SUPER SECRET INSIDERS GUIDE TO BECOMING A STATE COURT JUDGE
NAPABA CONVENTION 2017

Panelists: The Honorable Justice Doris Ling-Cohan, New York Supreme Court
The Honorable Judge Holly Fujie, California Superior Court
The Honorable Delegate Mark Keam, Virginia House of Delegates

Moderator: State Representative William Tong, Connecticut General Assembly

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CALIFORNIA
APPLICATION FOR APPOINTMENT AS
JUDGE OF THE SUPERIOR COURT

1. Name of Applicant:

2. Prior names used by Applicant (include the dates each name was used):

3. Preferred Judicial Position (you are not required to live in the county):

Judge of the Superior Court of the State of California, County of:

4. If you would like to be considered for an appointment as a Superior Court Judge in another jurisdiction, please identify the county or counties in order of preference and describe your ties and connections to, and activities in, each county.

5. Date of Birth: ________________   Place of Birth: _________________________
   Driver’s License Number
   Social Security Number
   California Bar Number
   Admission Date (month/day/year)
   (Eligibility requirement: Member of the California State Bar for 10 years preceding your application.)

INFORMATION FOR REPORTING PURPOSES

6. State law requires the Governor’s Office to collect, on an aggregate statewide basis, demographic data relative to ethnicity, race, disability, veteran status, gender, gender identity and sexual orientation (Gov. Code, §12011.5, subdivision (n)). To assist the Governor’s Office with these reporting obligations, applicants are asked to voluntarily provide this information below. YOUR ANSWERS TO THESE QUESTIONS ARE PURELY VOLUNTARY AND YOU MAY FREELY SKIP ANY OR ALL OF THESE QUESTIONS AND GO DIRECTLY TO QUESTION 7. If you choose to respond, use the categories below to choose the one(s) with which you most closely identify.

Please identify your gender:   Male _____   Female _____
American Indian or Alaska Native: A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

Asian: A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent. The category includes, but is not limited to people that identify themselves as Cambodian, Chinese, East Indian, Filipino, Japanese, Korean, Malaysian, Pakistani, Thai, or Vietnamese.

Black or African American: A person having origins in any of the original peoples of Sub-Saharan Africa.

Hispanic: A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

Native Hawaiian or Other Pacific Islander: A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

White or Caucasian: A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Other: Self-identify your race or ethnicity here ________________________________

Please identify your sexual orientation/gender identity:

Heterosexual

Lesbian

Gay

Bisexual

Transgender
Please identify if you are a veteran as that term is defined in Section 101(2) of Title 38 of the United States Code:

☐ Yes
☐ No

Please identify if you are person with a mental or physical disability as that term is defined in subdivisions (j), (l), and (m) of California Government Code Section 12926:

☐ Yes
☐ No

PERSONAL INFORMATION

You are expected to respond fully and honestly to all requests and questions below. Interpret the questions broadly rather than narrowly, and when in doubt, err on the side of disclosure.

7. Provide your current residence address and county.

    Street
    City                     County  State  Zip

8. Provide your previous residence addresses for the last ten years, and provide the approximate dates you resided at each.

9. Provide your preferred mailing address.

    Street
    City                     State  Zip

10. Provide your current cell phone, residential telephone number and e-mail address.

    Phone: (___) ___________  Cell: (___) ___________
Home e-mail: ____________________________________________

11. Are you a citizen of the United States? Yes ______ No ______

If you are a naturalized citizen, set forth the date and place of your naturalization.

Date: _______________ Place: __________________________________

12. Provide the full name, occupation and business address of your spouse, if married, or your domestic partner, if registered, and the names and birth dates of your children, if applicable.

13. Are you a registered voter? Yes ______ No ______

a. Identify the county in which you are registered to vote. ________________ County

14. List all current and past political party affiliations, with dates of affiliation.

15. Identify your State Senator ________________ and Assembly Member ________________

16. Identify any languages other than English that you either understand proficiently or speak fluently.

EDUCATIONAL INFORMATION

17. Set forth your complete educational history, in chronological order, beginning with high school. For each school or other institution attended, provide the name of the institution, the dates you attended the institution, the degrees you received (if any), and the dates you received the degrees.

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a. Set forth your undergraduate major.

b. Set forth any significant extracurricular activities (e.g., student groups, law review, volunteer activities, etc.) in which you participated while in college or law school.

PROFESSIONAL / CAREER INFORMATION
18. Set forth your professional title, and the name of your business, firm or office. Provide your current business or professional address, and the phone number, fax number, and e-mail address.

Professional Title

Business/Firm/Office

Street

City        County        State        Zip

Phone: (____) __________________       Fax: (____) __________________

E-mail: ______________________________________________________

19. Describe with specificity the nature of your current employment.

20. If you currently practice law, identify your subject-matter areas of emphasis or specialization, if any, including but not limited to, areas of specialization certified by the State Bar of California, and a description of your typical clients.

21. List the approximate month and year in which you passed the Bar exam in this state and in any other jurisdiction in which you are admitted.

22. List all courts in which you are presently admitted to practice, including the date of admission for each court. Provide the same information for administrative agencies that have special admission requirements.

23. If you previously applied for a judicial appointment, specify the year(s) and the position(s) sought. If you interviewed with the Commission on Judicial Nominees Evaluation, please provide the approximate date of your interview.

24. Have you ever been a candidate for judicial office? If so, identify the date(s) of candidacy, the position(s) you sought, the court(s) involved, and whether you were elected.

25. Indicate the periods of your military service, if applicable, including the dates, the branch in which you served, your rank or rate, your serial number, and type of discharge.
26. Set forth your complete professional work history, including your current job, in inverse chronological order. For each job, provide:

a. the name and address (including county) of the employer,
b. the position held,
c. a brief summary of the job duties and a description of your typical clients,
d. the name and current phone number and address of your supervisor,
e. the dates you held the position, and
f. your reason for leaving.

QUALIFICATION / SUITABILITY FOR JUDICIAL APPOINTMENT

27. Describe your personal background, character, personality traits, professional and life experiences, education, training, and/or skills which make you qualified and suitable for a judicial appointment and which you believe enrich your ability to serve as a judge.

28. What role can an attorney or judge play in making our society a better place? Relate any personal or professional efforts you have made in this regard.

29. Why do you want to be a judge? What would you seek to accomplish if appointed?

30. What professional accomplishment are you most proud of?

31. How would you describe your personality?

32. Are you able to perform, with or without reasonable accommodation, the essential requirements of a superior court judge? These requirements include, among other things:

- Attentively receiving, analyzing and concentrating on information for a total of eight or more hours within a work day of reasonable duration;
- Perceiving a courtroom clearly, reviewing all types of evidence, including exhibits;
- Reviewing and processing substantial volumes of information, originally presented in written form (e.g., legal briefs, cases, jury instructions, transcripts);
- Comprehending attorneys and others;
- Absorbing, analyzing and weighing complex issues quickly and accurately; and,
- Responding to situations with discretion, judgment, emotional and mental discipline, and restraint while under pressure.
SPECIFIC LEGAL EXPERIENCE

33. Describe in detail your experience, if any, in the following areas of law-related work:
   a. Civil law.
   b. Criminal law.
   c. Juvenile, family or probate law.
   d. Corporate and/or transactional law.
   e. Litigation (trial and/or appellate).
   f. Administrative.
   g. House or staff counsel.
   h. Legislative.
   i. Other law-related work (specify).

34. Within the past five years, approximately what percentage of your law-related work has been devoted to the following:
   a. Litigation.
   b. Administrative.
   c. Legislation.
   d. Alternate dispute resolution, including arbitration or mediation.
   e. Teaching.
   f. Other law-related work (specify).

35. In the past five years, describe how frequently you have done the following on behalf of a client (approximate times per month, on average):
   a. Appeared in federal trial and/or appellate court.
   b. Appeared in state trial and/or appellate court.
c. Appeared before an administrative law judge, or other tribunal.

d. Appeared before a board, commission, panel, legislative committee, or other body.

e. Participated in an alternative dispute resolution proceeding.

f. Participated in any other judicial or quasi-judicial proceeding.

36. For your entire career, state the number of cases you have tried to verdict or judgment in federal or state trial courts.

37. For the trials identified in the preceding answer that occurred in the last five years, provide the following additional detail (if more than five trials in the last five years, limit your response to the five most recent trials): (1) case name, (2) case number, (3) court, (4) trial date, (5) type and brief description of the case, (6) the party that you represented, (7) the judge, (8) the names, current addresses and phone numbers of counsel for the other parties, (9) the names, current addresses and telephone numbers of co-counsel, if applicable, and (10) whether it was a jury or non jury trial.

38. For the past five years, list the five most significant matters you have resolved without trial (e.g., by dispositive motion, settlement, negotiation). For each matter, provide the name of the entity or tribunal involved, case name, type and description of case, dates involved, party you represented, name of the judge or other decision maker, resolution or disposition, names, current addresses and telephone numbers of counsel for the other parties, and the names, current addresses and telephone numbers of co-counsel, if applicable.

39. For your entire career, list the ten most significant matters you have handled as counsel (which may include one or more of the matters listed in your response to the preceding questions and may include trials, arbitrations, mediations, or cases that were resolved before trial). For each matter, provide the name of the entity or tribunal involved, case name, type and description of case, dates involved, party you represented, name of the judge or other decision maker, resolution or disposition, names, current addresses and telephone numbers of counsel for the other parties, and the names, current addresses and telephone numbers of co-counsel, if applicable.

40. Provide legal citations to all reported cases or decisions identifying you as a counsel of record.

41. For your entire career, estimate the number of depositions you have either taken or defended.

42. For your entire career, estimate the number of oral arguments you have conducted related to a dispositive motion.
43. To the extent not listed above, provide one or two examples of the most significant law-related activities on which you have worked in the last five years that did not involve an actual "case or controversy" (e.g., policy work, legal research and/or writing, committee or task-force work, public speaking, mentoring, a corporate transaction, bar activities, etc.).

44. If you have taught at a college, university or law school, identify the school and the dates that you taught, and describe the nature of your appointment and the course(s) you taught.

**JUDICIAL OR QUAB - JUDICIAL EXPERIENCE**

45. Are you currently serving as a judicial officer or quasi-judicial officer:

   a. Identify your judicial or quasi-judicial position: ____________________________

      i. Were you appointed? Yes ________  No ________

         Date of appointment: ____________________________

      ii. Were you elected? Yes ________  No ________

         Date of your election: ____________________________

46. If you have served as a judicial officer or quasi-judicial officer, provide the following information:

   a. The dates you served as a judicial or quasi-judicial officer.

   b. Your duties.

   c. List ten significant cases in which you presided as the judicial officer or quasi-judicial officer. For each case, provide the case name and number, a brief description of the case, the dates involved, and the names, current addresses and telephone numbers of counsel for the parties. Furnish a copy of any opinions, orders or decisions that you rendered in those cases that included substantial discussion of legal issues.

47. Describe the nature and extent of your service, if any, as a judge pro tem, arbitrator, mediator or neutral. Describe the more significant cases and identify the counsel involved, including names, current addresses and phone numbers, and dates of your service.

**BUSINESS INTERESTS OR OTHER PROFESSIONAL EXPERIENCE**
If you are now an owner, officer, director, manager or supervisor of any business enterprise (whether for-profit or non-profit), identify the name of the enterprise, nature of the business, title of your position, nature of your duties, term of your service, and whether you intend to resign the position immediately upon your appointment to judicial office. If you do not intend to resign, please provide the reasons.

During the past five years, have you received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization or association? If so, identify the source of the compensation, nature of the business enterprise, institution, organization or association, dates the compensation was paid, and the nature of any services rendered by you.

Have you ever held public office other than a judicial office, or have you ever been a candidate for such an office? If so, provide the details, including the office(s) involved, whether you were elected or appointed, the county and state in which you held office, and the dates of your service.

Have you ever held or applied for a commission, certificate, credential or license which required proof of good character, other than admission to practice law? If so, identify the date(s) of application, the issuing authority, the disposition of any such application, and, if granted, your number and present status.

Describe your significant legal writing. In addition, if you have written, edited or published any legal or non-legal books, articles, letters to the editor or reports, please list them, giving full citations, dates, and a general description of the subject matter. Please attach a copy of any letters to the editor or op-ed articles you have authored.

List any honors, prizes, awards, scholarships, fellowships or other forms of recognition with dates you have received.

List all bar associations, committees, and legal professional societies in which you are, or have been, a member. In addition, give the titles and dates of any offices you held or subcommittees on which you served.

List all organizations, boards, clubs, associations or other groups (other than the bar associations and professional societies identified above) in which you have been a member. Regarding those organizations, identify the titles and dates of any offices you have held or committees on which you served.
56. Are you a member of any club, organization, association or group that by policy or practice prohibits or limits its membership on the basis of race, color, religion, sexual orientation, gender, disability or national origin? Have you ever been? If so, identify the organization and provide details.

57. Describe the nature and extent of any free legal services you have provided to non-profit organizations, indigent individuals or others, including the names and addresses of the organizations and/or individuals and dates of service.

58. Describe the nature and extent of your involvement in community activities or community affairs other than those associated with the legal profession.

59. Describe your hobbies and/or personal interests.

**ADDITIONAL QUESTIONS**

60. Have you ever been:

   a. Summoned, cited, arrested, taken into custody, indicted, convicted or tried for, or charged with, or pleaded guilty or no contest to, the violation of any felony, misdemeanor, or infraction violation (excluding traffic infractions)?

   b. Ordered to appear before any prosecuting attorney, investigative agency, or administrative tribunal, in any matter, military or civil?

   c. Ordered to appear as a party to any grand jury investigation in which you were identified as a subject, or in which you appeared as a witness. If so, provide the details, including the date, description of the alleged offense, locality and disposition.

61. Have you ever been a party to, or claimed an interest in, any civil proceedings (including dissolution of marriage, bankruptcy, damage suits, etc.)? Include all legal proceedings in which you were a party in interest, a material witness, or named as a co-conspirator or co-respondent. Do not list proceedings in which you were merely a guardian ad litem or stakeholder. Provide the names, current addresses and telephone numbers of counsel for the parties in each case.

62. As an attorney or judicial officer, have you ever been:

   a. Disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to, any court, administrative agency, bar association, disciplinary committee or other professional group?

   b. Sanctioned in excess of $1,000 by any court or for contempt in any court or tribunal having the power of contempt? If so, give the details, including the relevant dates and the names, current addresses and telephone numbers of the judges involved.
and the counsel for the adverse parties. (Identify every complaint even if it was dismissed, did not result in disciplinary action or a finding of contempt.)

63. (You have been permitted to proceed to this question by affirmatively answering in response to Question #5 that you have met the mandatory eligibility requirement to serve as a judge on a California court. ("A person is ineligible to be a judge of a court of record unless for 10 years immediately preceding selection, the person has been a member of the State Bar or served as a judge of a court of record in this State." (Cal. Const, Art. VI)) 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, provide the particulars, including the applicable dates and the names, current addresses and telephone numbers of the counsel for the adverse parties.

64. As a member of any organization, or as a holder of any office or license (including a driver's license), have you ever:

a. Been suspended, or otherwise disqualified, or had such license suspended or revoked?

b. Been reprimanded, censured or otherwise disciplined?

c. Had any charges, formal or informal, been made or filed against you? If so, state the complete facts and identify the dates, the disposition, and the organization in possession of the relevant records.

65. Have you ever held a bonded position? If so, specify the nature of the position(s), the date(s), and the amount of bond.

a. Has anyone ever sought to recover upon your bond or to cancel your bond? If yes, provide the details.

b. Have you ever been refused bond? If yes, provide the details.

66. Have you ever been sued by a client? If so, provide the particulars, including the case name and number, court, resolution, and name, current address and telephone number of counsel for the plaintiff.

67. Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? If so, provide the particulars, including the amounts involved and the name, current address and telephone number of the claimant and claimant's counsel.

68. 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 decree or order.
of any court (including any orders for child and spousal support)? If so, state the full details.

69. Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities? If so, provide the particulars, including the amount at issue, the applicable dates, and the status of the matter.

70. Have you always filed appropriate tax returns as required by federal, state, local and other government agencies? If not, provide an explanation, including the amount at issue, date and resolution.

71. If any articles or allegations have ever been printed or broadcast or otherwise made public concerning you or your activities, views or statements (irrespective of factual accuracy) which may reflect adversely on your character or job performance, identify the material, explain fully, and attach a copy of each publication to this application. (If the volume is extensive, attach representative samples of the publications and specify where the balance may be reviewed.)

72. Are you aware of any individual(s) or group(s) who might oppose your appointment? If so, identify the potential opponents and provide any needed explanation.

73. Describe any aspects of your personal, business, educational, professional conduct or background, which might reflect adversely on you or the Governor or might embarrass you or the Governor or which you believe should be disclosed to the Governor in connection with your application for appointment to judicial office.

FURTHER INFORMATION

74. Please list five references (name, current address, telephone number, and a short one-sentence description of your relationship to the reference).

Please attach your photograph (optional) and a copy of your resume. Attach a sample or samples of your legal writing (such as an appellate brief, memorandum of points and authorities, advice letter, legal opinion, etc.). The sample(s) should not exceed a total of 50 pages.
Navigating Judicial Appointments Under the Brown Administration

Yolanda Jackson

Josh Groban, senior advisor to the governor in the Judicial Appointments Unit, traveled to The Bar Association of San Francisco (BASF) from Sacramento on a Thursday evening in January to speak to a crowded room of aspiring judges and bar association representatives about how to get a judicial appointment in the Governor Jerry Brown administration. The evening was presented by BASF’s Judicial Mentorship Program.

Groban, before joining the governor’s office, served as legal counsel for Governor Brown’s 2010 campaign and previously practiced law at Munger, Tolles & Olson in Los Angeles. Prior to that, he practiced at Paul, Weiss in New York and also clerked in the Southern District of New York.

Groban was extremely candid, factual, and well received. Here are the nuggets of information he had to share.

The Application

The California Judicial Application can be found online at http://gov.ca.gov/s_judicialappointments.php.

Spend the necessary amount of time carefully completing your judicial application. This is an online process and the application is lengthy. Be sure to carefully catalog the major cases that you have worked on. It is recommended that you notify, in advance, those people that you have listed as references. Make sure there are no typos or grammatical errors in your application and be sure to read the instructions thoroughly and follow them closely.

Letters of Recommendation: Be sure to include “thoughtful” letters of recommendation. The ideal number is two to six letters, definitely not thirty or forty letters. They should be from people who really know you, your work ethic, your skills, and your attributes. The reviewers are not impressed by politician or celebrity names if the letters from them don’t convey that they “know” you and your professional values. Supplemental materials, such as letters of recommendation, can come in after you submit your packet and will be attached to your application. However, it is best if your letters are submitted early because this administration does its review and thorough vetting of applications before they go to the Commission on Judicial Nominees Evaluation (JNE).

Endorsements: Endorsements from bar associations are very helpful; however, the bar associations should clearly explain the vetting process they went through in recommending you. If the vetting process does not appear to be thorough, then the endorsement is not given much weight.

Governor Brown’s Process

Governor Brown appointed a Judicial Appointments Unit instead of a Judicial Appointments Secretary like past governors have done. One unique feature of the unit is that it heavily vets applicants before they go to the JNE Commission, not after, like the prior administration.

Proofread and then proofread again and then let a trusted friend or colleague proofread your final application.
The governor’s Judicial Appointments Unit pores through every application that it receives. The unit will make phone calls to the references listed by the applicant and others, and the governor himself will sometimes make phone calls on an applicant. But frankly, not much weight is put on the feedback from these references.

