

**GOVERNOR’S JUDICIAL NOMINATIONS ADVISORY COMMITTEE**

**CANDIDATE QUESTIONNAIRE**

*Please place your answer to each question in the spaces provided below. If more space is needed, please attach additional pages as necessary. If in lieu of a written answer you prefer to speak with the Committee Chair or Governor’s Legal Counsel on a matter you regard as sensitive, please so indicate. Thank you.*

**I. PERSONAL**

A. Name \_\_\_\_\_

1. Full name \_\_\_\_\_

2. Have you ever used or been known by any other name? \_\_\_ Yes \_\_\_ No.

If yes, please provide.

\_\_\_\_\_

B. Court(s) for which you wish to be considered:  
\_\_\_\_\_  
\_\_\_\_\_

C. Contact Information

1. Preferred U.S. mail address \_\_\_\_\_

2. Website Link (if any) \_\_\_\_\_

D. Citizenship and Residency

1. Are you a citizen of the United States? \_\_\_ Yes \_\_\_ No

2. How long have you resided in the State of Maine? \_\_\_ Years

3. How long have you resided in the State of Maine immediately preceding the date of this application? \_\_\_ Years \_\_\_ Months

E. Family

1. Marital status: \_\_\_ Married \_\_\_ Single \_\_\_ Divorced \_\_\_ Widowed.  
How long have you been in that status?  
\_\_\_\_\_

## II. EMPLOYMENT AS AN ATTORNEY

*If you are a sitting judge, please move to section III.*

- A. What has been the general character of your law practice, dividing it into periods with dates, if the character has changed over the years?

- B. Describe the areas of law in which you have primarily specialized.

- C. Describe briefly your primary clients and your most significant representations.

- D. Describe briefly what you regard as your two most significant litigated matters. Identify briefly the parties you represented, nature of the issues, final disposition, the cases' significance, and citations if the cases were reported.

- E. Litigation and Appearances

*For purposes of this section, "litigation" and "appearance" mean contested proceedings such as motions for injunctive relief, suppression of evidence, pre-trial conferences, and the like.*

1. With respect to the **last five years**:

a. Have you appeared in court regularly, occasionally or not at all? If the frequency of your appearances in court has varied, please explain.

b. What percentages of your litigation have been:

- 1. Civil \_\_\_\_\_ %
- 2. Criminal \_\_\_\_\_ %

c. What percentages of your litigation have been:

- 1. Trial \_\_\_\_\_ %
- 2. Appellate \_\_\_\_\_ %

d. What percentages of your appearances have been in:

- 1. Federal Court \_\_\_\_\_ %
- 2. State Supreme Judicial Court \_\_\_\_\_ %
- 3. State Superior Court \_\_\_\_\_ %
- 4. State District Court \_\_\_\_\_ %
- 5. Other Courts \_\_\_\_\_ %
- 6. Administrative agencies (identify) \_\_\_\_\_ %

e. Estimate the number of cases in courts of record that you have tried to verdict or judgment (rather than settled), indicating whether you were sole, lead or supporting counsel.

f. What percentages of your trials have been:

1. Jury \_\_\_\_\_ %
2. Non-jury \_\_\_\_\_ %

2. With respect to the period **before the last five years**, was your practice meaningfully different than during the most recent five years listed above?

\_\_\_ Yes \_\_\_ No

If yes, please explain.

3. What percentage of your work, if any, has been mediations: \_\_\_%

4. Have you consistently complied with Maine Bar requirements to earn annual continuing legal education credits? \_\_\_ Yes \_\_\_ No If no, please explain.

### III. EXPERIENCE AS A JUDGE OR MAGISTRATE

Have you ever served as a judge or magistrate? \_\_\_ Yes \_\_\_ No. If no, please move to *section IV*. If yes, please:

A. List courts and dates.

B. Identify particular skills or expertise that you have developed on the bench.

- C. Identify what you regard as the most important lessons you have learned on the bench.

- D. Identify and explain what you regard as the three most significant cases over which you have presided.

- E. Identify and explain what you regard as the three most significant opinions, with citations if any, that you have written.

- F. Characterize the frequency with which your decisions have been appealed and overruled.

G. Identify and explain what you regard as the primary cases, if any, over which you presided that raised public controversy or debate.

H. Disclose whether, while a judge, you have:

1. Participated in any proceeding in which you had stock or other financial interest in one of the parties of the matter of controversy?  Yes  No. If yes, please explain.

Did you disclose that interest prior to the commencement of the trial?  
 Yes  No. If no, please explain.

2. Received any compensation from outside sources for any service rendered, including a service for charitable or non-profit organization.  
 Yes  No. If yes, please explain.

