



May 2012

TIPS ON COMPLETING YOUR APPLICATION FOR A SUPERIOR COURT APPOINTMENT

1. INTRODUCTION.

If you have seriously considered becoming a trial court judge, you may feel intimidated by the prospect of completing the judicial application, especially since you must complete the final online version all in one sitting. You will be required to disclose detailed personal and private information. Some of the information may be very time consuming to compile. However, the application itself is really simple.

You can complete the application if you work on the draft of the application incrementally, with a clear organizational plan in mind. We list below some things to consider before you begin your journey, and, on the last page, we suggest a plan of action for tackling the draft of your application. Good luck!

2. KNOW WHAT YOU ARE GETTING YOURSELF INTO.

Select a sitting or retired judge to mentor you through the application process --- you will need a cheering section. Then do the following:

- i. Go to the governor's website: www.gov.ca.gov/s_judicialappointments.php
- ii. Print out the instructions for completing the application. The instructions for judicial appointment include the instructions for application to both the Appellate Court as well as the Superior Court. Pay particular attention to the section on completing the Superior Court Judicial Application. DO NOT click on the link for — "[Superior Court Application](#)" at the end of the instructions section. You will not go to that link until the very end of the process.
- iii. Download a copy of the application worksheet by clicking on the link "[review application](#)" and save it as a Word document. This will serve as your worksheet/working draft. You will be able to cut and paste into the final online version of your application portions of your working draft (e.g., your significant cases, your essays, etc.). This will save time as well as give you a document you can print out, and review carefully for errors with your mentor judge before you complete your application online.
- iv. Read the application straight through to familiarize yourself with the types of information you will have to provide, and make notes regarding the sources from which you can obtain the requested information.

3. KNOW WHAT YOU HAVE TO GO THROUGH.

The governor's office makes an initial evaluation of your application. Members of the governor's local Judicial Selection Advisory Committee ("JSAC") help the governor vet you. The membership of the JSACs is not officially made public. You will not be apprised of either the substance or the source of the information received by the JSAC, and you will not be given an opportunity to rebut any negative assessments of your candidacy.

The JSAC evaluation likely includes a Google search of your name, as well as 20-30 phone calls to colleagues and judges and other personal contacts in your community, and not necessarily those listed on your application. For example, if it is learned through a Google search that you were engaged in a protracted trial, and opposing counsel was not mentioned in your application, that person might be contacted.

If your application on its face shows that you are smart, well-rounded and have the breadth of life experience sought by the governor, and if the vetting process by the JSAC uncovers no areas of concern, your application will be forwarded to the State Bar's Commission on Judicial Nominees Evaluation ("JNE Commission") for formal vetting. Currently, the threshold for sending a candidate to JNE is much higher than it has been under prior administrations. If you are sent to JNE for evaluation, the current administration considers you a viable candidate for appointment.

Note, you must undergo a formal evaluation by the JNE Commission before the governor can appoint you. (This highlights how crucial it is your application makes it to the JNE Commission, *which in turn is dependent on the strength of your application.*) It is important at this juncture to review the rules of procedure governing the JNE Commission as well as Rule 7.25 which mandates the qualities the JNE Commission must consider in evaluating candidates: www.calbar.ca.gov/AboutUs/JudicialNomineesEvaluation.aspx.

Every individual noted on your application - your supporters as well as persons who may be less than enthusiastic about your aspirations - will get a JNE Commission evaluation form and will be able to weigh in on whether or not you should be appointed. However, during the JNE commission evaluation process, you will be apprised of any criticisms about you that have been found to be "substantial and credible" and you will be given an opportunity to respond to those criticisms during an interview with your assigned JNE commissioners. After your JNE interview, the full JNE commission considers you, and reports to the Governor's office a rating of exceptionally well qualified, well qualified, qualified, or not qualified.

In addition to being vetted by the local JSAC and the JNE Commission, you will likely also undergo an evaluation by your county bar association. In that process, your county bar association will gather information about you and also give you a rating of exceptionally well qualified, well qualified, qualified, or not qualified, and report its rating to the Governor's office.

4. KNOW YOURSELF.

You need to be candid with yourself about why you are suited to be a judge, and why you want to be a judge. This is also a good time not only to reflect upon whether there is anything in your personal or professional background that would detract from your suitability as a judge, but also how you will address any issues in your background in your application. While at the State Bar Web site, check your own State Bar record for accuracy. You must disclose in your application any complaints against you and any record of discipline, including any sanctions in excess of \$1,000. Also do a Google search of yourself, as it is certain, as previously mentioned,

that the governor's office, as well as the various screening committees, will also Google you or check other social media sites.

5. KNOW YOUR LEVEL OF COMMITMENT TO THE ULTIMATE GOAL.

If, after reading the application worksheet and doing a candid self-evaluation you still wish to pursue becoming a judge, we recommend that you schedule three sessions with yourself, during which you devote time to answering the questions in the order that we suggest on the following page. The time intervals between each session can be as long or as short as you choose, but you should give your application priority. Completing the draft application is more of a marathon than a sprint, so keep moving forward.

6. KNOW THE CONSEQUENCES OF INATTENTIVENESS.

Keep in mind that this is probably the most important job application that you will ever complete. Typographical errors, grammatical errors, and general sloppiness will suggest that you will approach your judicial duties in the same careless and haphazard way. While there are no "litmus tests" for appointment - such as extensive trial experience, a particular party affiliation, or view on the death penalty - failure to fully and candidly answer a specific question could automatically preclude you from appointment.