Regarding the infamous Judicial Selection Advisory Committees (JSAC), often referred to as the “secret committees,” Groban emphasized that “yes” they are consulted, but that they are not kingsmakers, and that under the Brown administration these committees do not keep applicants from getting through the process. The main role of these committees is to assist with vetting and reference phone calls.

The governor’s office sends a batch of applicants’ names to the JNE Commission every three to four months. It also sends names to various county bars for them to vet. Groban stated that the value of the JNE Commission in the process is that it is very thorough, its questionnaire is very helpful, it often has in-person interviews with applicants before the governor’s office ever meets the candidates in person, and its feedback from these interviews is instructive and useful. However, Groban emphasized that the governor has the power to appoint judges, not the JNE Commission.

Once the JNE Commission, the JSAC, and county bar associations have vetted the applicants that were originally sent through the process by the governor’s office, the governor’s office then decides who it will interview.

**Governor Brown’s Approach**

Casting aside typical gatekeeper rules, this governor will appoint candidates who belong to other political parties. There is no candidate that is too young or too old. These criteria are no longer barriers to being appointed. There are certain types of past experience that are not barriers to appointment by this administration. An applicant’s past experience can include in-house counsel, transactional work, public defender, or academia. The number of cases an applicant has tried is not an issue with this governor. He will also consider candidates who were previously sent to the JNE Commission under a prior administration, but who were never appointed.

An applicant’s ties to more than one county can be a plus, as that candidate will be considered for appointment to the bench in more than one county.

Governor Brown may appoint an applicant to the appellate court without that applicant having first served on the superior court.

**What This Governor Is Looking for in Traits and Attributes**

Josh Groban was clear in stating that Governor Brown is looking for judicial candidates who have intellectual curiosity. Governor Brown is known to participate in some of the interviews of candidates so that he can personally explore the candidates’ undergraduate studies, what the topic of their thesis was, who their favorite authors are, the subjects of scholarly articles they may have written, and what their personal focus was on law review in law school, for example.

He is interested in individuals who are well rounded, interesting, and who have rich life experiences. He learns this by asking questions such as how the candidate is engaged in his or her community and what books the candidate has read lately.

The governor has a “no jerks policy” in that he wants candidates who are known for having a good and judicial temperament. He wants judges who have good values and who are fair. He often views this through the lens of “whether their minds can be changed” on any given topic. On March 1, 2012, the Administrative Office of the Courts (AOC) released demographic data on the ethnicity, race, gender, gender identity, and sexual orientation of California state judges and justices.

The data show an increase in the percentage of female appellate court justices and trial court judges in 2011.
Since the beginning of his term, Governor Brown has been very clear that he is interested in appointing a diverse group of judges. He is accomplishing this by casting aside the gatekeeper rules that have traditionally existed, in part by changing the ways the JNE Commission and JSAC are utilized in the vetting process. Look for future AOC demographic data to reflect the efforts of the Brown administration's work to diversify the California bench.

Yolanda Jackson is the deputy executive director and director of diversity for The Bar Association of San Francisco. She can be reached at yjackson@sfbar.org and you can follow her on Twitter @YolandaSFBar.
The Path To The California Bench

What to Expect When Applying for a Judicial Appointment or Nomination in the Golden State

By Hon. George F. Bird and Kimberly A. Knill

Law360, New York (December 13, 2016, 4:53 PM EST) -- California’s court system is the largest in the nation and serves a population of more than 38 million people — about 12 percent of the total U.S. population. The state’s judiciary consists of 2,171 authorized judge positions in the superior courts of California’s 58 counties, 105 authorized justice positions in the six divisions of the courts of appeal, and seven Supreme Court justices. In Los Angeles County, the Legislature has approved 483 judicial offices in the superior court and 32 judicial offices in the Second District Court of Appeal.

Superior court judges in California are appointed by the governor. Court of appeal and Supreme Court justices are nominated by the governor and must be confirmed by the Commission on Judicial Appointments before the appointment becomes effective. Under some circumstances, judges may also be elected by the public. Once appointed, a judge is required to compete in the next general election cycle on a nonpartisan ballot in order to retain his or her seat on the bench. This article addresses the appointment/nomination process and shares the experiences of several recent Governor Brown appointees to the Los Angeles County Superior Court.

Judicial applications can be found on the governor’s website and differ slightly depending on the court where appointment is sought. The application is intended to attract applicants from throughout the legal system and to result in a judiciary that is diverse in experience, gender, ethnic background, and geography. Those who have reviewed the application know it can appear daunting, and completing it will be a time-consuming task. Having a mentor judge who has successfully navigated the process can be invaluable. Starting a judicial application might be likened to reviewing jury instructions before filing a complaint — it provides a road map and sets forth the necessary elements for a successful outcome. Knowing the information the governor requests and finds important will assist the applicant in preparing for the task of submitting a comprehensive application.

A lawyer must practice law in California for 10 years before applying for the bench. Having passed the bar examination, most candidates will likely be presumptively qualified to know the law. What, then, are the qualities that set apart one applicant from the next? Most judges and lawyers agree impeccable judicial temperament is a paramount quality of a great judge. The application should therefore demonstrate the candidate’s patience, appropriate demeanor, ability to maintain decorum in difficult circumstances, and similar attributes indicative of fitness to manage a heavy courtroom calendar with ease and finesse. The applicant should as well describe life experiences that demonstrate good judgment and temperament and should spotlight these experiences in the application.
The judicial application requires the candidate’s personal reflection on past legal and nonlegal experiences, education, training, practice areas, community service and involvement, teaching and writing history, bar association involvement, family life, hardships, leadership roles, and similar life experiences. The application requires the candidate to provide thoughtful insight on why he or she wants to become a judge, what the candidate has done to contribute to society, what role judges and attorneys serve in society, and similar-themed topics. It requires detailed explanations about past cases, including case names and numbers, names of opposing counsel, and the judge who presided over matters handled by the applicant. The candidate will also be asked to provide a writing sample.

Before the governor may appoint a judge to any superior court, or nominate a candidate to become a justice of any appellate court, the applicant must undergo an investigation and be rated by the State Bar Judicial Nominees Evaluation (JNE) Commission. After submission of a judicial application, the governor decides whether or not to send the candidate to the JNE Commission for vetting. A candidate sent to JNE ordinarily will be required to undergo vetting by local bar associations as well. The multiple layers of vetting are designed to provide the governor with as much information as possible before making a decision on who should be a judicial officer.

The JNE Commission operates under the authority of Government Code section 12011.5 and the JNE Rules, which can be found on the state bar website. The commission consists of up to 38 members, mostly attorneys and retired judges, but also non-attorney public members. The commission convenes for a two-day meeting six times each year to evaluate candidates at the governor’s request. The commission conforms to strict rules of confidentiality to ensure its investigations of judicial candidates are undertaken with integrity, to encourage the free flow of information, and to promote the gathering of facts and opinions from members of the bench and bar without fear of recrimination by those who submit feedback.

When the governor submits a judicial candidate to JNE for vetting, JNE assigns two to four commissioners to each candidate investigation. In the lead commissioner’s first contact with the candidate, the commissioner asks the candidate to provide a list of all persons referenced in the judicial application and another list of up to 75 personal references. Over the next 60 days, the investigating commissioners solicit input and feedback from members of the bench and bar familiar with the candidate’s legal work and reputation through use of a confidential comment form (CCF), usually sent through email. In addition to sending CCFs to those on the candidate’s two lists, the commissioners send CCFs to randomly selected members of the bar and to members of the bench in the county in which the candidate is applying.

During the course of the investigation, the commissioners follow up on comments they receive and make other inquiries to arrive at a recommended rating. The commission evaluates numerous qualities during this process, including impartiality, freedom from bias, industry, integrity, honesty, legal experience broadly, professional skills, intellectual capacity, judgment, community respect, commitment to equal justice, judicial temperament, communication skills and job-related health. In addition, superior court candidates are expected to have the qualities of decisiveness, oral communication skills, and patience. Court of appeal candidates are expected to have the qualities of collegiality, writing ability and scholarship, while Supreme Court candidates are expected to have the qualities of collegiality, writing ability, scholarship, distinction in the profession, and breadth and depth of experience.

The candidate’s final step in the JNE investigative process is to interview with the investigating commissioners. No later than four days before the interview, the commissioners must disclose to the candidate as specifically as possible without breaching confidentiality, any substantial, credible and corroborated adverse allegations — sometimes referred to as “negatives” — related to temperament, industry, integrity, ability, experience, health, physical or mental condition, or moral turpitude that would be determinative of unsuitability for judicial office unless rebutted. The candidate is given ample time to address any concerns at the interview.

At the full commission meeting, each candidate is discussed, and the commission assigns one of the following ratings: exceptionally well qualified, well qualified, qualified, or not qualified. At the conclusion of the investigation, the commission’s findings and rating are memorialized in a confidential report to the governor. Only a candidate rated not qualified is permitted to request a
reconsideration of the JNE rating.

Senior members of the bench who are familiar with the judicial selection process offer the following advice. The governor is looking for candidates who will perform the judicial function with distinction. The applicant should be prepared to demonstrate in the application and interviews what the applicant has done to make this a better world. Has the applicant served as a temporary judge? Has the applicant performed pro bono work? What has the applicant overcome in life? Does the applicant have a compelling or incredible story that has taught life lessons that give the applicant an appreciation for those less fortunate who will be appearing before him or her?

The most common mistake that can derail an applicant’s chances for appointment is the failure to disclose a lawsuit, judgment, lien, arrest, or other negative event that the applicant hoped would never be discovered. Such failure to disclose magnifies the significance of the underlying event and generally weighs heavily against the applicant successfully emerging from the JNE investigation and evaluation. If the JNE investigative process uncovers undisclosed negative matters that the candidate clearly should have disclosed in response to the specifics of a question in the application, it can be a deal breaker. Consequently, candidates should err on the side of overinclusion in the judicial application.

After the JNE report reaches the governor's office, the JNE Commission has no further input or involvement with the candidate. The governor’s decision to interview, appoint or nominate is made at the governor’s discretion and on the governor’s timetable, up to 11:59 p.m. on the last day of the governor’s term in office.

Below, several recent appointees to the Los Angeles Superior Court reflect on their experiences with the judicial selection process.

---

**Judge Michelle Ahnn**  
**Former deputy alternate public defender**  
**Currently assigned to a misdemeanor courtroom**

**Q:** What advice would you give to someone wanting to become a judge?

**A:** Persevere, make sure you maintain a good reputation among the bench and opposing counsel, and be yourself. Also, be prepared for it to take some time for your appointment. Make friends with others going through the process. I found that going to numerous networking events was much more enjoyable with someone who could introduce me to new people and vice-versa. Keep in mind this is not a competition and just because someone gets appointed does not mean you won’t. I found it helpful to view others going through the appointment process as a support network rather than a competition.

**Q:** How did you prepare for the JNE interview and how long did it last?

**A:** My interview lasted about 45 minutes. In order to prepare, I did a mock interview with a recent appointee, which was extremely helpful in helping me formulate my answers and to anticipate
questions. I also spoke with five other people who had been recently interviewed by JNE and found out what questions were asked. I was asked about which judge I admired. The judge had been a former prosecutor and I admired her for setting aside her “DA hat” and ruling without regard to her former role as a prosecutor.

**Q: What is the one thing you might do differently if given the chance?**

**A:** During the process, I reviewed my application several times, especially before the JNE, LACBA and Mr. Groban interviews, because I knew I would be asked questions about it. Reading through it, I definitely would have changed some of my answers. I think if I could do it over, I would have written my application and then put it away for a few months before submitting it to make sure I really did like the way I answered the questions. Looking back, I wish I had put it aside after I thought it was okay and waited a few months to give me some more perspective and fresh eyes.

---

**Judge Kevin Stennis**

*Former deputy district attorney*

*Currently assigned to a misdemeanor courtroom*

**Q: What is the one thing you might have done differently if given the chance?**

**A:** The one thing I would have done differently ... I was a party to a lawsuit and I wish I had given the interviewers my documents showing the person suing me was irrational *prior* to the interview. I spent too much time trying to explain the lawsuit during the interview whereas, if I had given them the documents prior to the interview, I believe less time would have been spent trying to explain the lawsuit. I gave the LACBA interviewers the documents prior to the interview and fortunately, I did not have to spend the interview explaining the lawsuit with them.

**Q: What was the most enjoyable part of the process?**

**A:** Getting the call from Josh Groban!!!

**Q: What advice would you give someone wanting to become a judge?**

**A:** I would advise people to treat everyone with dignity and respect and use the saying from the great coach John Wooden, “The time to make friends is before you need them.”
Judge Rupa Goswami
Former Assistant United States Attorney
Currently assigned to a misdemeanor courtroom

Q: What advice would you give to someone wanting to become a judge?

A: Do everything you want to do as an attorney. Go be president of a bar — but not co-president. Do pro bono work. Fundraise for your favorite charities. You cannot do these things after you become a judge. Once a judge, always a judge. No more cut-off daisy Dukes, itty-bitty shorts for you. No more screaming at the slow car in front of you. No more ripped-up sweatpants on the weekends. Even off the bench, you are still a judge.

Q: What was the most enjoyable part of the process?

A: My JNE interview! My commissioners had so many questions. It went on forever, but my sense was they wanted to know. They were well prepared and spent a lot of time talking about my judicial philosophy, which is something I am thinking about to this day. They really made me feel that my application was ripe and they were challenging me to think deeply about what kind of judge I would be, if appointed.

Q: What did you dread, and was it as bad as you thought?

A: I dreaded having the CCFs go out. There was a problem with the electronic CCFs, and none of my colleagues at the Department of Justice received theirs thanks to a spam filter; only the federal public defenders received theirs.

Q: What would you have done differently if given the chance?

A: I would not have been so shy about telling my personal story. I was embarrassed by my childhood, which was rocky, but the JNE commissioners really seemed to want to know about those rough patches.
Judge Michael Small
Former senior counsel at Akin Gump Strauss Hauer and Feld LLP
Assigned to a small claims courtroom

Q: What is the one thing you would you might do differently if given the chance?
A: Probably relaxed a bit more.

Q: What was the most enjoyable part of the process?
A: Receiving very nice notes from friends and colleagues who said that they said good things to JNE about me in their evaluations.

Q: What advice would you give to someone wanting to become a judge?
A: Go for it! It's a great job.

Q: How has being a judge changed your life?
A: I was very fortunate to have had a very interesting career as a lawyer and law professor before I become a judge. I loved my prior life in the law. But I love judging even more. I am honored to have this job.

Judge Rupert Byrdsong
Former partner at Ivie McNeill & Wyatt PLC
Currently assigned to a misdemeanor courtroom

Q: What advice would you give to someone wanting to become a judge?
A: I would first want to know why the person wants to be a judge. If the person is seeking power and prestige, I would have some concerns. If a person has a genuine passion for the law and for what the law can do to help the community, I would say apply right now. Attorneys should approach their practice with the levels of professionalism, competence and ethics to establish an unimpeachable reputation. Attorneys should not simply represent their clients, but they should represent the profession: be responsible, be fair, be reasonable, and be honest.

Q: What was the one thing you learned going through the JNE vetting process that you never considered before applying for a judicial appointment?

A: I learned that EVERY interaction you had with opposing counsel can be the game-changing information for a positive application. Even though litigation is by its nature an adversarial process, you must remain professional and reasonable at all times. If you had negative interactions with opposing counsel, you demonstrate the ability to work well with people with different views and objectives.

Q: How has becoming a judge changed your life?

A: I have a greater sense of pride knowing that I am making a difference in the community. My position enables me to influence lives for the better. Finally, the bench is less stressful than the rigors of the business and practice of law. I am proud to serve on the greatest court system in the world!

Judge Rob Villeza
Former Assistant United States Attorney
Currently assigned to a misdemeanor courtroom

Q: How did you prepare for the JNE interview and how long did it last?

A: Mock interviews. Then more mock interviews. It’s easy to talk about your strengths, but it helps to prepare to discuss any perceived weaknesses, and a great boost if you’re prepared to turn those weaknesses into positive talking points.

Q: What is the one thing you might do differently if given the chance?

A: I submitted my application without asking others to review it. At the very least, you’ll catch more typos if others read it first.

Q: What did you dread, and was it as bad as you thought?

A: Doing the research for the application-collecting names and addresses/phone numbers for defense counsel, etc., and compiling the list of 75 names for JNE and LACBA. On the upside, I
called many of those names and reconnected so they knew they might be contacted.

**Q: What advice would you give to someone wanting to become a judge?**

**A: I would probably offer different advice depending on the stage of the process. If the person has not yet applied, I would encourage the person to get the application and begin to think about their responses, then work on areas that might be considered weak spots, i.e., trial or courtroom experience, community work, etc.**

**Q: How has being a judge changed your life?**

**A: I do a job that I love, with time to enjoy life outside of work.**

---

**Judge Mark Hanasono**  
**Former deputy public defender**  
**Currently assigned to a high volume misdemeanor calendar court**

**Q: What was one thing that you learned going through the JNE vetting process that you never considered before applying for a judicial appointment?**

**A: Talking about myself and asking others for help made me feel uncomfortable. I learned that there are many people out there who are willing to help and are generous with their time.**

**Q: What was the most enjoyable part of the process?**

**A: The humbling feeling of receiving support from so many people.**

**Q: What advice would you give to someone wanting to become a judge?**

**A: Really understand what a judge does, and determine if this is what you really want to do.**

**Q: How has being a judge changed your life?**

**A: I am much more mindful of each facet of courtroom operations. I am more appreciative of professionalism by attorneys.**
Judge Frank J. Menetrez
Former appellate judicial attorney at the Court of Appeal, Second Appellate District
Currently assigned to a juvenile dependency courtroom

Q: What was the one thing you learned going through the JNE process that you never considered before applying for a judicial appointment?

A: That the process can consist of long periods of completely uneventful waiting, punctuated by brief periods of intense activity. When you hear from JNE, you are given a short deadline to submit names and addresses of persons to whom JNE should send review and comment forms. Shortly after that comes the JNE interview, followed by more waiting for an interview with the governor’s appointment secretary.

Q: What was the most enjoyable part of the process?

A: The interview with the appointments secretary, Josh Groban. It was a long and comprehensive interview, and a bit unnerving, because Josh is very good at not giving any signs of how well or how poorly the interviewee is doing. He really gives nothing away. But it was just an interesting and challenging conversation, and in the end I really enjoyed it.

Q: What advice would you give to someone wanting to become a judge?

A: Before applying, be a good lawyer and be good to your colleagues, both friends and adversaries. JNE sends out lots of review and comment forms, and they are taken very seriously. After applying, be patient. Some applicants sail through quickly, but others take much longer. The vetting of judicial candidates is a long, multilevel administrative process, and can slow down or break down at any number of points for any number of reasons.

Q: How has being a judge changed your life?

A: An easier question would be: How has it not changed your life? As we learn at New Judge Orientation, we’re not just judges when we are on the bench. We’re judges 24/7, and we need to conduct ourselves at all times in a manner that will reflect well on the courts. That’s an enormous responsibility. And when you take it seriously, as I do, it ramifies in all sorts of directions. It affects everything you do.

George F. Bird is a judge of the Los Angeles Superior Court and was appointed by Governor Edmund G. Brown Jr. on March 27, 2015. Prior to his appointment, he practiced law for nearly 30 years and was a certified criminal law specialist. He is a former member of the Commission on Judicial Nominees Evaluation of the State Bar of California.

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Merit Selection of Judges

ARTICLE I

General Provisions

Sec. 51-44a-1. Creation

The Judicial Selection Commission was established by section 2 of article twenty-five of the amendments to The Constitution of the State of Connecticut, and section 51-44a of the General Statutes. The commission consists of twelve members appointed as provided by section 51-44a of the General Statutes.