**IV. ASSOCIATIONS**

**A. Military Service**

1. Have you served in the military, reserves or other? \_\_\_ Yes \_\_\_ No. If yes, please identify:
  - a. Branch of service \_\_\_\_\_
  - b. Dates of service \_\_\_\_\_
  - c. Rank at time of discharge \_\_\_\_\_
  - d. Awards or citations \_\_\_\_\_

**B. Public Office**

1. Have you ever held public office other than judicial office? \_\_ Yes\_\_ No. If yes, please identify the office, whether you were elected or appointed, and the length and dates of your service.

2. Have you ever been an unsuccessful candidate for elective public office? \_\_\_ Yes \_\_\_ No. If yes, please identify the office and date.

**C. Businesses**

Have you in the last ten years been an officer or director or otherwise engaged in managing any business enterprise? \_\_\_ Yes \_\_\_ No. If yes:

1. Provide the name of the enterprise, nature of the business, title or description of your position, nature of your duties and term of service.

2. Is it your intention to resign such positions and withdraw from any participation in the management of such enterprises if you are nominated and confirmed? \_\_\_ Yes \_\_\_ No. If no, please explain.

**V. ADVERSARIAL PROCEEDINGS**

*If you answer “yes” to any part of the questions in this section, please explain in the space below, noting question number. Include as applicable the offense, name and place of the court or agency, parties, dates of the beginning and end of any action or proceeding, case numbers, dollar amounts, nature of the claims and defenses, and judgment or other disposition.*

To the best of your knowledge and recollection:

A. Have you ever: (If yes to any question asked, please explain where indicated below.)

1. Failed to answer any summons or other legal process served upon you personally at any time? \_\_\_ Yes \_\_\_ No
2. Been sued by a client? \_\_\_ Yes \_\_\_ No
3. Defaulted in the performance of any court-imposed obligation, including payment of alimony or child support or compliance with another court order or decree? \_\_\_ Yes \_\_\_ No
4. Been a party or otherwise involved in any other legal proceeding? *(Include all legal proceedings in which you were named as a party-in-interest, including divorce/dissolution proceedings, a material witness, a named co-conspirator or correspondent, and any grand jury investigation in which you were a subject, or in which you appeared as a witness. Do not include proceedings in which you were sued only in a representative capacity such as guardian ad litem.*  
\_\_\_ Yes \_\_\_ No.
5. Had any unsatisfied judgments against you? \_\_\_ Yes \_\_\_ No
6. Had property owned by you either judicially or non-judicially foreclosed?  
\_\_\_ Yes \_\_\_ No

7. Had a restraining, protection from harassment or abuse, or other order entered against you?  
\_\_\_ Yes \_\_\_ No

*(Note question # with explanation)*

## **VI. HEALTH**

Is there any reason why you may not be able to perform the essential job functions with or without reasonable accommodation? \_\_\_ Yes \_\_\_ No. If yes, please explain.

## **VII. LEGISLATIVE QUESTIONS**

The Legislature's Joint Committee on the Judiciary typically asks a broad range of questions of judicial nominees. Because the following are among those most often asked, please briefly state your views on:

- A. Your willingness to apply the law notwithstanding your personal disagreement with it.

B. A judge's obligation to respect legislative will.

C. Whether judicial proceedings ought to be open to the press and public.

D. How the system of justice in Maine can be improved.

E. Mandatory sentencing.

F. Releasing the names of, and extending leniency to, juveniles.

- G. Remedies other than fines that a court might impose on indigent criminal defendants.

**VIII. REFERENCES**

*These references are confidential and will not be disclosed to the applicant.*

Please list the names, email addresses, and phone numbers of:

- A. Two persons the Committee may contact to discuss your personal character and background.

- B. Three other persons the Committee may contact to discuss your professional competence and qualifications.

**IX. OTHER**

Please provide any other information that may reflect positively on you that you believe should be disclosed.

**X. CERTIFICATION, AUTHORIZATION AND WAIVER**

I hereby certify that, to the best of my knowledge, the information provided in this questionnaire is true and complete. I waive any privilege of confidentiality I may have with respect to information concerning my qualifications that the Committee may desire to obtain for its own confidential use. I authorize the Committee to obtain and examine my personnel files from current and past employers, and to obtain information, records, and documents regarding me from any credit reporting agency, law enforcement agency, court, taxation, bar or other occupational licensing board, educational institution and disciplinary body. I further authorize these institutions, organizations, and individuals to make available to the Committee all confidential and non-confidential documents, records, and information concerning me that the Committee may request. I understand that, if I am nominated, copies of my resume and this Questionnaire will be provided to the Legislature for public review, and that my Appendix to this Questionnaire will be subject to private review by requesting members of the Legislature.