Before submitting your final application, make sure you let your mentor judge, and at least two very close - and very candid - friends review your final product. Be open to constructive criticism, and make valid suggested changes to your application. Finally, please review again the instructions on the governor's website, make sure you are ready to comply with all requirements, and that you know what you must submit.

7. GET READY TO GO ONLINE TO SUBMIT YOUR FINAL APPLICATION.

After you have completed your draft and incorporated all of the desired changes based on the suggestions from you mentors/advisors into your word worksheet, it will be time to submit your application online. Allow yourself at a minimum three hours to complete this task. *Remember that you must complete the application in one sitting.* You cannot save work in progress and log off and come back at a later time without having to start all over again.

- i. Open up your Word worksheet so it will be available when you get ready to copy and paste the text of your essays and other lengthy entries. Also, have a hard copy of your application available for reference as you enter information in the dropdown menus online.
- ii. Go to the governor's website and now go to the very end of the instructions section and click on the link "Superior Court Application." This will take you to the online version of the application. Carefully read and make sure you understand the instructions.
- iii. Start to enter your information. Remember that while you must complete the application in one sitting, you do have three hours to complete each page of the application before the system will "time-out." Fortunately by pressing "add another entry" you can easily reset the three-hour timer.
- iv. Each time after you copy and paste an entry from your worksheet into the actual application, be sure to carefully proof read your work. Be alert to formatting changes

(e.g., apostrophes that get converted to question marks when pasted into the application) that may have occurred.

- v. After you submit your application online, you must mail a copy of your Authorization and Release form and application attachments (e.g., writing samples, resume, photograph, etc) to the governor's office.

COMPLETING THE TRIAL COURT APPLICATION IN THREE SESSIONS

SESSION ONE: ORDER OF QUESTIONS TO BE ANSWERED

| | | |
|--|--|---|
| 1-6. Your name, preferred position/county, ethnicity, etc. | 23. Prior judicial applications | *59. Describe your hobbies and/or personal interests |
| 7-12. Personal info, spouse, etc. | 24. Candidate for judicial office | 63. Moral turpitude charges |
| 13-14. Political party/dates | 25. Military service | 65. Bonded positions |
| 15. Your state legislators ¹ | 32. Able to perform judicial duties | 68-69. Unpaid judgments / orders; Tax liens/collections |
| 16. Bilingual abilities | 36. Total number career trials | 70. Current on tax returns |
| 17. Educational background | 45-46. Current/past judicial officer; 10 big cases handled | 72. Opposition to appointment |
| 18-19. Current employment | 48. Officer/director of business | *39. 10 big career cases – start ² |
| 20. Current specializations | 51. Non-lawyer licenses & proof of good character | 29. Essay – “Why do you want to be a judge?” 1 st draft ³ |

SESSION TWO: ORDER OF QUESTIONS TO BE ANSWERED

| | | |
|--|---|---|
| 21-22. Bar exam, Courts you can practice in. | 34-35. Variety of practice-past 5 years. | 60 - 61. Arrests/convictions/ investigations; Lawsuits/civil proceedings/bankruptcies |
| 26. Work History / Supervisors | 37. Detail re 5 most recent trials | 62. Bar discipline/sanctions |
| 27. Essay-Background-why qualified | 44. Teaching experience- college, university, law school | 64. All licenses, suspensions, disciplines, charges |
| *30. Professional accomplishment most proud of | 45-46. Current/past judicial officer, 10 big cases, more work | 66-67. Any clients sued you; Malpractice claims |
| *31. Describe your personality | 49. Income from other than law | 74. 5 personal references - draft |
| 33. Specific areas of experience | 50. Other public offices held | 39. 10 big cases – more work on |

SESSION THREE: ORDER OF QUESTIONS TO BE ANSWERED

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|--|---------------------------------|--|
| 38. Big cases resolved without trial in last 5 years | 52. Writings/publications | 73. Disclosures re negatives |
| 40. Your published cases | 53. Honors, awards, prizes | 28. Essay – Role of attorney /judge in improving society |
| *41. Number of depositions | 54-56. Bar assns, private clubs | 39. 10 big career cases - finish |
| *42. Number of oral arguments | 57. Pro bono legal services | 29. Essay – “Why do you want to be a judge” final draft |
| *43. Most significant law-related activities | 58. Community service/affairs | 74. List 5 personal references – final list |
| 47. Pro tem/arbitrator work | 71. Bad press re character | Other things to do – gather writing samples, photo, resume |

*Denotes a newly added or amended question to the judicial application by the current administration.

¹ [Http://www.assembly.ca.gov](http://www.assembly.ca.gov) (Go to: “Find My Representative”)

² First, list only the names of 12-13 cases that might serve as your significant cases handled as counsel. These cases may include matters mediated or cases resolved before trial. The JNE Commission will send each opposing counsel and judge listed in your application an evaluation form. Include any high-profile cases, as they may well be found through a Google search anyway. To locate current contact information of opposing counsel, co-counsel or judges, go to “ATTORNEY SEARCH” at www.calbar.ca.gov. If you can’t locate a retired judge, indicate the judge is retired.

³ Think seriously about why you want to be a judge. This essay will speak volumes about what kind of judge you will be. For your final essay, follow the “Goldilocks Rule” and make sure that the essay is: Not too hot/not too cold; not too big/not too little; not too hard/ not too soft; it should be just right!