(Effective December 22, 1994)

Sec. 51-44a-2. Authority

(a) The commission shall seek qualified candidates (including incumbent judges seeking appointment to a different court) for consideration by the governor for nomination as judges for the superior court, appellate court, and supreme court, as provided by section 51-44a (f) of the General Statutes.

(b) The commission shall evaluate incumbent judges who seek reappointment to the same court, as provided by section 51-44a (e), of the General Statutes.

(Effective December 22, 1994)

Sec. 51-44a-3. Principal office and official address

(a) The principal office of the commission is located at 165 Capitol Avenue, Room 241, Hartford, CT 06106.

(b) All communications shall be addressed to the Judicial Selection Commission at its principal office.

(Effective December 22, 1994)

Sec. 51-44a-4. Commission operation—signature of documents

(a) The members of the commission shall elect a chair from among the members appointed by the Governor, as provided in section 51-44a (c) of the General Statutes.

(b) The commission’s recommendations and findings shall be signed by the chair on behalf of the commission.

(Effective December 22, 1994)

Sec. 51-44a-5. Applicability of regulations

These rules govern practice and procedure before the Judicial Selection Commission of the State of Connecticut under the applicable laws of the State of Connecticut, except where otherwise provided by statute.

(Effective December 22, 1994)

Sec. 51-44a-6. Definitions

The definitions provided by section 51-44a of the General Statutes govern the interpretation and application of sections 51-44a-1 to 51-44a-21, inclusive, of these regulations. In addition, and except as otherwise required by the context:

(1) "Candidates for judicial office" means persons who have submitted complete applications for consideration for appointment as a judge and judges who have submitted completed applications for reappointment to the same court or appointment to a different court.

(2) "Commission" means the Judicial Selection Commission of the State of Connecticut.
§51-44a-6

(2-97)

(3) "Commissioner" means a person appointed to serve as a member of the commission when acting as such.

(4) "Chair" means the commissioner elected to preside at all meetings and any hearing of the commission pursuant to section 51-44a of the General Statutes. The members of the commission may, by vote, designate a vice chair or another commissioner to serve as chair in the event the commission elected chair is for any reason unable to serve.

(5) "Interview" means the portion of the commission procedures, as authorized by section 51-44a of the General Statutes, in which the commission meets with and interviews a candidate for judicial office.

(6) "Preliminary examination" means the procedure used by the commission, including any background investigation; public comment; comment from the Connecticut Bar Association Judiciary Committee, the Judicial Branch Chief Court Administrator, the Statewide Grievance Committee, and any report and recommendation from the Judicial Review Council; applications and related documents submitted to the commission; and an interview of a candidate by which the commission makes a decision whether or not to recommend a candidate for consideration for judicial appointment or to conduct a hearing as provided in section 51-44a (e) of the General Statutes.

(7) "Hearing" means the proceedings by which the commission makes further inquiry concerning an incumbent judge following a preliminary examination, as provided in section 51-44a (e) of the General Statutes.

(Effective December 22, 1994)

Sec. 51-44a-7. Staff

The commission shall employ such staff as is necessary for the performance of its functions and duties, as provided in section 51-44a (k), of the General Statutes.

(Effective December 22, 1994)

ARTICLE II

Procedure for Consideration of Candidates for Judicial Office

Sec. 51-44a-8. Solicitation of candidates

(a) As provided in section 51-44a (f) of the General Statutes, the commission shall seek qualified candidates for consideration by the Governor for nomination as judges for the Superior Court, Appellate Court and Supreme Court.

(b) All candidates seeking consideration for appointment to judicial office, including incumbent judges seeking reappointment, or appointment to a different court, shall complete the appropriate application forms promulgated by the commission.

(c) The commission shall seek such background information as it deems appropriate, including interviews with the bar, judges, and the general public on each candidate for judicial office, including incumbent judges seeking reappointment, or appointment to a different court, and including any transcript of a relevant public hearing, inquiry or proceeding prior to conducting an interview with the candidate.

(d) Prior to conducting an interview with judges seeking reappointment or appointment to a different court, the commission will obtain from the Judicial Review Council, pursuant to section 51-51q of the General Statutes, its recommendation concerning appointment or reappointment, including the report of any complaint filed against any such judge, the disposition of such complaint, and any investigation of such judge by the Judicial Review Council, provided the Judicial Selection
Commission shall not consider any investigation of the Judicial Review Council which resulted in the exoneration of a judge.

(e) Prior to conducting an interview with judges seeking reappointment or appointment to a different court, the commission will solicit comment from:
   (1) The Connecticut Bar Association Judiciary Committee;
   (2) The Judicial Branch Chief Court Administrator; and
   (3) The practicing bar, by publishing notice in appropriate legal periodicals, including, but not limited to, the Connecticut Law Journal, the Connecticut Law Tribune, and the Connecticut Trial Lawyers publication. These notices will be placed in the periodicals sufficiently far in advance to assure that comments will be received before the first interview.

(Effective December 22, 1994)

Sec. 51-44a-9. Interviews
(a) The commission shall conduct an interview with each candidate for judicial office.
(b) The interview of a judge seeking reappointment shall be held at such a time that, if the commission votes that further inquiry is necessary and that the commission will hold a hearing, notice of the hearing, as provided in section 51-44a (e) can be sent to the judge not less than 180 days before the convening of the legislative session that will consider the judge’s reappointment.

(Effective December 22, 1994)

Sec. 51-44a-10. Continuation of interviews
After commencing the interview of a candidate for judicial office, the commission may, upon a vote of a majority present and voting, continue the interview in order to obtain additional information concerning the candidate for judicial office before voting to recommend or not to recommend.

(Effective December 22, 1994)

Sec. 51-44a-11. Quorum and voting
(a) A quorum of the commission for taking official action, as determined in accordance with section 51-44a (e) and (i) of the General Statutes, shall be required for the commission to act.
(b) Votes of the commission on recommendations for the appointment as a judge or reappointment as a judge shall be in accordance with section 51-44a (e) and (i) of the General Statutes.
(c) Within thirty days after the completion of the interview with a judge seeking reappointment, the commission shall vote whether it will then recommend that judge for reappointment. In the event that the commission determines that further inquiry is necessary, it shall proceed in accordance with section 51-44a (e) and (g) of the General Statutes to schedule and conduct a hearing. In no event shall any incumbent judge be denied or recommendation for reappointment without being afforded a hearing in accordance with the statutes.
(d) The chairs shall promptly notify in writing each candidate for judicial office of the commission’s decision whether to recommend or not to recommend.

(Effective December 22, 1994)

Formal Requirements

Sec. 51-44a-12. Hearings, record and procedure
(a) When further inquiry is necessary before a recommendation of reappointment may be made, the commission shall conduct a hearing in accordance with the procedure contained in section 51-44a (e) and (g) of the General Statutes.
(b) The commission shall conduct the hearing in such order and form and with such methods of proof as it deems best suited to the discovery of facts and to determine whether the incumbent judge has the legal ability, competence, integrity, character, and temperament for reappointment. The commission may receive any relevant documentary or oral evidence. The decision by the commission shall be based solely upon the evidence produced at the hearing together with any prior statements to the commission made by the incumbent judge.

(c) A list of witnesses, together with any statements or documents in the hands of the commission that will be used in the case in chief by the commission at the hearing, shall be produced for the use of the incumbent judge not less than ten days before the date of commencement of the hearing.

(d) All testimony at a hearing shall be given under oath to be administered by a person so authorized by statute.

(e) The hair or his designee from the commissioners who are lawyers shall decide all evidentiary issues.

(f) Witnesses may be examined or cross examined by any commissioner.

(g) A judge appearing at a hearing shall be entitled to counsel, to present evidence, and to examine and cross examine witnesses. The commission shall issue subpoenas requested by the judge or his counsel to require the attendance of witnesses and the production of any books or papers at the hearing.

(h) At any hearing held on an incumbent judge, a record of the proceedings shall be made by a court reporter or monitor designated by the commission.

(i) There shall be an assumption that each incumbent judge who seeks reappointment to the same court qualifies for retention in office.

(Effective December 22, 1994)

Sec. 51-44a-13. Subpoenas issued by the commission
Subpoenas may be issued and enforced by the commission as provided in section 51-44a (g) of the General Statutes.

(Effective December 22, 1994)

Sec. 51-44a-14. Minutes
Minutes shall be kept and maintained on the votes of the commission and other actions taken by it. The minutes shall be sent to all members of the commission as soon as possible after meetings.

(Effective December 22, 1994)

Sec. 51-44a-15. Decisions of the commission
Decisions of the commission on the recommendation of candidates for judicial office shall be final, subject to a request for a rehearing, as provided in section 51-44a (e) of the General Statutes.

(Effective December 22, 1994)

ARTICLE III
Confidentiality and Public Information

Sec. 51-44a-16. Public information
(a) The blank application forms for consideration for appointment as a new judge, for appointment to a different court, and for reappointment as a judge are public information.
(b) In January of each year, the chair of the commission shall report to the joint standing committee on judiciary as required in section 51-44a (m) of the General Statutes. These reports are public information.

c) In order to prepare the annual report to the joint standing committee on judiciary, voluntary information regarding gender, race, religion, national origin, and years of experience as a member of the Connecticut Bar's requested of candidates. This data is used solely for the purpose of preparing the report to the joint standing committee on the judiciary, and is not public information.

d) Where the commission determines, based on its preliminary examination, that further inquiry is necessary for a judge seeking reappointment to the same court and decides to conduct a hearing, the judge may request that the hearing be open to the public, in which case the hearing will be open to the public.

(Effective December 22, 1994)

Sec. 51-44a-17. Confidential information
Except as provided in subsections (e) and (m) of section 51-44a of the General Statutes and section 51-44a-17 of these regulations, all investigations, deliberations, files, minutes, and records of the commission shall be confidential and not open to the public or subject to disclosure, pursuant to section 51-44a (j) of the General Statutes.

(Effective December 22, 1994)

ARTICLE IV
Qualifications and Criteria

Sec. 51-44a-18. Purpose of judicial selection commission in evaluating candidates for judicial office and judges for reappointment to the same court or to a different court

The Judicial Selection Commission believes that the fundamental role of judges in our system of law calls for judges to be individuals of the highest personal integrity, professional experience, uncommon qualities of temperament, intelligence, and character. In evaluating candidates for judicial office and judges for reappointment to the same or a different court, the Judicial Selection Commission shall apply the standards and criteria contained in sections 51-44a-20 through 51-44a-21, inclusive, of these regulations.

(Effective December 22, 1994)

Sec. 51-44a-19. Minimum qualifications
(a) The following are the minimum qualifications for a candidate for judicial office.
(1) The candidate has a reputation for truth, faithfulness, honesty, integrity, and fair dealing.
(2) The candidate possesses "judicial temperament," which means that he or she possesses those personal qualities of patience, industry, courteousness, demeanor and faithfulness to the duties of the office which are essential in a good jurist.
(3) The candidate possesses legal ability that is exemplified by professional excellence, a degree of intellect and a technical proficiency equal to that required by the highest standards of the practicing bar.
(4) The candidate's physical or mental health is such that the candidate can fulfill the duties of the office with reasonable accommodation.
(b) The following considerations militating against recommendation will be given such weight as the Judicial Selection Commission believes appropriate, according to the circumstances:
§51-44a-19 Judicial Selection Commission

(1) Conviction of any crime since the candidate's admission to the bar.
(2) Censure by any grievance committee or court short of suspension or disbarment.
(3) Personal conduct and characteristics that are prejudicial to the performance of her duties as a judge.

(Effective December 22, 1994)

Sec. 51-44a-20. Criteria for candidates for judicial office

The following criteria shall be considered in evaluating candidates for judicial office:

(1) Does the candidate possess the statutory qualifications for office?
(2) Does the candidate possess the minimum qualifications under sections 51-44a-1 to 51-44a-21, inclusive, of these regulations for judicial appointment?
(3) Does the prospect possess legal ability that is exemplified by professional excellence, a degree of intellect and a technical proficiency equal to that required by the highest standards of the practicing bar?
(4) Is the candidate generally intelligent and knowledgeable?
(5) Is the candidate capable of making up his or her mind and rendering decisions?
(6) Is the candidate prompt in the performance of duties and obligations?
(7) Would the candidate be an impartial judge rather than an advocate?
(8) Could the candidate act without being duly affected by criticism, partisan demands, public clamor or considerations of personal popularity or notoriety?
(9) Does the candidate possess the qualities of honesty and integrity?
(10) Could the candidate, as a judge, be fair, impartial, and free from prejudice and bias?
(11) Is the candidate courteous and considerate?
(12) Is the candidate patient, attentive and temperate?
(13) Would the candidate respect the confidence inherent in the office of a judge?
(14) Is the candidate free of tendencies which would indicate the possibility of abuse of the power or prestige of office?
(15) Is the candidate free from activities or relationships which might tend to interfere with the candidate's performance as a judge?
(16) Would the candidate conscientiously perform the duties of a judge?
(17) Is the candidate industrious and well organized?
(18) Is the candidate courageous?
(19) Can the candidate live and carry out family obligations on the judicial salary?
If not, what are or would be other sources of income?
(20) Given that the essential functions of being a judge are the ability to preside over a court, to analyze cases, and to render decisions based on the law and facts, can the candidate perform these essential functions with or without reasonable accommodation?
(21) Does the candidate have the ability to express himself or herself clearly and to write clear and concise opinions?
(22) Is the candidate's personal conduct compatible with judicial dignity?
(23) Could the candidate conduct judicial proceedings with appropriate dignity and decorum and within the canons of the Code of Judicial Conduct?

(Effective December 22, 1994)
Sec. 51-44a-21. Criteria for incumbent judges who seek reappointment to the same court or elevation to a different court

(a) A judge seeking reappointment to the same court or to a different court shall possess, at a minimum, those qualities contained in sections 51-44a-19 and 51-44a-20 of these regulations required of candidates for judicial office.

(b) The past performance of a judge shall be considered in evaluating the judge for reappointment to the same court or appointment to a different court. In evaluating the past performance of the judge, the following criteria shall be considered:

   1. Has the judge avoided impropriety and the appearance of impropriety?
   2. Has the judge remained free from personal bias?
   3. Does the judge have the ability to decide issues based on the law and the facts without regard for the identity of the parties or counsel, the popularity of the decision, and without concern for or fear of criticism?
   4. Do the actions and decisions of the judge demonstrate his or her impartiality?
   5. Does the judge exhibit appropriate "judicial temperament"?
   6. Has the judge issued legally sound decisions?
   7. Is the judge knowledgeable of the substantive, procedural, and evidentiary law of Connecticut?
   8. Does the judge demonstrate an understanding and knowledge of the factual and legal issues before the court?
   9. Does the judge properly apply judicial precedents and other appropriate sources of authority?
   10. Are bench rulings and other oral communications by the judge reasonably clear and coherent?
   11. Does the judge have the ability in written opinions to explain clearly and logically the facts and issues of a case and the relevant legal precedents?
   12. Is the judge sensitive to the impact his or her demeanor and other nonverbal communications may have on all parties and participants, jurors, and the public?
   13. Is the judge attentive to and prepared for proceedings before the court?
   14. Does the judge exercise adequate control over proceedings before him or her?
   15. Does the judge show courtesy to all parties and participants?
   16. Does the judge show a willingness to permit every person legally interested in a proceeding to be heard, unless precluded by law or rules of court?
   17. Does the judge devote appropriate time to all pending matters?
   18. Does the judge discharge administrative responsibilities diligently?
   19. Does the judge exercise appropriate responsibility for matters on calendars under his or her control?
   20. Does the judge promptly handle pending matters?
   21. Is the judge punctual in meeting time commitments?
   22. Are time commitments met in accordance with the law and rules of court?
   23. Does the judge attend and participate in judicial and continuing legal education programs?
   24. Does the judge, consistent with the highest principles of the law, ensure that the court is serving the public to the best of its ability and in such a manner as to instill public confidence in the court system?
   25. Is the judge effective and cooperative in working with other judges.
   26. When part of a multi-judge panel, is the judge effective in exchanging ideas and opinions with other judges during the decision making process?
   27. Does the judge appropriately and with good authority critique the work of colleagues?
(28) Does the judge facilitate the performance of administrative responsibilities of other judges?

(29) Does the judge adhere to the canons of the Code of Judicial Conduct?

(30) Does the judge accept responsibility for a fair share of the judicial workload?

(31) Is the judge productive?

(Effective December 22, 1994)
APPLICATION FOR JUDICIAL APPOINTMENT

NAME: ____________________________  DATE: ________________________

Please type answers to all questions immediately below the question on the ORIGINAL form. DO NOT ALTER OR RETYPE ORIGINAL FORM. If additional space is necessary, attach your answers on separate pages. Please do not staple any documents together. Send by regular mail.

GENERAL

1. State your full name. (If you have ever been known by any other name, please state the name and reason for change.)

2. State your office, home address and telephone numbers. If applicable, also provide your cell phone number and email address.

3. Give the date and place of your birth.

4. Are you a U.S. citizen?
EDUCATION

5. (a) List each college and law school from which you received a degree, include the dates of attendance, the degree(s) awarded, your QPR/Ranking, your undergraduate college major, and a copy of the transcript from each law school attended.

(b) List each college and law school you attended but from which you did not receive a degree. State your reason(s) for leaving if you were not in good standing at the time.

6. List any academic distinctions which you received in law school.

7. List all law journals, law reports, and advance sheets that you read regularly.
CONDUCT

8. (a) Have you been convicted of violating any federal, state, county, or municipal law, regulation, or ordinance? If so, give the details. Include Operating Under the Influence of Liquor or Drugs, Evading Responsibility In the Operation of a Motor Vehicle, Reckless Driving, Negligent Homicide With a Motor Vehicle, Misconduct With a Motor Vehicle, or Operating With a Suspended License.

(b) Have you ever been disbarred? If so, provide the details and date of readmission.

9. Have you ever had a client file a complaint against you or sue you? If so, state the nature of the complaint and its disposition.

10. Have you ever been a party (real rather than nominal) in any legal proceedings other than those described in response to question 11? If so, give the particulars, including the nature of each case, case names and numbers, courts, and dates. Do not list proceedings in which you were merely a guardian ad litem or stockholder. Include all legal proceedings in which you were a party in interest, a material witness, were named as a co-conspirator or a correspondent, and any grand jury investigation in which you figured as a subject, or in which you appeared as a witness.
11. Have you ever been found in violation of ethical or professional rules of conduct or been disciplined for a breach of such conduct by any court, administrative agency, bar association, disciplinary committee, or other professional group? If so, state the particulars.

12. Have you violated any criminal laws of the United States or any state pertaining to the possession, use or sale of illegal drugs or do you currently use illegal drugs? If so, please explain.

13. Have you or has any one on your behalf, or with your knowledge, made or promised to make any payment or contribution to any political party, candidate or any other person in connection with the submission of your name as a candidate for judge?

14. Is there anything not otherwise disclosed that could adversely affect your ability or qualifications to serve as a judge?
HEALTH

15. (a) Do you have a condition that presently interferes with your ability to serve on the bench?

(b) Please fill out the attached general medical release form.

16. Are you presently consuming alcohol or other drugs to the extent that such consumption would interfere with your ability to serve on the bench?

CURRENT EMPLOYMENT

17. If you are not actively engaged in the practice of law at the present time, state the details of your current employment.

18. If you are or have previously been engaged in the practice of law, describe the general character of your practice. Indicate the nature of your typical clients and whether you have practiced in any specialty area. If the nature of your practice has been substantially different at any time, give the details, including the nature of your earlier practice.

19. List all courts in which you are presently admitted to practice, including the dates of admission in each case. Give the same information for administrative bodies having special admission requirements.
EMPLOYMENT HISTORY

20. Indicate the periods of any military service, including the dates, and the branch in which you served, your rank or rate, your serial number, and the kind of discharge received.