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Signature of Applicant

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Printed Name

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Date

*Please proceed to the Appendix on the next page*

**APPENDIX TO CANDIDATE QUESTIONNAIRE**

***INFORMATION EXEMPT FROM PUBLIC DISCLOSURE  
UNDER MAINE FREEDOM OF ACCESS ACT***

*Please place your answer to each question in the spaces provided below. If more space is needed, please attach additional pages as necessary. If in lieu of a written answer you prefer to speak with the Committee Chair or Governor's Legal Counsel on a matter you regard as sensitive, please so indicate. Thank you.*

**I. PERSONAL INFORMATION**

A. Contact Information

1. Mobile telephone \_\_\_\_\_
2. Email \_\_\_\_\_
3. Home address \_\_\_\_\_
4. Work telephone \_\_\_\_\_

**II. FAMILY INFORMATION**

A. Full names and occupations of current spouse or domestic partner, and each former spouse or domestic partner, if any.

B. Names and ages of children, and occupations of those over 18 years old.

C. Please disclose any family circumstances that could reasonably be viewed as having a negative bearing on your actual or perceived fitness to serve as a judge.

### III. COMPLAINTS, CHARGES OF MISCONDUCT OR DISCIPLINARY ACTIONS

*If you answer “yes” to any part of the questions in this section, please explain in the space below, noting question number. Include as applicable the offense, name and place of the court or agency, parties, dates of the beginning and end of any action or proceeding, case numbers, dollar amounts, nature of the claims and defenses, and judgment or other disposition. Again, if in lieu of a written answer you prefer to speak with the Committee Chair or Governor’s Legal Counsel on a matter you regard as sensitive, please so indicate.*

To the best of your knowledge and recollection:

A. Have you ever:

1. Been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of complaint to, any court, administrative agency, Attorney General, Board of Overseers of the Bar, bar association, disciplinary committee, or other professional group?  Yes  No
2. Been under federal, state or local investigation for possible violation of a criminal statute?  Yes  No
3. Been arrested, charged with, pled guilty or “nolo contendere” to, or been convicted of the violation of any law or ordinance, or been requested to appear before any prosecuting or investigative agency in any matter other than minor traffic offenses?  Yes  No
4. Had any proceedings brought to have you declared a ward of any court or adjudged an incompetent?  Yes  No
5. Been involved in a client fee dispute procedure?  Yes  No
6. If you served in the military, been:
  - a. Less than honorably discharged?  Yes  No
  - b. The subject of any charges that may have resulted in disciplinary action or court martial?  Yes  No
7. Been suspended or expelled from a secondary, college or graduate school, or withdrawn from such a school with misconduct allegations or charges pending?  Yes  No
8. Been terminated from a job for disciplinary reasons, or resigned from such a job with misconduct allegations or charges pending?  Yes  No

9. Have you ever had a harassment, sexual harassment or discrimination allegation brought against you? \_\_\_ Yes \_\_\_ No

*(Note question # with explanation)*

- B. Have you or any of your immediate family members, business partners or associates ever been under federal, state or local investigation for possible violation of a criminal statute? \_\_\_ Yes \_\_\_ No. If yes, please explain.

#### **IV. CREDIT/FINANCIAL INFORMATION**

*If you answer "yes" to any part of the questions in this section, please explain in the space below, noting question number. Include as applicable the offense, name and place of the court or agency, parties, dates of the beginning and end of any action or proceeding, case numbers, dollar amounts, nature of the claims and defenses, and judgment or other disposition.*

To the best of your knowledge and recollection:

- A. Have you ever:
1. Made an assignment for the benefit of creditors? \_\_\_ Yes \_\_\_ No
  2. Had a tax lien or other collection procedure instituted against you by federal, state or local authorities? \_\_\_ Yes \_\_\_ No
- B. If requested, are you willing to furnish to the Committee Chair or Governor's Legal Counsel a list of assets and liabilities and copies of your federal and state income tax returns for the past three years? \_\_\_ Yes \_\_\_ No. If no, please explain.

**V. HEALTH**

A. Have you ever been treated for, or had any problem with, alcohol or drug dependency? \_\_\_ Yes \_\_\_ No. If yes, please explain.

**VI. OTHER PERSONAL CONDUCT HISTORY**

A. Please disclose any:

1. Social media websites to which you have posted images or text.

2. Such posts that may reasonably be raised to question your actual or perceived fitness or qualifications to serve as a judge.

3. If requested, are you willing to furnish to the Committee Chair or Governor's Legal Counsel your passwords to social media accounts about which a reasonable question has arisen? \_\_\_ Yes \_\_\_ No. If no, please explain.

**VII. OTHER INFORMATION RELATED TO GENERAL CHARACTER**

- A. Please identify any personal or professional matter or circumstance that may reasonably be raised to question your actual or perceived fitness or qualifications to serve as a judge.

- B. Please provide any other information that may reflect adversely on you that you believe in good faith should be disclosed.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date