/> Hearing Dept. (San Francisco ) <input type="checkbox"/> Hearing Dept. (Los Angeles)				
<b>2. Personal Information</b>				
Last Name		First Name		Middle
Address where you wish to be contacted. (You must list street address. P.O. Box is not acceptable.)				
Street Address		Apt.	City	State      Zip
Contact Information:		Home Phone:		
		Message phone:		
		Business Phone:		
		E-mail address:		
To complete our records, please indicate all other names you have used while working or going to school:				
Have you ever been employed by the State Bar of California in any capacity? If so, please provide job title(s) and dates of employment:				
California Bar Admission Date:			State Bar Number:	
If you are NOT a citizen of the U.S., are you legally allowed to work in the U.S.? <input type="checkbox"/> Yes If yes, enter your alien registration number here: <input type="checkbox"/> No				

### 3. Educational History—Colleges and Graduate Schools

School	From	To	Degree Received
School	From	To	Degree Received
School	From	To	Degree Received
School	From	To	Degree Received

### 4. Professional Work History

List all employment, starting with your most recent position. Please attach additional pages if necessary. Include job-related volunteer experience. If you were unemployed for any period during the last ten years, state the nature of your activities during that time.

Position		Employer Name		
Address	City	State	Zip	From (Date) To (Date)
Position		Employer Name		
Address	City	State	Zip	From (Date) To (Date)
Position		Employer Name		
Address	City	State	Zip	From (Date) To (Date)
Position		Employer Name		
Address	City	State	Zip	From (Date) To (Date)
Position		Employer Name		
Address	City	State	Zip	From (Date) To (Date)

**2012 State Bar Court  
Judicial Appointment Application  
Part 2**

**If you print this document out, please answer the following questions sequentially on plain, letter-size paper. The answers should be numbered and typed single-spaced. Please restate each question before each answer. Alternatively, this document can be filled in using a computer with Microsoft Word. Please enter your response in the field after each question.**

**If a question is not applicable, please so indicate.**

1. Have you ever held judicial office? If so, please give the details, including the offices involved, whether elected or appointed, and the periods of your service.
  
2. Are you now, or have you ever been, a candidate or an applicant for judicial office? If so, what offices were involved and were the position(s) elected or appointed?
  
3. Do you have any other judicial experience, such as serving as a commissioner, magistrate, judge pro tempore, administrative law judge, or as an arbitrator or mediator, either privately or through a judicial arbitration or mediation program? If so, please describe the nature and extent of your experience, including the dates of your service.
  
4. List all courts in which you are admitted to practice, including the dates of admission to each court.
  
5.
  - (a) List all bar associations and legal professional societies in which you are or have been a member and give the titles and dates of any offices you have held and committees on which you have served which you believe to be of particular significance.
  
  - (b) List all organizations and clubs, other than the bar associations and professional societies identified in response to Question 5(a), in which you have been a member, including the titles and dates of any offices you have held in such groups.

6. Describe the nature and extent of any free legal services you have provided to nonprofit organizations, indigent individuals and others, including the names and addresses of such organizations and/or individuals where appropriate.
7. Describe the nature and extent of your involvement in community affairs, including the specific organizations involved, the office(s) held in them (if any), and the periods of time you were involved with them.
8.
  - (a) Have you ever been convicted of any felony, misdemeanor or infraction or the violation of any law, regulation or ordinance? (Do not include traffic violations unless the violation (i) involved the use of alcohol or drugs; (ii) was connected with an accident; or (iii) resulted in a penalty other than a fine or forfeiture of bail not exceeding \$250.00.)
  - (b) Are you currently awaiting trial for any such incident?
  - (c) Have you ever been held in contempt of court or sanctioned in excess of \$1,000 by any court?
  - (d) Have you ever been granted immunity in lieu of criminal prosecution?
  - (e) Have you, to your knowledge, ever been under federal, state or local investigation for possible violation of a criminal statute?

If your answer to any of the above questions is “yes”, please give the details.

9. As an attorney or judicial officer, have you ever been disciplined or cited for a breach of ethics or professional conduct or been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group? If so, please give the details.

10. If you have ever served in the State Bar's disciplinary system, please give the dates of service, positions held and the nature of the work performed.
  
11. Please limit your answers to the following to a total of not more than one page:
  - (a) Why do you want to be a State Bar Court judge?
  
  - (b) Why do you believe you are qualified?
  
12. What is the general nature of your law practice? Indicate the nature of your typical clients and state any legal specialties you possess. If the nature of your practice has been substantially different in the past, please give the details, including the prior nature of your practice and the time period(s) involved.
  
13.
  - (a) Do you regularly appear in court? If so, what percentage of your court appearances in the last five years was in (i) state courts of record; (ii) federal courts; and (iii) other courts or administrative tribunals or agencies?
  
  - (b) What percentage of your litigation in the last five years was (i) civil; and (ii) criminal?
  
  - (c) What percentage of your trials in the last five years were (i) jury; and (ii) non-jury?
  
14. If you regularly represent clients in litigation, list the last ten (10) trials or significant litigated matters in which you participated, including (a) the names and addresses of counsel for other parties to the litigation; and (b) the names of the judges before whom the matters were tried or litigated.