21. If you have practiced in other localities or have been connected with law firms, corporate law departments, or governmental agencies, other than where you are currently employed, give the particulars, including the locations, the names of the firms, corporate law departments, or agencies, your relationships thereto, and the relevant dates. Indicate any period during which you practiced alone.

22. Have you ever been engaged in any occupation, business, or profession other than the practice of law? If so, give the details, including dates.

23. Have you ever been a candidate for or held public or judicial office? If so, give the details, including the offices or courts involved, dates, whether you were elected or appointed, and the length of service, if any.
LITIGATION EXPERIENCE

24. (a) Do you regularly appear in court?

(b) What percentage of your appearances in the last five years was in: (1) federal court? (2) state courts of record? (3) other courts?

(c) What percentage of your litigation in the last five years was: (1) civil? (2) criminal?

(d) What percentage of your trials in the last five years was: (1) jury? (2) non-jury?

(e) State the number of cases you have tried to conclusion in courts of record before a judge or a jury, during each of the past five years, indicating whether you were sole, associate, or chief counsel.
(f) Describe 10 litigated or non-litigated matters which, in your opinion, are the most significant cases you have handled and give the citations if the cases were reported.
(g) State in detail your experience in adversary proceedings before administrative boards or commissions during the last five years.
NON-LITIGATION LEGAL EXPERIENCE

25. (a) Summarize your experience in court prior to the last five years. If during any prior period you appeared in court with greater frequency than during the last five years, indicate the period during which this was so and give for such prior periods the same data requested in Question 24.

(b) Summarize your experience in adversary proceedings before administrative boards or commissions prior to the last five years.

(c) Have you served as a small claims commissioner, fact-finder, arbitrator, attorney trial referee, special master, or in any similar capacity? If so, provide the number and nature of cases and the approximate dates.
26. Have you appeared before any state government agency, officer, or commission? If so, state fully the circumstances of such appearance.

27. Have you published any books or articles? If so, list them, stating the publishing dates and any citations.

28. Have you ever been involved in any activity where you have had a leadership role which involved significant decision-making? If so, list the activity, the position you held, and the time periods.
BUSINESS INVOLVEMENTS AND FINANCES

29. Are you a director, officer, or stockholder of any business or corporation? Would you sever these connections if you are appointed a judge?

30. Are you a member of any partnership or joint venture? Would you sever these connections if you are appointed a judge?

31. Do you have any other business association or relationship of any kind which would not be severed if you are appointed a judge?
32. If you are now an officer or director of any business organizations or otherwise engaged in the management of any business enterprise, give the details, including the name of the enterprise, the nature of the business, the title of your position, the nature of your duties, and the term of your service. If it is not your intention to resign such positions and give up any other participation in the management of any of the foregoing enterprises, state your reasons.

33. Have you ever filed for bankruptcy or had bankruptcy proceedings initiated against you? If so, explain.

34. Do you presently have any non-current unpaid tax obligations? If so, explain.

35. Can you adequately support your family and meet financial obligations on the salary of the judgeship to which you aspire? (Candidates may be asked detailed questions regarding financial status at oral interview, if held.)
CIVIC, PROFESSIONAL AND OTHER ASSOCIATIONS

36. List all memberships in bar associations and professional societies and give the titles and dates of any offices which you have held in such groups. Also list bar association or professional society committees you have chaired, and memberships on any committees which you believe to be of particular significance.

37. State all civic, charitable, or social organizations with which you have been connected, and the facts concerning such connection, for the past five (5) years.

38. Do you currently belong or have you belonged to any organization that discriminates on the basis of race, sex, sexual orientation, disability, ancestry, or religion through either formal membership requirements or the practical implementation of membership policies? If so, state the organization and the dates of membership.

39. Describe any pro bono or community service activities in which you are or have been engaged including any connections to civic, charitable, or social organizations.

40. List any honors, prizes, awards, or other forms of recognition which you have received since you graduated from law school.
41. List the names, complete mailing addresses, and telephone numbers of six lawyers with whom you have dealt most frequently in the last three years. Indicate whether or not they were involved in litigated or non-litigated matters with you.
42. State the names, complete mailing addresses and telephone numbers of six lawyers and/or judges who know you and your work and who can be interviewed about your legal qualifications as a judge. (The Commission will contact these people directly and a non-response from any of them will be considered to be an unfavorable response.) People listed in response to question #41 should not be listed in response to this question.
MISCELLANEOUS

43. What do you feel are your strongest qualifications for judicial office and what life experiences would be helpful to you if you are appointed to said office?

44. If you have made a prior application, which has been unsuccessful, set forth reasons why you feel your present circumstances would support approval at this time. Attach any supporting data.
45. State any other information which you regard as pertinent.

46. Submit with this application:

(a) your most recent Martindale-Hubbell Law Directory rating
(b) a copy of your latest resume, and
(c) a copy of your last-filed IRS Tax Return, and Connecticut State Tax Return *
(d) an executed General Release (form attached)
(e) an executed Medical Release (form attached)

* Please redact all Social Security Number(s) for you and any family members listed on your tax returns on each page where they appear.
GENERAL RELEASE

I understand that the completion and filing of this application and supplemental information, and the interview, if given, with members of the Connecticut Judicial Selection Commission will be the basis for a finding by such commission of my present qualifications for judicial office. I agree to furnish additional information orally or in writing as may be required by said commission. I hereby request and authorize anyone whose knowledge of my person and character might otherwise be considered privileged, to furnish such information as it relates to my qualifications to serve as a judge, if requested by such commission.

I hereby authorize the commission to release a copy of this completed questionnaire to the Office of the Governor and to the Judiciary Committee of the General Assembly.

I hereby request and authorize any Grievance Committee to disclose to the Judicial Selection Commission the contents of any grievance file containing a complaint against me. I understand that such disclosures will be made in order that said commission may make a general evaluation of my fitness for judicial office. I further understand that said commission will not disclose to any person the existence of any such file or the contents thereof.

I hereby attest that the responses made to the questions in this application are true and accurate to the best of my knowledge and belief.

______________________________
Signature

______________________________
Print or type name

DATE ADMITTED TO THE CONNECTICUT BAR

Subscribed and sworn to before me this _____day of________, 20____

______________________________
Commissioner of the Superior Court
Notary Public
My Commission expires:______________
MEDICAL RELEASE

Please complete and attach this page to your response to the questionnaire.

Name and address of your primary care physician:

I hereby authorize and request Dr. ____________, based upon his/her review of my medical records, to disclose to and advise the Judicial Selection Commission whether he/she has any concerns regarding my fitness for judicial office or reason to believe that I am unable to perform the duties and functions of my judicial office. If Dr. ____________ has no such concerns or knows of no such reasons, this release should not be construed as a general release of my medical records. If Dr. ____________ has any such concerns or knows of any such reasons, Dr. ____________ is authorized and requested to disclose any medical records germane to those concerns or reasons.

Dated at ________________, this ______ day of ____________, 20____.

____________________________
Signature

____________________________
Print or Type Name

Witnessed:

____________________________
Commissioner of the Superior Court
Notary Public
My Commission Expires: ____________
New Nomination Judicial Questionnaire

1. Full Name: ____________________________________________

2. **Home** Address: ______________________________________
   Telephone: (____) ___________ Fax: (____) _______________

3. **Business** Address: ___________________________________
   Telephone: (____) ___________ Fax: (____) _______________

4. Date of Birth: _____________ Present Age: _______ Place of Birth ____________

5. Marital Status ________________________________
   If married, spouse’s name _______________________________________
   If you have children, the names of your children
      _______________________________________________________
      _______________________________________________________

6. Colleges and Law Schools attended (include years of attendance, degrees and the years each degree was received) and academic awards or distinctions:
   _______________________________________________________
   _______________________________________________________
   _______________________________________________________
   _______________________________________________________

7. Date and place of admission to Connecticut Bar and any other State or Federal Bar:
   _______________________________________________________
   _______________________________________________________
   _______________________________________________________
8. List any post-law school studies or courses, including judicial clerkship:

9. Names of any firms, offices, part or full-time legal employment associated with since admission to the Bar, and the years of each association:

10. Please include general scope of practice or general character of firm, listed in question #9:

11. List any non-legal employment after college for six months duration or more:

12. a. Have you regularly appeared in court? Yes □ No □
b. What percentage of appearances in the last 5 years was in:
   Federal Courts _______ State Courts _______ Other Courts: _______
c. What percentage of litigation in the last 5 years was:
   Civil _____________ Criminal _____________
d. What percentage of litigation in the last 5 years was:
   Jury _____________ Non-Jury _____________
e. Number of cases tried to conclusion in courts of record during the last 5 years (include whether you were sole, associate or chief counsel):
f. List three of the most significant litigated matters you have handled and give the citation if the cases were reported:


g. If you are not an extensive litigator, please describe in detail what type of law you practiced:


13. List any legal books or articles you have had published:


14. Bar association memberships:


15. Bar committees served on, and the offices, if any, held in any association:


16. Have you served or do you currently serve on any legislative, executive or judicial branch boards, commissions or committees? __________________________


17. Public offices or positions held in local, state or federal governments including service on local boards or commissions and the approximate years of service in each. Please identify if it is an elected or appointed position. ________________________________
18. Please describe any pro bono work you have performed:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

19. Military service, if any, with years served, rank, duties, type of discharge and disability rating, if any:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

20. Has a probable cause determination ever been made against you in a grievance complaint? 
   If yes, give details including the nature of the complaint and the disposition:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

21. Have you ever been arrested? 
   No □ Yes □ If yes, circumstances:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

22. Have you ever been convicted of a crime (infractions excepted)? 
   No □ Yes □ If yes, circumstances:

________________________________________________________________________

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23. Have you ever been reprimanded, in writing by any court, judge or by a grievance committee? No □ Yes □ If yes, give details:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

24. Have you ever been sued or had a formal claim against you for malpractice? 
   No □ Yes □ If yes, give details:

________________________________________________________________________

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________________________________________________________________________
25. Do you have any condition or illness that may impact your ability to serve as a judge?

______________________________________________________________________________

26. Please submit 3 written legal documents that evidence your practice of law.

ADDITIONAL SPACE FOR ANSWERS TO QUESTIONS: Please be sure to note the number of the question being answered:

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

Certification

I hereby certify the information contained in this questionnaire is true to the best of my knowledge.

Signature: _________________________________ Date: _______________________________
NEW YORK
Interested in becoming a judge of the New York City Criminal Court or Family Court, or, on an interim basis, the Civil Court? Have you been admitted to practice law in New York State for at least 10 years? Are you in good standing? Are you currently a New York City resident, or would you move to New York City in the event of a possible appointment? To be considered for a judicial appointment to any of these courts, complete our questionnaire. In cooperation with the New York City Bar's Judiciary Committee, the Mayor's Advisory Committee on the Judiciary developed a uniform judicial questionnaire that is accepted by both Committees in connection with candidates for appointment and incumbent judges for reappointment by the Mayor to the aforementioned courts. **Before returning the questionnaire, contact the Committee office to request waivers, some of which must be notarized.** Please note that as the instructions indicate, you must return an original printed version of the completed questionnaire that must be signed and dated on the final page. In addition, when you return the completed questionnaire and other documents, you should furnish this Committee with a recent wallet-size photograph.

Download the Application

Download Adobe Acrobat Reader (Free)

**Note:** The above application is a protected PDF document. In order to complete the questionnaire your computer must have Adobe Reader. If you do not have Adobe Reader or the version on your computer is older, you must download the latest version FREE from the link above. Please right click on link then select "Save Target As" to save a copy to your desktop (or preferred location) before completing. The blue shaded areas in the document are to be filled out. To move to the next field, use the "TAB" key. To move backward to a previous field, use the "SHIFT" & "TAB" keys together. Answers can be saved by selecting "File" from the menu bar, then "Save."
UNIFORM JUDICIAL QUESTIONNAIRE

CONFIDENTIAL

☐ Criminal Court ........................................ Date:
☐ Family Court ........................................ Office Telephone:
☐ Civil Court ........................................ Cell Phone:

Preferred Number:

Email Address:

This questionnaire must be completed by all candidates, including incumbent judges seeking reappointment, before they can be considered by the Mayor’s Advisory Committee on the Judiciary.

Unless otherwise noted, every question and every part of each question must be answered, even though the answer may be negative.

Additional sheets may be used if the space to answer is insufficient. Please avoid unnecessary attachments.

1. (a) Full name:

(b) Have you ever used or been known by any other name?

(c) If so, give full details including name(s) and dates:
2. (a) Current residence address:

(b) Do you rent, other than for a season, or own any additional homes?

If yes, please list addresses:

(c) Current business address:

(d) Which of the above addresses do you wish the Committee to use as your mailing address?

3. State date, place of birth (giving date, borough, if any, city or town, and state or country), and country of citizenship:

If you are a naturalized citizen of the United States, please provide a clear copy of your Certificate of Naturalization.

4. (a) List name, occupation, residence and business address for each individual with whom you reside:

(b) In the case of a child, no matter where the child resides, list the child’s name, date of birth and residence address, occupation, if any, and business address, and the name of any school where the child is currently in attendance and its address:
5. State every residence you have had in the last ten years, including any temporary residence, in the United States or elsewhere, with the exact address of each, and the month and year of the beginning and ending of such residence:

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<tr>
<th>Period (give month and year of beginning and ending)</th>
<th>Street &amp; Number</th>
<th>City or Village, Town and County (if in New York City, also give Borough)</th>
<th>State</th>
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* Residence shall mean every premise occupied by you for a period in excess of thirty days whether as owner, tenant, guest, etc.

6. State all colleges and professional schools (other than law schools) ever attended. If you did not receive a degree from any such institution, state that fact:

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<th>Name</th>
<th>City or Town</th>
<th>State or Country</th>
<th>Degree &amp; Honors (if no degree, state reason)</th>
<th>Month &amp; year of beginning &amp; ending of period(s) of attendance</th>
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7. (a) State all law schools ever attended. If you did not receive a degree from any law school, state that fact:

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<th>Name</th>
<th>City or Town</th>
<th>State or Country</th>
<th>Degree &amp; Honors (if no degree, state reason)</th>
<th>Month &amp; year of beginning &amp; ending of period(s) of attendance</th>
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(b) List the post-law school continuing legal education courses in which you have participated within the past four years (in chronological order) that qualified for mandatory continuing legal education credit. Provide:

(i) Description of course;
(ii) Date;
(iii) Sponsor;
(iv) Number of Hours.

(c) For your most recent biennial registration period, did you satisfy New York State’s mandatory continuing legal education requirement?

If no, please describe the circumstances:

(d) Have you complied with all registration requirements for lawyers in the State of New York and any other jurisdiction in which you are licensed to practice law?

If no, please describe the circumstances:
8. State if you ever attended any other schools of any kind, other than elementary or secondary, or pursued any course of study in addition to those mentioned above:

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<th>Degree &amp; Honors (if no degree, state reason)</th>
<th>Month &amp; year of beginning &amp; ending of period(s) of attendance</th>
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9. Have you ever served in the Armed Forces (Reserves or otherwise)?

(a) If so, give the following information:

i. Dates of service:

ii. Branch of service:

iii. Nature of discharge and rank at time of discharge:

iv. Awards or citations:

(b) Have you registered under the U.S. Selective Service Act of 1948?

If so, give the following information:

i. State original classification and each reclassification:

ii. If your classification or reclassification is other than 1A, give the reasons therefor:
10. Have you ever been rejected or released from service by any of the armed services for reasons other than honorable?

If so, state the details:

11. (a) List, in chronological order, all employment and periods of unemployment since graduation from law school, including if you have practiced in partnership with others. Provide:

   (i) Name of Firm or Employer;
   (ii) Address;
   (iii) Name of Supervisor in each title held;
   (iv) Dates of Employment or Unemployment (Month/Year of the beginning and ending thereof);
   (v) Include all titles with relevant dates and a brief description of the nature of Employment (or activity while unemployed);
   (vi) Reason for Leaving.

In any instance where you practiced law as an associate or a partner and such association or partnership was terminated, state the reason for such termination.

(b) If law school attendance did not commence within a few months following completion of undergraduate course study, list all employment and periods of unemployment between college and law school. Provide:

   (i) Name of Employer;
   (ii) Address;
   (iii) Name of Supervisor;
   (iv) Dates of Employment or Unemployment (Month/Year of the beginning and ending thereof);
   (v) Nature of Employment (or activity while unemployed);
   (vi) Reason for Leaving.
(c) Have you ever been disciplined, in any manner, in connection with any employment (e.g., suspended, demoted, reprimanded, fined, penalized, or terminated?)

If yes, provide details including name of employer, dates, action taken, and the reason(s) for such action.

(d) Have you ever resigned or been asked to resign from any employment?

If yes, provide details including name of employer, dates, and reason(s) for resignation.

12. (a) Have you ever been engaged on your own account or with others in any business or profession, part-time or full-time, other than those listed in your answer to question 11?

If so,

(i) state under what name;
(ii) give in detail the nature thereof;
(iii) the month and year of the beginning and ending (if applicable) of your connection therewith;
(iv) position held;
(v) all business or professional addresses.
(vi) Any such business or profession carried on by you either alone or with others or in partnership, and any incorporated business carried on by you either alone or with others, should be listed here with names and addresses of all partners or associates.
(vii) If any business or profession has been discontinued, or if your connection therewith has ceased, state why and whether or not there are unpaid debts or claims or pending litigation:
(b) Are you now an officer or director or otherwise engaged in the management of any enterprise?

If so, unless that enterprise is described above, give details, including names, dates, nature of business and description of your position:

(c) If you are now an officer or director or otherwise engaged in the management of any enterprise, (i) is it your intention to resign each such position and withdraw from participating in the management of any such enterprise should you be appointed a judge?

If not, give reasons: (ii) if you are currently a judge, furnish the authority under which you have been permitted to maintain each such position and to manage any such enterprise:

(d) Identify any litigation or present financial arrangements that are likely to present a potential conflict of interest during your judicial service and explain how you will resolve such conflict, including the procedures you will follow in determining these areas of concern:

(e) Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during the period in which you would serve as a judge?

If so, explain:
13. State all courts (federal and state) in which you are admitted to practice, together with the dates of admission:

(a) New York State:

   Date:

   Judicial Department:

(b) Others:

14. State all areas of the law in which you have concentrated or have had substantial experience and state the period during which you have had such substantial experience:

15. (a) Have you ever held judicial (in addition to the office you now hold if you are currently a judge), public or political office, elective or appointive, including that of arbitrator, mediator, law clerk?

   If so, state position held, dates of service, whether the office was attained by election or appointment, and any specific functions you have been assigned:

(b) Describe any executive or administrative experience you have had, whether through your occupation or otherwise, giving details and duties:
(c) Do you or any members of your family hold any memberships (other than voter registration) in political organizations or engage actively in any political activities?

If yes, please describe:

(d) Are you related by blood or marriage to, or do you have a significant relationship with anyone involved in the judicial screening process with respect to the position you are seeking?

If so, please supply name, relation and position of such individual:

(e) Are you related by blood or marriage to, or do you have a significant relationship with any attorney or judge, or any other person whose employment, position, affiliation or activity may reasonably create, with respect to your carrying out the duties of the office you are seeking, the appearance of a conflict of interest?

If yes, please supply name, relation and employment, position, affiliation or activity:

16. Are you now, or have you ever been, the subject of any formal complaint or charge filed with any disciplinary committee, investigative office, court, government agency, employer, or bar association arising out of your official or professional responsibilities during the course of your:

(a) law practice?
(b) public or judicial service?
(c) campaign for public or political party office?
If yes, please describe each complaint or charge and its outcome, including the time frame and whether the governmental agency or other entity to whom such complaint or charge was made censured you, issued a caution, imposed a sanction or took any other action whatsoever criticizing your conduct, even if the complaint or charge was dismissed:

In addition, provide documentation pertaining to each complaint or charge.

17. Are you now, or have you ever been the subject of any claim of malpractice, in an action or otherwise?

If yes, please describe the claim and/or proceeding and its outcome. Please provide documentation pertaining to each claim(s). If you are or were a member of a firm or organization that was the subject of any claim of malpractice, please describe the claim if it is related to a case or matter on which you worked and state whether your conduct was the subject of the claim:

Provide documentation pertaining to each claim.

18. Have you, your firm, your employer or any of your clients ever been cited for contempt or otherwise had a sanction imposed upon you or them as a result of your conduct in any judicial or administrative proceeding?

If yes, please describe, even if the citation or sanction was later withdrawn, suspended or modified:
19. Have you ever been the subject of a claim, or received individual counseling from an employer arising from an actual or perceived claim, about discrimination, or harassment on the grounds of an individual's actual or perceived age, race, creed, color, gender, sexual orientation, religion, national origin, disability, marital status, socioeconomic status, alienage or citizenship status?

If yes, please describe the circumstances:

20. It is expected that a judge and other public officials shall not, by words or conduct, manifest, or appear to condone bias or prejudice, including but not limited to bias or prejudice based upon age, race, creed, color, gender, sexual orientation, religion, national origin, disability, marital status, socioeconomic status, alienage or citizenship status and shall require staff, court officials and others subject to his or her direction and control to refrain from such words or conduct. Will you be able to meet this expectation?

If no, please describe the circumstances:

21. State whether you have ever: (answer each subdivision of this question "Yes" or "No"):

If you answered "Yes" to any subdivision of this question, and in addition to the information requested immediately following certain subdivisions, state the facts in detail, including in each case, the name and locality of the court, agency, or other body, the dates of beginning and termination of action or proceeding, and the judgment or other disposition including any charges and sentence, where it applies.

Also state if you have documents pertaining to each case/investigation including Certificate(s) of Disposition. If so, please provide copies.

(a) Been summoned, arrested, or charged with any offense or crime other than a traffic offense, even if the summons, arrest, or charge was later withdrawn, voided, vacated or dismissed?
(b) Have you ever been taken into custody, or indicted, or convicted, or tried or cited for, or charged with, or pleaded guilty to the violation of any law, ordinance, or the commission of any felony, misdemeanor, or contempt of court?

(c) Have you ever been subpoenaed, called as a witness, questioned or interviewed, or asked to provide testimony or documents before any federal, state, or local prosecutor, court, legislative, civil, regulatory, criminal, or other investigative body, or grand jury?

If so, state the date, body or agency, the matter involved, and your role.

(d) Have you ever failed to answer on the return date any ticket, summons or other legal process served upon you personally at any time?

If so, was any warrant, subpoena, or further process issued against you as a result of your failure to respond to such legal process?

(e) As a member of any armed forces, been the subject of any charges or complaints, formal or informal, or have any proceedings been instituted against you, or have you been a defendant in any court martial or been disciplined?

(f) Been the subject of any investigation by any federal, state or city, or other governmental agency, or other investigative body, or by any grand jury, or the Internal Revenue Service?

If so, please describe each investigation and its outcome.
(g) Has any federal, state or city or other governmental agency, or other investigative body, or a grand jury or the IRS initiated or completed an investigation of any law firm, corporation, business, partnership, joint venture, government agency or other similar entity with which you are, or were at the relevant time, affiliated?

If so, please describe each investigation and its outcome.

(h) Resigned from or, for other reasons, ceased to be a member of the bar or bench of any state or court in any jurisdiction, a member of any governmental body, a hearing officer or an occupant of any other similar position?

22. (a) Have you ever been involved as a party to any litigation (criminal, civil, administrative or matrimonial), other than an action you have previously identified in answer to question 17?

If so, state the circumstances including dates and the disposition (e.g., pending, settled, judgment, dismissed) or status of action:

Do you have documents pertaining to each disposition?

If so, please provide copies.

(b) Have there been any judgments entered against you, even if previously satisfied?

If yes, state the facts in detail (including the year(s) in question, year(s) imposed, name of judgment creditor, full amount owed and amount outstanding):
(c) Have there been any tax warrants, tax liens, or mechanics’ liens entered against you or property you own or have an interest in, even if previously satisfied?

If yes, state the facts in detail (including the year(s) in question, year(s) imposed, name of tax authority, full amount owed and amount outstanding).

(d) Are you in default or has any party claimed that you are in default in the performance or discharge of any duty or obligation imposed upon you by any governmental agency or decree or order of any court including alimony/maintenance and support orders and decrees?

If so, state the facts:

(e) Have you ever made an assignment for the benefit of creditors?

Has any petition in bankruptcy ever been filed by or against you?

If so, state the circumstances and the outcome:

(f) Have you, whether personally, as a fiduciary, a partner or an officer, timely filed all tax returns of any nature, including, but not limited to, income, information, gross receipts, rent and occupancy, franchise, unincorporated business, etc.?

If not, give details:
(g) Has any Federal, State, City or other taxing authority claimed that you have failed to pay adequate taxes, penalties or other charges for any tax year?

If yes, state the facts in detail (including the year(s) in question, year(s) imposed, full amount owed and amount outstanding).

23.  

(a) Have you ever been issued a license, other than a marriage license, license to practice law, license as a notary public or driver’s license?

If so, describe the license, providing the dates of its original issuance and its last renewal:

(b) Has any license, including a license to practice law, a license as a notary public, or a driver’s license, ever been revoked or suspended?

If so, furnish full details:

24.  

A judge is expected to be on the bench or otherwise handling legal matters by about 9:30 A.M. for at least seven hours per day, five days per week, and at times, a judge’s responsibilities may require him or her to be on the bench or at work into the evenings and on weekends. Are you able to perform these tasks on your own or with reasonable accommodation?

If no, please describe the circumstances:
25. A judge may be required to handle emergency applications, cope with media scrutiny, issue quick decisions, deal with fractious litigants, recall significant amounts of information, and otherwise respond to extremely stressful situations. Are you able to perform these tasks on your own or with reasonable accommodation?

If no, please describe the circumstances:

26. (a) Have you used or do you currently use illegal drugs?

If yes, please describe the circumstances and give approximate time period.

(b) Have you abused or do you currently abuse any prescription drugs?

If yes, please describe the circumstances and give approximate time period.

(c) Have you abused or do you currently abuse alcohol?

If yes, please describe the circumstances and give approximate time period.

27. Has any employer or supervisor ever counseled you regarding, or expressed concern about, your absenteeism?

(a) If yes, please describe the frequency of the absenteeism complained of:

(b) Was the situation rectified? If yes, how:
28. Do you know of any factors that would adversely affect your ability to competently serve as a judge, to comply with a judge’s ethical responsibilities, or to complete the day-to-day responsibilities that a judge is required to assume?

If yes, please explain:

29. (a) List all bar associations, other professional societies and community organizations of any kind of which you are a member, and give the titles and dates of any office, chairmanship or committee membership which you have held:

(b) List any other organizations of which you are or have been a member, including social or fraternal, and give the titles and dates of any office, chairmanship or committee membership which you have held:

30. (a) Have you written any articles for publication?

If so, give the name and date of the publication and the title and subject matter of each article:

(b) List any teaching positions you have held, including part-time or occasional, with dates and a description of the subject matter and educational institution or sponsor:
31. Have you ever been rated as a candidate for office (including the present office for which you wish to be considered) by any bar association or other professional association?

If yes, state the office(s) for which you were rated, the name and address of the organization(s) which issued the rating, the date of the rating, and the rating which you were given:
UNIFORM JUDICIAL QUESTIONNAIRE

ATTACH THE FOLLOWING SCHEDULES TO THIS QUESTIONNAIRE. AS TO EACH SCHEDULE, SPECIFY THE QUESTION NUMBER TO WHICH IT APPLIES.

In answering Questions 32 – 40 about your litigation experience, you may include adversarial proceedings before a court, an administrative tribunal or an arbitrator or other forum for alternative dispute resolution. In addition, you should count as “trials” all adversarial evidentiary hearings involving presentation of witness testimony.

32. **For attorneys:** In no more than two pages, describe in detail how your career prepared you for a career on the bench:

33. **For attorneys:** Attach a statement specifying:
(a) whether within the last ten years you have appeared in court regularly, occasionally or not at all and, if the frequency of your court appearances varied during this period, explain the variance;
(b) the number and types of cases you have handled in the past ten years;
(c) what percentage was civil, criminal, family, or administrative, or attributable to a more specific type of case, such as personal injury, landlord and tenant, etc.
(d) of these cases, the types and number of each type of trials you have conducted in the past ten years;
(e) the number of cases in category (d) of this question which ended in a verdict or judgment or ruling by the trier of fact;
(f) the number of cases listed in category (d) of this question which were tried before a jury;
(g) the courts or other tribunals in which the cases were tried;
(h) the number and types of appeals briefed in the past ten years;
(i) the number of appeals argued and the courts in which the arguments were heard;
(j) the number and types of dispositive motions you have litigated in the past ten years;
(k) the number of dispositive motions you have argued and the courts or other tribunals in which the arguments were heard, and
(l) the title and citation of reported cases in which you conducted the trial, wrote the brief and/or argued the appeal, or wrote the papers on the dispositive motion.
34. **For attorneys:** Submit a list of the last ten trials, dispositive motions, or appeals in which you have actively and substantially participated in any state or federal court at the trial or appellate level, including the title of the case, the index, docket or indictment number, the court in which the case was heard, a concise description of the nature of the case, the date of the trial or oral argument, the name, address and telephone number of each adversary and co-counsel, and the names, addresses, and telephone numbers of the judges who presided at trial or sat on the appellate panel. For each appellate matter, please submit one copy of your brief.

35. **For attorneys:** Submit a list of the name, court and telephone number of the last ten judges, other than the judges listed in your answer to Question 34, before whom you appeared in the last three years (other than for routine calendar appearances).

36. (a) **For attorneys:** Attach a statement describing your legal experience other than litigation. Include in that statement a general description of the last ten matters you handled and the names, addresses, and telephone numbers of the lawyers, other than your associates, employees, partners, co-tenants, supervisors or employers, with whom you worked on each of those ten matters. For example, judicial law clerks should list the attorneys with whom they had substantial contact. Similarly, law professors should list attorneys, judges and/or other law professors who are familiar with their work.

(b) **For attorneys:** Attach three recent writing samples of your legal writing, and if you are not the sole author of the sample, please explain your role in its preparation.

(c) **For attorneys:** State any other relevant experience for this position not requested in any of the foregoing questions:

37. (a) **For Judges:** Date of appointment (and reappointment, if applicable) to the court indicated on page 1 of this questionnaire:

(b) **For Judges:** Current court address:

(c) **For Judges:** List all courts to which you have been assigned, including the county and time period for each assignment:
38. (a) **For Judges:** Provide a list of the last ten trials over which you have presided, including the title and dates of each case, a brief description of the nature of the case, and the names, addresses and telephone numbers of the attorneys involved. You may add substantial evidentiary hearings in the absence of recent trials:

(b) **For Judges:** Provide a list of governmental agencies, private agencies, private lawyers and private law firms which have appeared before you in the last year on a regular basis, specifying the name and phone number of the supervising attorneys for such agencies and law firms:

(c) **For Judges:** Provide copies of ten of your most recent, substantive and noteworthy opinions, whether published or not. Please briefly summarize each. *

(d) **For Judges:** Provide a list of your cases which have been appealed, the appellate disposition and the corresponding citations. Also, provide copies of the appellate decisions.*

*PLEASE NOTE THAT ALL MATERIAL SUBMITTED SHOULD BE RECENT. MORE SPECIFICALLY, CASES HANDLED SINCE OR APPELLATE DECISIONS RENDERED SINCE YOUR LAST REAPPOINTMENT.

39. **For all candidates:** List here the names, addresses, and telephone numbers of no more than ten persons, particularly judges, public officials, and attorneys, who know you well enough in a relevant context, and with whom the Committee may communicate with respect to your candidacy:

40. **For all candidates:** Set forth any information not elicited by this questionnaire which would affect, favorably or unfavorably, your eligibility for the office for which you are a candidate, or your eligibility for reappointment, or which would bear upon the Committee's consideration of your candidacy for appointment or reappointment:
N.B. The Committee requests that if you change your address or if anything occurs which would affect your answers to this questionnaire, notice of such change be sent to the Committee.

A false statement in response to any question herein will result in your automatic disqualification from consideration for judicial appointment or reappointment.

__________________________________________  ______________________________________
Signature                                          Date

Rev. (1/16)
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HOW TO BECOME A JUDGE

Association of the Bar of the City of New York
Special Committee to Encourage Judicial Service

I. Introduction

A. The Purpose of This Booklet

The Special Committee to Encourage Judicial Service is seeking to expand the number of qualified candidates for judicial office by encouraging applications from persons who previously have not applied, including those from groups historically unrepresented or underrepresented in the judiciary as a whole, or in specific judicial offices, such as appellate courts.

In furtherance of these goals, this booklet is intended to provide a description of the methods of judicial selection; the relevant governmental, political, and other bodies that participate in the selection processes; and the statutory and other criteria applicable to the selection process for each judicial position. This information applies to federal and state judicial offices in the City of New York, although some information is also applicable to judicial positions outside the City of New York. Of particular interest in New York City, with respect to Civil Court and Supreme Court, which are elected positions, the process for seeking political support varies from county to county. With respect to appointment to Criminal, Family, and Housing Courts, the selection process is centralized and does not vary from county to county.

While many judicial positions are elective, a substantial number are appointive and are based on the recommendations of judicial screening or nominating committees, which accept applications from all eligible attorneys. In some instances, appointments are also made to fill vacancies in elective positions. The following is a partial list of judicial positions that are filled by appointment: Family Court, Criminal Court, Interim Civil Court, Housing Court, Interim Supreme Court, Court of Claims, Interim Surrogate’s Court, and Court of Appeals. All federal judicial positions are filled by appointment.

This booklet also describes several paid and unpaid quasi-judicial positions, such as arbitrator and support magistrate, which may provide a lawyer with an opportunity to serve in a decision-making capacity, as opposed to an adversarial position, to determine his or her affinity for a judicial role.

Those interested in any of these judicial positions are urged to follow the judicial and legislative processes developments in the press, in judicial decisions, and on government websites.
B. **Sources of Further and Updated Information**

Much of the information in this booklet is subject to change. The booklet is current through November 26, 2014. Current information about specific judicial offices may be obtained from the sources identified in each respective section of this booklet.

The judiciary committees of county bar associations in the City of New York, listed in Appendix A, may be sources of further information.

C. **Prior Trial Experience and Political Party Affiliation or Activity May Not Be Necessary**

1. **Political Party Affiliation and Activity**

With respect to Family Court, Criminal Court, and Housing Court, political party affiliation and activity, once a virtual prerequisite to obtaining judicial office, is not a listed criterion employed by the statutory nominating bodies (e.g., Advisory Council to the Housing Part of the Civil Court of the City of New York and the Mayor’s Advisory Committee on the Judiciary). Political affiliation or activity may be a consideration of the ultimate appointing authority.

In some counties, historically dominated by a single political party, the selection of candidates for nomination by that party has been virtually tantamount to election in the general election. In most counties, political considerations, including a history of political party activity, contributions to political party organizations, and acquaintance with political party officials, may influence the selection process to varying degrees. Even where the nomination process appears to be virtually controlled by local political party organizations, the use of screening panels by these organizations has resulted in the nomination of candidates with little prior political involvement. The use of screening committees by the various county political organizations has expanded in recent years.

Because political party organizations have been involved in the selection of candidates for some of the judicial positions described in this booklet—especially elected judgeships—it may be helpful to communicate with local or county political party organizations to obtain further information about candidate selection, including the application process for any pre-primary election screening bodies. This is important because the procedures of these screening bodies may change from year to year.

Appendix B to this booklet lists some of the political organizations involved in the process of judicial selection.
2. Litigation Experience

Traditionally, it was believed that a candidate for judicial office was required to possess substantial trial experience in order to receive serious consideration. While trial experience remains helpful, extensive trial experience may not be essential for many judicial positions.

Over the years, nonlitigators, including law secretaries, law clerks, professors, administrators, and lawyers holding positions in government and private sector organizations, have been selected for judicial office and have proven their ability to learn and perform the duties of judicial officers. The realization that good jurists do not come exclusively from the courtroom, combined with the goal of many merit selection judicial screening or nominating bodies to broaden the pool of potential candidates, has led to a decrease in the importance of prior litigation experience.

D. Bar Association Review of Candidates

In addition to the selection processes discussed in this booklet, the Committee on the Judiciary of the Association of the Bar of the City of New York, in conjunction with the county bar association in the relevant county, investigates and evaluates the qualifications of all candidates for judicial office in the City of New York. The results of these reviews are reported to the appointing authority in the case of appointed judgeships, and to the public by press release in the case of elective judgeships.

A bar association review typically includes the candidate’s response to a questionnaire submitted by the association, one or more interviews with representatives of the judiciary committee of the association, review of the candidate’s writings and interviews by committee members of adversaries, judges, and others with whom the candidate has dealt.

Appendix A lists the various county bar associations. See Appendix I for a sample of questions a committee may ask.

E. Standards of Review

The descriptions of the judicial positions discussed in this booklet indicate the minimum qualifications required by statute for each position. In addition, the various nominating, screening, reviewing, and appointing bodies may have developed other requirements.

It is difficult to set forth definitive criteria for evaluating candidates for judicial office. The general standards most often stated include:

General intellectual ability;

Knowledge of the law, including knowledge of the specific body of law applicable to the court in which the position is sought. Because judges often sit in courts to which they were not originally elected or appointed (e.g., Civil Court judges may sit by assignment in the Criminal Court or in the Criminal Term of the Supreme Court), knowledge of other areas of the law also is important;
Appropriate demeanor and judicial temperament, including an ability to deal patiently and considerately with both attorneys and pro se litigants and, in the case of appellate courts, with other judges in a collegial setting;

Industriousness and a proven willingness to work hard;

An ability to discern facts and weigh conflicting evidence;

An ability to understand legal arguments and to make prompt, correct determinations of legal issues;

An absence of bias and a commitment to equal justice for all;

Integrity, candor, and an absence of outside political or other influence; and

A commitment to public service, particularly to judicial service.

F. When to Apply

Vacancies in judicial offices and the commencement of selection processes are usually announced in the press. However, the announcement may be small and may be printed only by the New York Law Journal and on courts' websites. In some cases (e.g., selections made by the Mayor’s Advisory Committee), the selection process is an ongoing one. Accordingly, regular inquiry of the appointing, nominating, reviewing, and screening bodies listed in this booklet is suggested in order to assure that a potential candidate is aware of a vacancy in time to complete the application process.

Additional information on anticipated vacancies may be available from Hon. A. Gail Prudenti, Chief Administrative Judge, The Office of Court Administration, 25 Beaver Street, 11th Floor, New York, New York 10004, (212) 428-2120.

II. New York City Courts

A. Appointments to Terms on the Family Court and Criminal Court and to Interim Appointments to Fill Unexpired Terms for Vacancies on the Civil Court

General Comments – Appointment of Family Court and Criminal Court Judges and interim appointments (of up to one year) to fill vacancies on the Civil Court are made by the Mayor of the City of New York from a list of candidates submitted by the Mayor’s Advisory Committee on the Judiciary.