15. If you do not regularly represent clients in litigation, list the names and addresses of counsel who represented other parties in your last ten (10) significant transactional or equivalent matters.
16. If you are a judicial officer or retired judicial officer, list the names and addresses of all counsel who have appeared in court before you in the last ten (10) trials or other significant proceedings.
17. Have you ever been regularly engaged in any occupation, business or profession other than the practice of law? If so, please give the details, including dates.
18.
  - (a) If you are currently an officer or director of any business organization or otherwise engaged in the management of a business enterprise, please give details, including the name of the enterprise, the nature of the business, your position title, the nature of your duties and the term of your service;
  - (b) If it is not your intention to resign from such position(s) and give up any other participation in the management or any of the foregoing enterprises, please so state and give reasons.
19. Have you ever been sued by a client? If so, please give the details, including a summary of facts, allegations and relevant dates; the name, current address and telephone number of each attorney in the case; and the disposition of the case.
20. Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? If so, please provide the details, including the amounts involved and the name, current address and telephone number of the claimant and claimant's counsel.
21. Have you ever been a party or otherwise involved in any other legal proceedings (other than as attorney for a party)? If so, give the details. Do not list proceedings in which you were only a guardian *ad litem* or stakeholder but include all proceedings in which you were a real party in interest, material witness, named as a co-conspirator or co-respondent, and any grand jury investigation in which you were a subject or appeared as a

witness. Please provide the name, current address and phone number for the parties in each case.

22. Have you filed all appropriate tax returns required by federal, state, local and other government agencies? If not, provide an explanation, including the amount at issue, date and resolution.
23. Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities? If so, give the details, including the amount at issue, the date and the current status of the claim or other collection procedure.
24. Are there any unsatisfied judgments against you or are you in default in any way in the performance or discharge of any duty or obligation imposed upon you by a decree or order of any court (including any orders for child and spousal support)? If so, please give the full details.
25. Have you ever been charged in any civil, criminal or administrative action with conduct alleged to involve moral turpitude, dishonesty and/or unethical conduct? If so, please provide the details, including the applicable dates and the names and current addresses and telephone numbers of the counsel for the adverse parties.
26. If allegations (irrespective of their accuracy) have been printed, broadcast or made public concerning you, your activities or any statements you have made, which reflect adversely on your character or job performance, please give details and explain.
27. Describe any aspects of your personal, business, professional or military conduct which may reflect either positively or adversely on you which you believe should be disclosed prior to further consideration of you for appointment to judicial office.
28. Have you published any legal books or articles? If so, please list them, giving the citations and publication dates.

29. List any honors, prizes, awards or other forms of recognition you have received.
30. Travel between the State Bar Court's venues in Los Angeles and San Francisco will be required. Is there anything that would preclude such travel on your part?
31. Are you able, with or without reasonable accommodation, to perform the duties and responsibilities of a State Bar Court judge? Those duties and responsibilities include, among other things:
- ❖ Attentively receiving, analyzing and concentrating on information for a total of eight or more hours within a workday of reasonable duration;
  - ❖ Perceiving a courtroom clearly, reviewing all types of evidence, including witness testimony and exhibits;
  - ❖ Reviewing and processing substantial volumes of information originally presented in written form (e.g., legal briefs, cases, exhibits and transcripts);
  - ❖ Comprehending oral presentations, arguments and testimony of attorneys, witnesses and others;
  - ❖ Absorbing, analyzing and weighing complex factual and legal issues quickly and accurately;
  - ❖ Responding to situations with discretion, judgment and restraint, while under pressure; and
  - ❖ Preparing written orders, decisions and opinions, making all appropriate findings of fact, conclusions of law and disposition or recommended disposition.
32. Please attach a sample of your legal writing, preferably a brief or memorandum filed in a court. The sample should not exceed 25 pages and should be fastened with a paper or binder clip. Please do not staple.
33. Please prepare and enclose with your application, mailing labels (**AVERY 5160 or 5162 template**) with the names and addresses of fifteen (15) individuals who are reasonably likely to have knowledge of your qualifications including, but not limited to, your industry, legal and judicial experience, judicial temperament, honesty, objectivity, community respect, integrity and ability. Please identify these labels as your personal references.

In addition, please prepare and separately enclose with your application, mailing labels with the names and addresses of the judges, counsel and others you have identified in your responses to Questions 14, 15, 16, 19, 20, 21, 24 and 25. Please identify these labels as your professional references.

34. Please sign and date your application and state, under penalty of perjury, whether the information contained in your application is true and correct.

**Please do not to bind, staple or permanently fasten the application materials together.**

**2012 State Bar Court  
Judicial Appointment Application  
Part 3**

I hereby authorize any governmental, licensing or law enforcement agency, including but not limited to, agencies of the government of the United States of America, and agencies of the State of California, employers, educational institutions and other individuals and agencies (hereinafter collectively referred to as "agencies") to release to the State Bar of California any and all information which said agencies or any of them may have about me, for the limited purpose of aiding the State Bar of California and the Supreme Court's Applicant Evaluation and Nomination Committee in evaluating my qualifications for appointment to the State Bar Court. This release extends to any and all information which said agencies or any of them have about me, whether public, personal or confidential. I understand that I will not receive and am not entitled to know the contents of confidential reports received from these agencies and I further understand that these reports are privileged.

I hereby release, discharge and exonerate the agencies, their agents and representatives and any person furnishing information from any and all liability of every nature and kind arising out of the furnishing and inspection of such documents, records or other information. I also waive the provisions of Code of Civil Procedure section 1542, which states as follows:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which, if known by him, must have materially affected his settlement with the debtor."

This release shall be binding on my legal representatives, heirs and assigns.

I declare each of the answers to the questions in this application to be complete and true to the best of my knowledge. I understand that this application, other information and the record of confidential evaluation forms will be forwarded to the Supreme Court if I am interviewed or nominated.

\_\_\_\_\_  
Applicant's signature

\_\_\_\_\_  
Date

Parts 1 through 3 of this 2012 State Bar Court Judicial Appointment Application must be received no later than 5:00 p.m. on Friday, March 16, 2012 at the following address:

The State Bar of California  
State Bar Court – JUDGE  
180 Howard Street, 6th Floor  
San Francisco, CA 94105-1639