The Mayor’s Advisory Committee is composed of up to nineteen members, all of whom are volunteers and are appointed as follows: The Mayor selects nine members. The Chief Judge of the New York Court of Appeals nominates four members; the Presiding Justices of the Appellate Divisions of the Supreme Court for the First and Second Judicial Departments each nominate two members; and two deans of law schools in the City of New York, on an annual rotating basis, each nominate one member. The Mayor’s approval of selections is necessary. See Appendix D.
Questionnaires and other information may be obtained from the Committee at:

Mayor’s Advisory Committee on the Judiciary
Desired Kim, Executive Director
100 Gold Street, 2nd Floor
New York, New York 10038
Tel. (212) 788-6800
Fax (212) 312-0970

Additional information is available at http://www.nyc.gov/html/acj/html/home/home.shtml. Generally, nominees of the Mayor’s Committee are reviewed by the Mayor’s Advisory Committee on the Judiciary and the Judiciary Committee of the Bar Association of the City of New York and will not be selected or appointed if found not qualified by those committees. For a list of the present membership of the Mayor’s Advisory Committee, see Appendix C. The application for the Mayor’s Advisory Committee is available on the Internet at http://www.nyc.gov/html/acj/html/application/judicial_application.shtml. See also Appendix I.

1. Jurisdiction of Family Court, Criminal Court and Civil Court

i. Family Court

The Family Court has jurisdiction over actions and proceedings concerning (1) the protection, treatment, correction and commitment of minors in need of the exercise of the authority of the court because of circumstances of neglect, delinquency, or dependency, as the legislature may determine; (2) the custody of minors, except for custody incidental to actions and proceedings for marital separation, divorce, annulment of marriage, and dissolution of marriage; (3) the adoption of persons; (4) the support of dependents, except when incidental to actions and proceedings in this state for marital separation, divorce, annulment of marriage, or dissolution of marriage; (5) the establishment of paternity; (6) proceedings for conciliation of spouses; and (7) as may be provided by law, the guardianship of minors, in conformity with the provisions of section seven of this article, and crimes and offenses by or against minors or between spouses or between parent and child or between members of the same family or household. The family court may also take jurisdiction over certain matters referred to it by the Supreme Court. N.Y. Const. art. 6, §§ 13(b)(1)–13(b)(7), 13(c), and art. 6, § 7(a).

ii. Criminal Court

The Criminal Court has Citywide criminal jurisdiction over crimes and other violations of law, other than those prosecuted by indictment, provided, however, that the Legislature may grant to the Criminal Court jurisdiction over misdemeanors prosecuted by indictment and over such other actions and proceedings not within the exclusive jurisdiction of the Supreme Court, as may be provided by law. N.Y. Const. art. 6, § 15(c).

Specifically, this includes jurisdiction to hear, try and determine all misdemeanor charges, except libel, and all offenses of a grade less than
misdemeanor. N.Y. City Crim. Ct. Act § 31. In addition, the Criminal Court has trial jurisdiction over all offenses other than felonies and preliminary jurisdiction of all offenses, subject to divestment by the Supreme Court and its grand juries. N.Y. Crim. Proc. Law § 10.30(1).

iii. Civil Court

See point B below.

2. Selection Process

Appointment by the Mayor of the City of New York from a list of candidates submitted by the Mayor’s Advisory Committee on the Judiciary. See General Comments, II(A), supra; Fam. Ct. Act § 123; N.Y. City Crim. Ct. Act § 22(2).

3. Eligibility Requirements


i. New York City resident.

ii. Admitted to practice as an attorney in New York for ten years before selection.

iii. Age limit - Service until December 31st of the year in which the judge reaches the age of 70. N.Y. Const. art. 6, § 25(b).

4. Term

Ten years. N.Y. Const. art. 6, § 13(a); N.Y. Fam. Ct. Act § 123; N.Y. City Crim. Ct. Act § 22(2).

5. Salary


B. Election to the Civil Court of the City of New York

General Comments – Political party nomination (especially the Democratic Party nomination, in all counties except Richmond) is very important for election. A candidate needs to file petitions to be considered a candidate for a party’s nomination in the General Election. Petitions containing 4000 signatures are needed for a county-wide seat, and petitions containing 1500 signatures are necessary for a district seat. In practice, it is necessary to get additional signatures above the minimum—perhaps two or three times the minimum—as petitions may be challenged by opponents. Support from political
clubs can ease a candidate’s burden in collecting signatures, as club members will frequently provide labor to collect signatures. In the counties, the presence of competing factions within the political parties has provided an opportunity for many well-qualified persons to be nominated in spite of past political inactivity. Interested persons should communicate with any screening panels and the various political party organizations active in their respective districts. See Appendix B.

1. Jurisdiction

Citywide jurisdiction over actions and proceedings for the recovery of money and chattels; foreclosure of mechanics’ liens and liens on personal property up to $25,000, exclusive of costs and interest; summary proceedings to recover possession of real property and to remove tenants therefrom; and unlimited jurisdiction to enter judgment upon a counterclaim for the recovery of money. N.Y. Const. art. 6, § 15(b).

2. Selection Process

Election from districts, with vacancies filled by the Mayor and service continuing until the last day of December after next election. See N.Y. City Civ. Ct. Act § 102-a(3).

3. Eligibility Requirements

i. New York City resident. N.Y. City Civ. Ct. Act § 102-a(1).

ii. Admitted to practice as an attorney in New York for ten years before taking office. N.Y. City Civ. Ct. Act § 102-a(1).

iii. Age Limit - Service until December 31st of the year in which the judge reaches the age of 70. N.Y. Const. art. 6, § 25(b).

4. Term

Ten years. N.Y. Const. art. 6, § 15(a).

5. Salary


C. Housing Part of the Civil Court

General Comments – Judges of the Housing Part of the Civil Court are appointed by the Administrative Judge of the Civil Court from a list of candidates found qualified by the Advisory Council to the Housing Part of the Civil Court. N.Y. City Civ. Ct. Act § 110(f).
The Advisory Council is a statutory body composed of fourteen members, who serve without compensation, appointed by the Administrative Judge with the approval of the Presiding Justices of the Appellate Divisions of the Supreme Court for the First and Second Judicial Departments. The Advisory Council members represent the real estate industry, including the chair of the New York City Housing Authority (three), tenants’ organizations (three), civic groups (two), bar associations (two), the public (two), the Mayor of the City of New York (one), and the Commissioner of Housing and Community Renewal (one). N.Y. City Civ. Ct. Act § 110(g). For a list of the present membership of the Advisory Council, see Appendix E.

Persons interested in positions as Housing Judges should request questionnaires and additional information from:

Chief Administrative Judge
Civil Court of the City of New York
111 Centre Street, Room 1240
New York, New York 10013
(646) 386-5400

1. Jurisdiction

Actions and proceedings involving the enforcement of state and local laws for the establishment and maintenance of housing standards including, but not limited to, the Multiple Dwelling Law and the Housing Maintenance Code, and the Building Code and Health Code of the Administrative Code of the City of New York, as provided in N.Y. City Civ. Ct. Act § 110(a).

2. Selection Process

Appointment by the Administrative Judge from a list of candidates selected annually by the Advisory Council. N.Y. City Civ. Ct. Act § 110(f).

3. Eligibility Requirements

Admission to practice as an attorney in New York for five years, two of which must have been in active practice, before taking office. Reappointment possible. N.Y. City Civ. Ct. Act § 110(i).

4. Term

Five years. Id.

5. Salary

III. New York State Courts

A. Election to the Supreme Court of the State of New York

General Comments – The following information is a description of the current statutory scheme for election to the State Supreme Court.

Democrats are most often elected as Supreme Court Justices in New York City as a result of New York City's predominantly Democratic electorate. Under current procedures, each political party holds a judicial nominating convention for each judicial district. The conventions are attended by delegates elected in each Assembly District or, in some cases, a part thereof, at the primary immediately preceding the election involved. N.Y. Election Law § 6-124. The rules governing time, place, and procedure of conventions are left to committees appointed under the rules of the state committee of each political party. Id. § 6-126(1).

For administrative purposes, New York State is divided into 13 judicial districts, with the following judicial districts in New York City (N.Y. Jud. Law § 140):

<table>
<thead>
<tr>
<th>District</th>
<th>City</th>
</tr>
</thead>
<tbody>
<tr>
<td>First District</td>
<td>Manhattan</td>
</tr>
<tr>
<td>Second District</td>
<td>Brooklyn</td>
</tr>
<tr>
<td>Eleventh District</td>
<td>Queens</td>
</tr>
<tr>
<td>Twelfth District</td>
<td>Bronx</td>
</tr>
<tr>
<td>Thirteenth District</td>
<td>Staten Island</td>
</tr>
</tbody>
</table>

Each judicial district has the following number of justices of the Supreme Court (N.Y. Jud. Law § 140-a):

<table>
<thead>
<tr>
<th>District</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>First District</td>
<td>38</td>
</tr>
<tr>
<td>Second District</td>
<td>49</td>
</tr>
<tr>
<td>Eleventh District</td>
<td>39</td>
</tr>
<tr>
<td>Twelfth District</td>
<td>25</td>
</tr>
<tr>
<td>Thirteenth District</td>
<td>3</td>
</tr>
</tbody>
</table>

Nominees need not be enrolled members of the political party by which they are nominated. Historically, Supreme Court nominees usually have been selected from among sitting Criminal Court, Civil Court, or Family Court Judges.

1. Jurisdiction

General, original, and appellate jurisdiction in law and equity. See Appellate Term and Appellate Division, infra. In the City of New York, jurisdiction concurrent with that of the Criminal Court over certain misdemeanors prosecuted by indictment and with the Family Court over crimes and offenses by or against minors or between members of the same family or household, and exclusive jurisdiction over all other crimes prosecuted by indictment. N.Y. Const. art. 6, § 7; N.Y. Fam. Ct. Act §§ 115, 812; N.Y. City Crim. Ct. Act § 31.
2. **Selection Process**

Election by judicial district. N.Y. Const. art. 6, § 6(c).

3. **Eligibility Requirements**

i. Admission to practice as an attorney in New York for ten years. N.Y. Const. art. 6, § 20(a); N.Y. Jud. Law § 140-a.

ii. **Age Limit** - A Supreme Court Justice may serve until December 31st of the year in which he or she reaches age 70, and may thereafter perform duties as a Supreme Court Justice if it is certified that his or her services are necessary to expedite the business of the Court, and that he or she is physically and mentally competent to fully perform the duties of such office. Certification is valid for a two-year term and may be extended for up to two additional two-year terms, but in no event longer than December 31st in the year in which he or she reaches age 76. N.Y. Const. art. 6, § 25(b).

4. **Term**

14 years. Id. § 6(c).

5. **Salary**


B. **Interim Appointments to Fill Vacancies and Unexpired Terms on the Supreme Court**

General Comments – Appointments to fill vacancies on the Supreme Court, created other than by expiration of a term, are filled at the next general election, and until then are filled by the Governor upon advice and consent of the State Senate. N.Y. Const. art. 6, § 21(a).

C. **Acting Supreme Court Justice**

1. **Jurisdiction**

Same as Supreme Court Justice.

2. **Selection Process**

Designation by the Chief Administrator of the Courts upon consultation and agreement with the presiding justice of the appropriate Appellate Division. Selection made upon recommendations from an evaluatory panel consisting of the
appropriate Deputy Chief Administrator for the Courts, the Deputy Chief Administrator for Management Support, the Administrative Judge for Matrimonial Matters, and the Administrative Judge of the court where the judge serves. The panel shall consult with Administrative Judges, bar associations, and other persons or groups as may be appropriate, and shall consider the productivity, scholarship, temperament, and work ethic of eligible candidates and any complaints made against an applicant. See 22 N.Y. A.D.C. § 121.2.

3. Eligibility Requirements

Service as a judge in a court of limited jurisdiction (Court of Claims, County Court, Surrogate's Court, Civil, Criminal, or Family Court) for at least two years, 22 N.Y. A.D.C. § 121.2(c), and residence in the Department for which the appointment is made, N.Y. Const. art. 6, § 26.

4. Term

No greater than one year, provided that the initial assignment shall be for a term of no more than four months. 22 N.Y. A.D.C. § 121.3. Judges are eligible for redesignation at the end of term. Id.

Judges interested in serving as Acting Supreme Court Justices in the City of New York should proceed through the judicial administration of the court in which they sit.

D. Supreme Court, Appellate Terms

1. Jurisdiction

The Appellate Division of the Supreme Court in each Judicial Department may establish an Appellate Term for the Department, Judicial District, or County within that Department, and may authorize the Appellate Term to hear appeals authorized by law to be taken to the Supreme Court or the Appellate Division, other than appeals from the Supreme Court, a Surrogate's Court, or appeals in criminal cases prosecuted by indictment or information. See N.Y. Const. art. 6, § 8(a), (d).

2. Selection Process

The Appellate Term is composed of between three and five Supreme Court Justices designated by the Chief Administrator of the Courts with the approval of the presiding justice of the appropriate appellate division. Id. § 8(a).

3. Eligibility Requirements

Service as a Supreme Court Justice. Id.
E. **Supreme Court, Appellate Division, First and Second Departments**

1. **Jurisdiction**

Appeals from judgments or orders as to which appeal is authorized from the Supreme Court, Surrogate's Court, Appellate Term of the Supreme Court, Family Court, Court of Claims, and County Courts (except as directed to the Appellate Term). N.Y. C.P.L.R. § 5701; N.Y. Const. art. 6, § 5; N.Y. Fam. Ct. Act § 1111.

2. **Selection Process**

Designation by the Governor from among the Supreme Court Justices of the State. N.Y. Const. art. 6, § 4(c).

3. **Eligibility Requirements**

Supreme Court Justice. The Presiding Judge must be a resident of the Department for which the designation is made. N.Y. Const. art. 6, § 4(c). A majority of Associate Judges also must be residents of the Departments in which they serve. Id. § 4(f).

4. **Term**

i. Presiding Judge - until expiration of term as Supreme Court Justice. Id. § 4(c).

ii. Associate Judge - earlier of five years from date of appointment or expiration of term as Supreme Court Justice. Id.

5. **Salary**


ii. Associate Judge - $183,300. Id.


F. **Court of Claims**

1. **Jurisdiction**

i. "Part A Judges." Twenty-seven originally authorized judges of the Court of Claims have jurisdiction over, inter alia, claims against the State for the appropriation of any real or personal property, breach of contract, torts of state officers and employees committed while acting as such, claims for damages against the State for unjust conviction and imprisonment, and

ii. “Part B Judges.” Pursuant to Sections 2(2)(b)–(d) of the N.Y. Court of Claims Act, a specified number of additional Court of Claims judges may be appointed. Pursuant to 22 N.Y.C.R.R. Parts 33 and 121.2, most of the additional “Part B” Court of Claims Judges have been appointed immediately to serve as Acting Justices of the Supreme Court, Criminal Term.

2. Selection Process

Appointment by the Governor with the consent of the State Senate. N.Y. Ct. Cl. Act § 2(2)(a).

3. Eligibility Requirements

Admission to practice as an attorney in New York, with at least ten years experience in practice. N.Y. Ct. Cl. Act § 2(7). No age limit.

4. Term

Nine years. N.Y. Ct. Cl. Act § 2(3).

5. Salary

i. Presiding Judge - $183,300.

ii. Judge - $174,000. Id.


6. Vacancies and Unexpired Terms

Vacancies other than by expiration of term are filled for the unexpired term in the same manner as an original appointment. N.Y. Const. art. 6, § 21(b).

G. Surrogate’s Court

General Comments – There are two Surrogates in New York County and Kings County; there is one in each of the other counties in New York City.

1. Jurisdiction

Full and complete general jurisdiction in law and in equity to administer justice in all matters relating to estates and the affairs of decedents. N.Y. Surr. Ct. Proc. Act § 201(3).
2. Selection Process

County-wide election. Candidates should communicate with political party organizations and judicial screening panels in the county in which they seek to be elected. See Appendix B.

3. Eligibility Requirements


ii. Age Limit - Service until December 31st of the year in which the judge reaches the age of 70. N.Y. Const. art. 6, § 25(b).

4. Term

Fourteen years in New York City, and ten years in other counties. N.Y. Const. art. 6, § 12(c).

5. Salary


6. Vacancies and Unexpired Terms

Appointments to fill vacancies in the Surrogate’s Court, other than those created by expiration of a term, are made by the Governor upon advice and consent of the State Senate. N.Y. Const. art. 6, § 21(a).

H. Court of Appeals

General Comments – Appointments by the Governor as Associate Judge or Chief Judge of the Court of Appeals are made from a list of nominees found well-qualified by the State of New York Commission on Judicial Nomination. N.Y. Const. art. 6, § 2(c). The members of the Commission, who serve without compensation, are appointed by the Governor (four), the Chief Judge of the Court of Appeals (four), the Speaker of the State Assembly (one), the Temporary President of the State Senate (one), the Minority Leader of the State Assembly (one), and the Minority Leader of the State Senate (one). Id., § 2(d). Among each group of four members appointed by the Governor and the Chief Judge, respectively, no more than two may be enrolled in the same political party, two must be members of the bar of the State, and two must be laypersons. Id.; see Appendix G.
1. **Jurisdiction**

Jurisdiction is limited to the review of questions of law except where the judgment is of death, or where the Appellate Division, on reversing or modifying a final or interlocutory judgment in an action or a final or interlocutory order in a special proceeding, finds new facts and a final judgment and a final order pursuant thereto is entered. N.Y. Const. art. 6, § 3.

2. **Selection Process**

Appointment by the Governor from a list of nominees prepared by the Commission on Judicial Nomination, with the advice and consent of the State Senate. *Id.* § 2(c).

3. **Eligibility Requirements**

   i. Residence in New York and admission to practice as an attorney in New York for ten years. *Id.*

   ii. Age Limit - Service until December 31st of the year in which the judge reaches the age of 70. N.Y. Const. art. 6, § 25(b).

4. **Term**

Fourteen years. N.Y. Const. art. 6, § 2(a).

5. **Salary**

   i. Chief Judge - $198,600. N.Y. Jud. Law § 221.

   ii. Associate Judges - $192,500. *Id.*


6. **Vacancies and Unexpired Terms**

Appointments to fill vacancies on the Court of Appeals are made in the same manner as original appointments. N.Y. Const. art. 6, § 2(f). The Commission publishes notices of vacancies and application information locally in the New York Law Journal.

### I. **Judicial Hearing Officer**

1. **Jurisdiction**

Judicial Hearing Officers have been assigned to hear and report, with recommendations, to a judge of the Unified Court System.
2. Selection Process

Subject to the rules of the Chief Administrator of the Courts, any person who has served as a judge or justice of a court of record of the Unified Court System or of a city court which is not a court of record, but who no longer holds judicial office, may, upon completion of a prescribed application, be designated by the chief administrator as a judicial hearing officer upon the determination of the chief administrator that (a) the former judge has the mental and physical capacity to perform the duties of such office and (b) the services of that former judge are necessary to expedite the business of the courts. N.Y. Jud. Law § 850(1).

3. Eligibility Requirements

Any person who has served for at least one year as a judge or justice of a court of the Unified Court System, other than a town or village court, who is no longer serving in such capacity, except a person who was removed from a judicial position pursuant to N.Y. Const. art. 6, § 22(h). Uniform Rules of Chief Administrator, 22 N.Y.C.R.R. Part 122.1.

4. Term

One year, with possible extension for an additional year without further application, and with possible designation for additional two-year terms. 22 N.Y.C.R.R. Part 122.3.

5. Salary

Reasonable and necessary expenses incurred in performance of duties, plus compensation in an amount established by the Chief Administrator of the Courts, currently, $300 per diem. 22 N.Y.C.R.R. Part 122.8. Such expenses and compensation shall be state charges payable out of funds appropriated to the administrative office for the courts for this purpose. A judicial hearing officer shall receive no other compensation for the performance of services in this capacity. N.Y. Jud. Law § 852(1).

J. Supreme Court Special Master (volunteer)

Special Masters dispose of disputes between parties relating to discovery matters. Ten years' intensive motion/trial experience is required. An attorney wishing to perform as a special master must submit an affirmation declaring his or her good standing as an attorney, the absence of any prior instances of misconduct, and the extent and nature of his or her trial experience. Applications may be obtained from:

New York County Lawyers’ Association
14 Vesey Street
New York, New York 10007-2992
(212) 267-6646
The Special Masters Committee reviews the applications of prospective Special Master candidates.

Special Masters serve on a continuing basis, provided that they respond affirmatively to the annual inquiry sent to Special Masters requesting whether they wish to continue to serve.

K. **Civil Court Arbitrator (paid)**

**General Comments** – The Chief Administrator of the courts may establish an arbitration program in any trial court. 22 N.Y.C.R.R. Part 28.2(a).

1. **Jurisdiction**

In each county with an arbitration program, all civil actions for a sum of money, except those commenced in small claims parts and not subsequently transferred to a regular part of the Court, that are noticed for trial or commenced in the Supreme Court, County Court, the Civil Court of the City of New York, a District Court, or a City Court, where recovery sought for each cause of action is $6,000 or less, or $10,000 or less in the Civil Court of the City of New York, or such other sum as may be authorized by law, exclusive of costs and interest, shall be heard and decided by a panel of arbitrators. 22 N.Y.C.R.R. Part 28.2(b). Includes jurisdiction of any counterclaim or cross-claim without reference to amount. *Id.* Part 28.2(d).

In addition, parties may stipulate that any civil action pending or thereafter commenced for a sum of money, regardless of the amount in controversy, shall be arbitrated, with the award not limited to the monetary jurisdiction of the court. *Id.* Part 28.2(c).

Unless the award is vacated or a demand is made for a trial de novo, with the fees of the arbitrator paid simultaneously therewith, arbitrator’s awards are final and judgment may be entered thereon. *Id.* Part 28.11(b).

2. **Selection Process**

Members of arbitration panels are appointed by the Arbitration Commissioner from the list of attorneys established by the Chief Administrator of the courts. Names of attorneys are drawn at random. Where a three-arbitrator panel is utilized, the first name drawn for each three-arbitrator panel shall be the chairperson thereof. *Id.* Parts 28.4(a), (b).

3. **Eligibility Requirements**

The panel chairperson must be admitted to practice in New York for at least five years. Other panel members must be admitted, but there is no durational requirement. *Id.* Part 28.4(b).
4. Term

No attorney who has served as arbitrator is eligible to serve again until all other attorneys on the current list of the Chief Administrator of the Courts have had an opportunity to serve. Id, Part 28.4(c).

5. Salary

The Chief Administrator of the Courts provides for compensation and expenses to the extent funds are available for this purpose. Id, Part 28.10(a).

I. Civil Court Small Claims Arbitrator (volunteer)

1. Jurisdiction

Any claim for money not in excess of $5,000, exclusive of costs and interest, may be arbitrated where the defendant (except an infant or incompetent) resides or transacts business or is regularly employed within the City. N.Y. Civ. Ct. Act § 1801; 22 N.Y.C.R.R. § 208.41(n).

2. Selection Process

Volunteer arbitrators are appointed by the Administrative Judge of the Civil Court for duty at that term of the court. Id. § 208.41(n)(1).

M. Family Court Support Magistrates (paid)

General Comments – Support Magistrates hear and decide support proceedings under the New York City Family Court Act, except issues of violations of a support order, commitment, contested paternity, custody, visitation, orders of protection, and exclusive possession of the home. N.Y. Fam. Ct. Act § 439(a). Support Magistrates hear and determine all matters in any proceeding to establish paternity, including the making of an order of filiation, where admitted or acknowledged. Id, § 439(b). Support Magistrates can issue subpoenas, administer oaths, and direct disclosure. Id, § 439(d). In proceedings presenting issues of commitment, custody, visitation, orders of protection, or exclusive possession of the home, the Support Magistrate makes a temporary order of support and refers the matter to a judge. N.Y. Fam. Ct. Act § 439(c).

1. Selection Process

The Administrative Judge for the New York City Family Court will publish an announcement in the New York Law Journal and communicate directly with bar associations to invite applications from the bar. Applicants are screened for character and ability to handle Support Magistrate responsibilities by a Committee consisting of an administrative judge, a judge of the Family Court, and a designee of the Chief Administrator of the courts, which submits recommendations to the Chief Administrator who makes the order of appointment. 22 N.Y.C.R.R. § 205.32(c).
2. **Eligibility Requirements**

Support Magistrates must be admitted to practice in New York State for at least five years and must be knowledgeable about Family Court, family law, and federal and state support law and programs. 22 N.Y.C.R.R. § 205.32(a).

3. **Term**

Full-time appointment for three years, remaining eligible for subsequent reappointment for additional term which may be five years in length. N.Y. Fam. Ct. Act § 439(f).

4. **Salary**

Compensation is fixed by the Chief Administrator of the courts. 22 N.Y.C.R.R. § 205.32(e).

N. **Court Attorney-Referee (paid)**

General Comments – Court Attorney-Referees in Family Court handle cases involving custody, visitation, and guardianship of children, orders of protection under article 8, and permanency hearing under article 10-A of the New York Family Court Act. The scope of the authority of a Court Attorney-Referee is set in the first instance by an order of reference. CPLR 4311. The order of reference may authorize the Court Attorney-Referees to hear and determine or to hear and report. A Court Attorney-Referee may generally only hear and determine a case upon the consent of the parties. CPLR 4312.

1. **Selection Process**

The Administrative Judge for the New York City Family Court will publish an announcement in the **New York Law Journal** and communicate directly with bar associations to invite applications from the bar. Applicants are screened for character and ability to handle Court Attorney-Referee responsibilities by a Committee consisting of an administrative judge, a judge of the Family Court, and a designee of the Chief Administrator of the courts, which submits recommendations to the Chief Administrator who makes the order of appointment.

2. **Eligibility Requirements**

Court Attorney-Referees must be admitted to the Bar of the State of New York and have at least two years service in the Associate Court Attorney title or eight years of relevant legal experience gained after admission to the New York State Bar.
3. **Term**

Court Attorney-Referees do not have a fixed term.

4. **Salary**

Compensation is promulgated by the Chief Administrator of the courts in accordance with NY Judiciary Law, Section 37.

O. **Community Dispute Resolution Mediator (paid)**

Seeking to resolve minor disputes expeditiously, especially those that would otherwise be handled by the criminal justice system. Community Dispute Resolution Centers provide services without cost to indigents or at nominal or no cost to other participants. Centers are administered by nonprofit organizations established to resolve disputes or for religious, charitable, or educational purposes. The Chief Administrator of the Courts selects Centers for funding pursuant to contracts between the Unified Court System and grant recipients. See, e.g., 22 N.Y.C.R.R. § 116.

P. **State Administrative Law Judge**

Parking Violations Bureau

Applicants must be attorneys admitted to practice three or more years in New York State.

Application forms may be obtained from:

Hon. A. Gail Prudenti  
Chief Administrative Judge  
Office of Court Administration  
25 Beaver Street  
New York, NY 10007  
(212) 428-2120

IV. **United States Courts**

**Court of Appeals and District Court**

United States Court of Appeals and District Court judges are appointed by the President, with the advice and consent of the Senate. Each is a lifetime appointment, except in the territories (but not Puerto Rico), where appointments are for eight-year terms.

Appointments to federal judgeships historically have been made at the suggestion of a United States Senator from the state within the territorial jurisdiction of the court. The
selection process for federal appointments may change in the upcoming years with the election of a new president and appointment of a new Senator from New York.

A. **United States Court of Appeals for the Second Circuit**

1. **Selection Process**

   The President, with the advice and consent of the Senate, appoints thirteen judges for the Second Circuit. 28 U.S.C. § 44(a).

2. **Eligibility Requirements**

   Each Circuit Judge must be a resident of the Circuit. 28 U.S.C. § 44(c).

3. **Term**

   Circuit Judges hold office during good behavior. 28 U.S.C. § 44(b).

4. **Salary**

   $211,200.

B. **United States District Court for the Southern and Eastern Districts of New York**

1. **Selection Process**

   The President, with the advice and consent of the Senate, appoints district judges for the various judicial districts, i.e., 28 district judges for the Southern District of New York, and 15 district judges for the Eastern District of New York. 28 U.S.C. § 133.

2. **Eligibility Requirements**

   District Judges in the Eastern and Southern Districts must reside within twenty miles of the districts for which they are appointed. 28 U.S.C. § 134(b).

3. **Term**

   District Judges hold office during good behavior. Id. § 134(a).

4. **Salary**

   $199,100.
C. United States Magistrate Judge

General Comments – Vacancies or positions as U.S. Magistrates in the Southern and Eastern Districts of New York (and instructions to applicants for submission of their qualifications) are announced in the New York Law Journal as such vacancies arise.

1. Selection Process

The judges of each U.S. District Court appoint a screening committee of attorneys and community leaders to make recommendations to them. Magistrate Judges are then selected with the concurrence of a majority of the judges in the District for which the appointment is made, or by the Chief Judge of the District. 28 U.S.C. § 631(a).

2. Eligibility Requirements

i. Member in good standing of the bar for five years. 28 U.S.C. § 631(b)(1);

ii. Competence to perform the duties of the office, as determined by the appointing court. Id. § 631(b)(2);

iii. Less than seventy years of age. Id. § 631(d); and

iv. No relationship by blood or marriage to any Judge of the District for which the appointment is made at the time of initial appointment. Id. § 631(b)(4).

3. Term

Eight years (four years for part-time Magistrate Judges). Id. § 631(e).

4. Salary

$183,172 (full-time).

D. United States Bankruptcy Judge


1. Jurisdiction

Bankruptcy Judges may hear and determine all cases arising in or related to Title 11 of the United States. 28 U.S.C. § 157.

2. Selection Process

Appointments as Bankruptcy Judges of the Judicial Districts are made by a majority of Judges of the United States Court of Appeals for each Circuit upon the
recommendation of the Judicial Conference of the United States, or by the Chief Judge of the Court of Appeals where a majority of judges cannot agree. 28 U.S.C. § 152(a)(1), (3). A panel of circuit judges and district judges from the district where the judge will serve makes recommendations for appointments.

3. Term

14 years. 28 U.S.C. § 152(a)(1). Removal during term only by the Judicial Council of the Second Circuit for incompetence, misconduct, neglect of duty, or physical or mental disability. Id. § 152(e).

4. Salary

$183,172.

E. Administrative Law Judge

General Comments – ALJs are quasi-judicial officers who work in the various federal administrative agencies in New York and elsewhere. Depending on the agency to which they are assigned, they preside over a variety of matters such as licensing, rate-making, rule-making, and benefit appeals. Those interested in applying should contact:

U.S. Office of Personnel Management
Employment Service
Office of Administrative Law Judges
1900 E Street, N.W.
Washington, D.C. 20415-0001
(202) 606-0810

1. Selection Process

Appointment by the various administrative agencies with the approval of the Office of Personnel Management. 5 U.S.C. § 3105; 5 C.F.R. § 930.201 et seq.

2. Eligibility Requirements

Applicants must be licensed and authorized to practice law under the laws of a State, the District of Columbia, the Commonwealth of Puerto Rico, or any territorial court established under the United States Constitution. Applicants must have a full seven (7) years of experience as a licensed attorney preparing for, participating in, and/or reviewing formal hearings or trials involving litigation and/or administrative law at the Federal, State, or local level. Qualification Standard For Administrative Law Judge Positions, U.S. Office of Personnel Management, http://www.opm.gov/policy-data-oversight/classification-qualifications/general-schedule-qualification-standards/specialty-areas/administrative-law-judge-positions/ (last visited Nov. 26, 2014).

3. Term

Not specified; removal may be made for good cause. 5 U.S.C. § 7521.
4. **Salary**

   Within a range established by the Office of Personnel Management and depending on the ALJ’s responsibilities, experience, and the agency in which he or she works.

**F. Arbitrator for the Eastern District of New York**

1. **Jurisdiction**

   Any civil case in the U.S. District Court for the Eastern District of New York for a money claim not in excess of $150,000, exclusive of costs and interest, is automatically sent to arbitration, with the exception of social security cases, tax matters, prisoners' civil rights cases, and any action based on an alleged violation of a constitutional right, or if jurisdiction is based in whole or in part on 28 U.S.C. § 1343. In addition, arbitrators handle cases involving damages in excess of $150,000 where the parties stipulate to submit to arbitration. Local Civil Rule 83.7(d). The arbitration shall be held before a single arbitrator, unless a panel of three is requested by a party and the amount in controversy exceeds $5,000. Local Civil Rule 83.7(e)(4).

2. **Selection Process**

   Arbitrators are randomly selected by the Clerk of the Court from a list of attorneys certified by the Chief Judge or his designee to act as arbitrators. Local Civil Rule 83.7(a)(4), (e)(4).

3. **Eligibility Requirements**

   Member for at least five years to the bar of the highest court of a state or the District of Columbia and admission to the district court for the Eastern District of New York. Local Civil Rule 83.7(a)(2). Application and information concerning “Court-Annexed Arbitration” may be obtained from:

   ADR Administrator and Arbitration Clerk  
   United States District Court for the  
   Eastern District of New York  
   225 Cadman Plaza East, Rm. 172  
   Brooklyn, New York 11201  
   (718) 613-2577

4. **Salary**

   Where parties have agreed to arbitration before a single arbitrator, compensation is $250. Where parties have agreed to arbitration before a panel of three arbitrators, compensation is $100 per arbitrator. Local Civil Rule 83.7(b).
Sarah Loomis Cave  
Hughes Hubbard & Reed LLP  
One Battery Park Plaza  
New York, New York 1004-1482  
(212) 837-6559

Hon. Tamiko Amaker  
Hon. Arlene P. Bluth  
Sean Burke  
Roy H. Carlin  
Jim Clynes  
Jesse S. Crew  
Hon. Carol R. Edmead  
Lissette Fernandez  
Hon. Lenora Gerald  
David B. Goldin  
Hon. Doris M. Gonzalez  
Evelyn Konrad  
Debra Mechancik  
Hon. Peter H. Moulton  
Rachel H. Nash  
Hon. Louis L. Nock  
Hon. Edwina Richardson-Mendelson  
Tracey Salmon-Smith  
Hon. Vera M. Scanlon  
Hon. Beatrice Shainswit  
Hon. Elizabeth S. Stong  
Hon. Philip Straniere  
Patricia Anne Taylor  
Richard M. Zuckerman

New York City Bar Association  
42 West 44th Street  
New York, New York 10036  
(212) 383-6664  
(212) 382-6760 (fax)  
www.nycbar.org

Individuals interested in joining this committee should contact Sarah Loomis Cave. Special Committee members must be members of the Association of the Bar of the City of New York. The Committee wishes to express its appreciation to all the panelists who participated in the 2014 program.
APPENDIX A

New York City Bar Associations

(Partial Listing)

Bronx County Bar Association
851 Grand Concourse, Room 124
Bronx, New York 10451-2937
(718) 293-5600
www.bronxbar.com

Brooklyn Bar Association
123 Remsen Street
Brooklyn, New York 11201
(718) 624-0675
www.brooklynbar.org

New York County Lawyers’ Association
14 Vesey Street
New York, New York 10007
(212) 267-6646
www.nycla.org

Queens County Bar Association
90-35 148th Street
Jamaica, New York 11435
(718) 291-4500
www.qcba.org

Richmond County Bar Association
152 Stuyvesant Place, Ste. 203
Staten Island, New York 10301
(718) 442-4500
www.thercba.org
APPENDIX B

Political Organizations

(Partial Listing)

**Bronx County**

Bronx Democratic County Committee
1640 Eastchester Road
Bronx, New York 10461
(347) 281-9759
www.bronxdems.org

Bronx County Republican Committee
2113 Williamsbridge Road
Bronx, New York 10461-1606
(718) 792-5800

**Brooklyn/Kings County**

Kings County Democratic Committee
16 Court Street, Suite 1207
Brooklyn, New York 11241
(718) 875-5870

Kings County Republican County Committee
1662 Sheepshead Bay Road
Brooklyn, New York 11235
(718) 332-5796
www.brooklyngop.com

**Manhattan/New York County**

New York County Democratic Committee
108 West 39th Street, Suite 1201
New York, New York 10018
(212) 687-6540
www.manhattandemocrats.org

New York Republican County Committee
122 East 83rd Street, 2nd Floor
New York, New York 10028-0838
(212) 517-8444
www.nycRepublican.org
Queens County

Democratic Organization of Queens County
72-50 Austin Street
Forest Hills, New York 11375
(718) 268-5100

Queens County Republican Party
24-55 Francis Lewis Blvd.
Whitestone, New York 11357
(718) 690-3737
www.qgop.org

Staten Island/Richmond County

Democratic Committee of Richmond County
35 New Dorp Plaza
Staten Island, New York 10306
(718) 983-5009
www.sidemocrats.com

Republican Party of Staten Island
2300 Richmond Road
Staten Island, New York 10306
(718) 667-7467
www.sigop.com
APPENDIX C

Mayor’s Advisory Committee on the Judiciary

Hon. Carmen Beauchamp Ciparick (Ret.) (Chair)
Hon. Barry A. Cozier (Ret.) (Vice Chair)
Stacy Caplow
Derrick Cephas
Christopher DiLorenzo
Hon. Betty Weinberg Ellerin (Ret.)
Richard Gutierrez
Craig Kaplan
Hon. Judy Harris Kluger (Ret.)
Chanwoo Lee
Plummer Lott
Dennis Parker
Thomas Principe
Marvin Raskin
Crystal Screen
Sharon Stapel
Lisa Tsang
Earl Ward
Milton Williams, Jr.
APPENDIX D

Mayor's Executive Order No. 4

May 29, 2014

MAYOR'S ADVISORY COMMITTEE ON THE JUDICIARY

By the power vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. Committee Established.

The Mayor's Advisory Committee on the Judiciary (hereinafter called the "Committee") hereby is established in the Office of the Mayor to recruit, to evaluate, to consider and to nominate judicial candidates highly qualified for appointment and to evaluate the incumbent judges for reappointment to the following courts within The City of New York: Criminal Court, Family Court and, for interim appointments, Civil Court.

Section 2. Functions.

The Committee shall:

(a) Take steps to recruit and encourage highly qualified persons for such appointment to serve as a judge of a court in New York City and to receive from any source the names of candidates appearing to have the highest qualifications for judicial office;

(b) Evaluate and conduct all necessary inquiry to determine those persons whose character ability, training, experience, temperament and commitment to equal justice under law fully qualify them for judicial office;

(c) Consider all relevant information to determine which of the highly qualified candidates are best qualified for judicial office and refer to the Department of Investigation for screening all persons the Committee proposes to nominate for appointment;

(d) Nominate and present to the Mayor three candidates for appointment to each vacant judicial office, except that if there are numerous vacancies the Committee, in its discretion, may present less than three nominations (unless the Mayor requests three nominations) for each vacancy, and provide such information as may be necessary to inform the Mayor of the qualifications of each nominee; and

(e) Evaluate the qualifications of each incumbent judge for reappointment to judicial office and present the Committee's recommendation to the Mayor, provided that if the Committee finds the incumbent is not highly qualified for reappointment, or if the Mayor,
following receipt of the Committee’s recommendation, finds that the incumbent is not highly qualified for reappointment, the Committee shall nominate and present to the Mayor three candidates for appointment to the resulting vacancy other than the incumbent.

Section 3. Public Hearings.

(a) The Mayor shall notify the Committee of the name of any person chosen for appointment from among the nominees submitted by the Committee and shall notify the Committee of the name of each incumbent judge chosen for reappointment as recommended by the Committee. The Committee shall promptly thereafter conduct a public hearing except in the case of the appointment of an incumbent judge. Such hearing shall be upon reasonable notice and any person may present information concerning the fitness of the nominee for appointment. Based on the information received, the Committee may reconsider the nomination. If any reconsideration results in withdrawal of a nomination, the Mayor shall be notified immediately by the Committee and the nominee shall not be appointed.

(b) The Committee may from time to time conduct public hearings concerning the process of judicial selection.

Section 4. Appointments by the Mayor.

(a) The Mayor shall not appoint a judge unless nominated by the Committee and shall not reappoint an incumbent judge unless recommended for reappointment by the Committee.

(b) Judicial vacancies shall be filled within ninety days unless a longer period is required in the public interest.

(c) After the Mayor appoints a nominee to fill a judicial vacancy, the remaining nominations submitted the Committee for that vacancy shall expire immediately, unless a vacancy or vacancies exists in the same court. In such case the remaining nominations shall be valid for appointment to that court for six months after their submission to the Mayor or until such vacancy or vacancies are filled, whichever is earlier.

Section 5. Committee Membership.

(a) The Committee shall consist of nineteen members, each residing or having a principal place of business in the City of New York, all of whom shall be appointed by the Mayor. The Mayor shall select nine members including the Chairperson who shall serve in that capacity at the pleasure of the Mayor and, in the Mayor’s discretion, including one or more Vice Chairperson who shall serve in that capacity at the pleasure of the Mayor. The Chief Judge of the New York Court of Appeals shall nominate four members for appointment to the Committee by the Mayor. The Presiding Justices of the Appellate Division for the First and Second Judicial Departments shall nominate two members for appointment to the Committee by the Mayor. Two
deans of law schools within the City of New York shall each nominate one member for appointment to the Committee by the Mayor, with authority to nominate rotating biannually among eligible deans. If the Mayor decides not to appoint any person nominated by the Chief Judge, a Presiding Justice or dean, he shall notify the Chief Judge, Presiding Justice or dean who made the nomination to submit the name of another nominee. All members shall serve for a term of two years. Notwithstanding the foregoing, the members first appointed shall serve until December 31, 2015. Vacancies in the Committee shall be filled in the same manner as initial appointments and a member filling a vacancy shall serve for the remainder of the unexpired term. Any member of the Committee may be removed by the Mayor for cause.

(b) Members of the Committee shall be selected in order to ensure that only candidates with the highest qualifications shall be nominated for appointment to judicial office. Members of the Committee shall be selected with due consideration for broad community and borough representation, the membership shall include men and women and members of minority and other groups, who are qualified to perform the functions of the Committee.

(c) No person shall be considered by the Committee for judicial office while serving as a member of the Committee or within one year thereafter.

Section 6. Confidentiality.

All Committee communications concerning judicial qualifications of candidates shall be made and held in confidence, except such communication as the Committee may submit to the Mayor or receive at public hearings, or as otherwise may be necessary and proper to the conduct of Committee proceedings.

Section 7. Committee Action Procedure.

The Committee may adopt such procedures and policies as it may deem appropriate to its functions including standards for evaluating the best qualified candidates for nomination, and criteria for recommending the reappointment of incumbent judges.

Section 8. Financing and Staff.

(a) Members of the Committee shall receive no compensation for their service as members.

(b) The Committee shall be provided with paid staff and sufficient facilities to carry its functions, including the thorough investigation of the qualifications of all candidates for judicial office.

(c) Members of the Committee and its staff shall be reimbursed for necessary expenses incurred in connection with the responsibilities of the Committee.
Section 9. Counsel to the Mayor.

The Office of the Counsel to the Mayor shall maintain liaison with and review the activities of the Committee and shall advise the Mayor and the Committee regarding measures which may enhance the ability of the Committee to consider the best qualified candidates for judicial nomination.

Section 10. Prior Order Revoked.

Executive Order No. 8 dated March 4, 2002 hereby is repealed and the Mayor’s Advisory Committee on the Judiciary established thereunder hereby is abolished.

Section 11. Effective Date.

This Order shall take effect immediately.

/s/
Bill de Blasio
Mayor
APPENDIX E

The Advisory Council of the Housing Part of the Civil Court of the City of New York

REAL ESTATE INDUSTRY:
David A. Gallo, Esq.
Mitchell L. Posilkin, Esq.

TENANTS’ ORGANIZATIONS:
Sateesh Nori, Esq.
Rodrigo Sánchez-Camus, Esq.
John Whitlow, Esq.

CIVIC GROUPS:
Pamela Palanque North
Cy Richardson

PUBLIC-AT-LARGE:
Paris R. Baldacci, Esq.
Joseph Rosenberg, Esq.

BAR ASSOCIATIONS:
Carlos Perez-Hall, Esq.
Hon. Jacqueline W. Silbermann

DESIGNEE OF NYCHA CHAIR AND CEO SHOLA OLAGOTYE:
Kelly D. MacNeal, Esq.

GOVERNOR’S REPRESENTATIVE:
Gary R. Connor, Esq.

MAYOR’S REPRESENTATIVE:
Harold P. Weinberg, Esq.

To contact any of the members of the Advisory Council of the Housing Part of the Civil Court of the City of New York, please direct your inquiries to:

The Advisory Council of the Housing Part
Of the Civil Court of the City of New York
111 Centre Street, Room 1142
New York, New York 10013
ATTN: Alice M. Chapman-Minutello
(646) 386-5953
APPENDIX F

Governor’s Executive Order No. 15: Establishing Judicial Screening Committees

WHEREAS, under the Constitution and Laws of the State of New York the Governor is entrusted with the responsibility of appointing judicial officers to the offices of Judge and
Presiding Judge of the Court of Claims; designating Justices of the Supreme Court to the offices
of Justice, Temporary Justice, and Presiding Justice of the Appellate Division of the Supreme
Court; and appointing judicial officers to fill vacancies in the offices of Justice of the Supreme
Court, Judge of the County Court, Judge of the Surrogate’s Court and Judge of the Family Court
outside the City of New York; and

WHEREAS, a fair, impartial, independent, highly qualified, and diverse judiciary is
essential to ensuring justice for all who come before New York’s courts and to fostering public
confidence in the integrity of the judicial process; and

WHEREAS, a fair, impartial, independent, highly qualified, and diverse judiciary is
cultivated by:

1. encouraging highly qualified candidates from all parts of New York State, with
diverse backgrounds and experiences, to apply for judicial offices;

2. reviewing candidates for judicial office without regard to political beliefs or party
affiliation; and

3. selecting judicial officers who reflect the diverse backgrounds and experiences of
the residents of this State, based on their integrity, independence, intellect, judgment,
temperament, and experience; and

WHEREAS, the highest quality of judicial appointments can best be assured with the
assistance of credible, impartial and non-partisan judicial screening committees;

NOW THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by
virtue of the authority vested in me by the Constitution and laws of the State of New York, do
hereby order as follows:

A. Purpose and Duties

1. Judicial Screening Committees are hereby established to evaluate the
qualifications of candidates for appointment or designation to judicial office throughout New
York State, and to recommend to the Governor those persons who are highly qualified to hold
judicial office.

2. Each Judicial Screening Committee shall:
a. Actively recruit candidates for appointment or designation to the judicial offices within the committee’s jurisdiction. In recruiting candidates, the Judicial Screening Committees shall strive to find candidates that reflect the diverse backgrounds and experiences of the citizens of New York State;

b. Review and evaluate the qualifications of all candidates for appointment or designation. In reviewing and evaluating the qualifications of candidates, each committee member shall give primary consideration to each candidate’s integrity, independence, intellect, judgment, temperament and experience, and shall not give any consideration to the age, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status or political party affiliation of the candidate;

c. Recommend for appointment or designation only those candidates who, as determined by a majority vote of all members of the committee, are highly qualified for the judicial office for which they are being considered. No committee shall pass on the qualifications of any candidate until after a thorough inquiry has been made by the committee and its staff;

d. Prepare written reports on the qualifications of each candidate it determines to be highly qualified and recommends to the Governor. Committee reports shall be made available to the public upon request. All other records and deliberations of, and all communications to, any Judicial Screening Committee with respect to a candidate shall be held in confidence and shall not be disclosed to anyone other than the Governor, Counsel to the Governor, or their designees. Notwithstanding the foregoing, information submitted to any Judicial Screening Committee relating to an appointee may be disclosed to the Senate when necessary for confirmation of the appointee, and information submitted to a Judicial Screening Committee may be disclosed to any other person or organization if disclosure is required in connection with disciplinary proceedings or is otherwise required by law.

B. State Judicial Screening Committee

1. A State Judicial Screening Committee is hereby established.

2. The State Judicial Screening Committee shall consist of thirteen members: two individuals selected by the Governor; the Chairperson of each of the Departmental Judicial Screening Committees established by Section C of this Executive Order; one of the other members of each of the Departmental Judicial Screening Committees, who shall be selected by the Governor; two persons selected by the Chief Judge of the Court of Appeals; and one person selected by the Attorney General. The chairperson of the State Judicial Screening Committee shall be appointed by the Governor from among the members of the Committee.

3. The term of office of any member of the State Judicial Screening Committee who is a member of a Departmental Screening Committee shall expire at the same time as the member’s term of office on the Departmental Screening Committee expires.

4. The State Judicial Screening Committee shall have jurisdiction to consider the qualifications of candidates for appointment to the offices of Judge and Presiding Judge of the
Court of Claims, and to recommend to the Governor all persons whom it finds highly qualified for those judicial offices.

5. When exercising the power to designate the Presiding Judge of the Court of Claims pursuant to section 2(6) of the Court of Claims Act; or the power to appoint a Judge of the Court of Claims pursuant to section 9 of Article VI of the Constitution and section 2(2) and 2(4) of the Court of Claims Act; or the power to fill a vacancy in the office of Judge of the Court of Claims pursuant to section 21(b) of Article VI of the Constitution, the Governor shall appoint or designate only persons who have been recommended by the State Judicial Screening Committee as highly qualified for the judicial office to which the appointment or designation is to be made.

6. The State Judicial Screening Committee shall promulgate appropriate rules and regulations to govern its proceedings and those of the Departmental and County Judicial Screening Committees established by this Order. The rules and regulations shall include standards and procedures for ensuring, to the extent possible, uniformity of criteria for evaluating the qualifications of candidates for appointment or designation to judicial office throughout New York State.

C. Departmental Judicial Screening Committees

1. A Departmental Judicial Screening Committee is hereby established in each judicial department of New York State.

2. Each Departmental Judicial Screening Committee shall consist of thirteen members: five members shall be selected by the Governor; two members shall be selected by the Chief Judge of the Court of Appeals; two members shall be selected by the Attorney General; one member shall be selected by the Presiding Justice of the Appellate Division for that department; one member shall be selected jointly by the Speaker of the Assembly and the Minority Leader of the Senate; one member shall be selected jointly by the President Pro Tempore of the Senate and the Minority Leader of the Assembly; and one member shall be selected by the President of the New York State Bar Association. The Chairperson of each Departmental Screening Committee shall be appointed by the Governor from among the members of the Committee. Each member of the Committee shall be a resident of, have an office in, or work in the judicial department in which he or she is to serve.

3. Each Departmental Judicial Screening Committee shall have jurisdiction to consider the qualifications of candidates for designation to the offices of Justice, Additional Justice, Temporary Justice and Presiding Justice of the Appellate Division of the Supreme Court for such department, and candidates for appointment to the office of Supreme Court Justice within such department, and to recommend to the Governor all persons whom it finds highly qualified for those judicial offices.

4. When exercising the power to designate the Presiding Justice of each Appellate Division pursuant to section 4(c) of Article VI of the Constitution; or the power to designate other Justices of any Appellate Division pursuant to sections 4(c) and 4(d) of Article VI of the
Constitution; or the power to designate Additional Justices of any Appellate Division pursuant to section 4(e) of Article VI of the Constitution; or the power to fill a vacancy in the office of Justice of the Supreme Court pursuant to section 21(a) of Article VI of the Constitution, the Governor shall appoint or designate only persons who have been recommended by a Departmental Judicial Screening Committee as highly qualified for the judicial office to which the appointment is to be made.

5. A candidate recommended as highly qualified for the office of Justice or Additional Justice of the Appellate Division of the Supreme Court by a Departmental Screening Committee shall be eligible for appointment or designation by the Governor to such office in any judicial department. Notwithstanding the foregoing, a person serving as a Justice of the Appellate Division of the Supreme Court may be designated by the Governor to serve as an Additional Justice, and a person serving as an Additional Justice of the Appellate Division of the Supreme Court may be designated by the Governor to serve as a Justice, of the same or a different judicial department without the recommendation of a Departmental Screening Committee.

D. County Judicial Screening Committees

1. A County Judicial Screening Committee is hereby established in each county of the State, consisting of the members of the Departmental Judicial Screening Committee for the department in which the county is located plus one additional person who shall be resident of, have an office in, or work in the county in which he or she is to serve, to be selected by the chief executive officer of the county. The Chairman of the Departmental Judicial Screening Committee shall also serve as Chairman of the County Judicial Screening Committee. As used herein, the term "chief executive officer" for the county shall mean the appointed or elected county executive, as the case may be, or if there be no such office, the chairman of the governing body of the county; provided, however, that for counties within the City of New York, the term "chief executive officer" for the county shall mean the Mayor of the City of New York.

2. Each County Judicial Screening Committee shall have jurisdiction to consider the qualifications of candidates for appointment to the offices of Judge of the County Court, Judge of the Surrogate’s Court and Judge of the Family Court outside of the City of New York, for such county, and to recommend to the Governor all persons whom it finds highly qualified for those judicial offices. When exercising the power of appointment to fill a vacancy in the office of Judge of the County Court, Judge of the Surrogate’s Court or of Judge of the Family Court outside of the City of New York, pursuant to section 21(a) of Article VI of the Constitution, the Governor shall appoint only persons who have been recommended by the appropriate County Judicial Screening Committee as highly qualified for the judicial office to which the appointment is to be made.

E. General Provisions

1. The terms of office of the members of the Judicial Screening Committees established by this Executive Order shall be for a term of three years.
2. The terms of office of the members of the Judicial Screening Committees established by this Executive Order are subject to the provisions of section 5 of the Public Officers Law.

3. Committee vacancies shall be filled in the same manner as initial appointments, and a person appointed to fill a vacancy shall serve for the remainder of the unexpired term. No member shall be removed during his or her term by the Governor except for cause.

4. No member of a Judicial Screening Committee shall hold any judicial or elected public office for which he shall receive compensation during his period of service, nor shall he hold any office in any political party. No member of a Judicial Screening Committee shall be eligible for appointment to any judicial office within the jurisdiction of the Judicial Screening Committee on which the member serves during the member’s period of service or within one year thereafter.

5. Members of Judicial Screening Committees shall receive no compensation for their service, but shall be entitled to reimbursement for any necessary expenses incurred by them in connection with the performance of their duties. Each judicial screening committee shall have a paid staff available to it sufficient to enable the committee to carry out properly its responsibilities including adequate investigations into all matters relevant to the qualifications of candidates for appointment to judicial office.

6. Executive Order No. 8, issued June 18, 2008, is hereby revoked and superseded by this Executive Order as of the date hereof.

GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-seventh day of April in the year two thousand eleven.

BY THE GOVERNOR

/s/ Andrew M. Cuomo

/s/ Steven M. Cohen
Secretary to the Governor
APPENDIX G

State of New York Commission on Judicial Nomination
(N.Y. Const. Art. 6 § 2; N.Y. Judiciary Law Art. 3-A, § 61 et seq.; 22 N.Y.C.R.R. Part 7100)

The commission shall consider and evaluate the qualifications of candidates for appointment to the offices of chief judge and associate judge of the Court of Appeals and, as a vacancy occurs in any such office, shall recommend to the governor persons who by their character, temperament, professional aptitude and experience are well qualified to hold such judicial office.

The twelve-member Commission consists of four members (no more than two from the same party) appointed by the Governor (two lawyers, two laypersons), four members (no more than two from the same party) appointed by the Chief Judge of the Court of Appeals (two lawyers, two laypersons), and one member appointed by each of the following: the Speaker of the State Assembly, the Temporary President of the State Senate, the Minority Leader of the State Senate, and the Minority Leader of the State Assembly. Members serve four-year terms.

Members of the Commission may not hold judicial office or elected office for which compensation is received during the period of service, except that the Chief Judge and the Governor may each appoint one former judge of the Unified Court System. No member of the Commission may hold office in any political party, and none is eligible for appointment to any judicial post in New York during his or her term on the Commission or within one year thereafter. N.Y. Judiciary Law, Art. 3-A, § 62(1).

The Commission is authorized to appoint counsel and staff, as it deems necessary or appropriate. The Commission has subpoena power to require production of information and attendance of witnesses.

All candidates for appointment must be personally interviewed by a quorum of ten members of the Commission and submit applications and financial statements on prescribed forms. All proceedings and related communications are kept confidential, except for the written report of the Commission, which is released to the public at the time it is submitted to the Governor.

Hon. Judith S. Kaye (Ret.), Chair
John A. Cirando
Steven M. Cohen
Ruth W. Friendly
Milton S. Hoffman
Simone M. Levinson

Alan Mansfield
Hon. E. Leo Milonas (Ret.)
Margaret S. Morton
Ellen Schall
David M. Schwartz
Dierdre K. Szozzafava
APPENDIX II

State Screening Committees

New York State Judicial Screening Committees
State Capitol
Room 239
Albany, New York 12224
Tel: (518) 474-1289
Fax: (518) 473-5153

New York State Judicial Screening Committee

Eric Corngold, Chair
Partner, Friedman Kaplan Seiler & Adelman

Bennett Capers
Professor of Law, Brooklyn Law School

Abby Milstein
Equity Partner, Constantine Cannon

Maria Vullo
Partner, Paul, Weiss, Rifkind, Wharton & Garrison LLP

Douglas Dunham
Counsel, Quinn Emanuel Urquhart & Sullivan, LLP

Benedict Morelli
Founder & Partner, Morelli Ratner PC

Henry M. Greenberg
Partner, Greenberg Traurig LLP

Ross D. Levi
Vice President of Marketing Initiatives, Empire State Development

Laura Harshbarger
Partner, Bond Schoeneck & King, PLLC

John Elmore
Senior Trial Counsel and Managing Attorney, Brown Chiari
Natalie Gomez-Velez
Professor, CUNY School of Law

Hon. Betty Weinberg Ellerin
Senior Counsel, Alston & Bird LLP

Catherine Beltz-Foley
Partner, Paul William Beltz LLC

**First Department Judicial Screening Committee**

Abby Milstein, Chair
*Equity Partner, Constantine Cannon LLP*

Mark Zauderer
*Partner, Flemming Zulack Williamson Zauderer LLP*

Robert Cohen
*Founding Partner, Cohen Clair Lans Greifer & Thorpe LLP*

Maria Vullo
*Partner, Paul, Weiss, Rifkind, Wharton & Garrison LLP*

Hon. Barry A. Cozier
*Shareholder, LeClairRyan*

Hon. E. Leo Milonas
*Partner, Pillsbury Winthrop Shaw Pittman LLP*

Milton L. Williams, Jr.
*Partner, Vladeck Waldman Elias & Engelhard PC*

Stephen P. Younger
*Partner, Patterson Belknap Webb & Tyler LLP*

Anthony Bergamo
*Vice Chairman, MB Real Estate*

Bernice K. Leber
*Partner, Arent Fox LLP*

Arthur Luxenberg
*Managing Partner, Weitz & Luxenberg P.C.*
Second Department Judicial Screening Committee

Douglas Dunham, Chair
*Counsel, Quinn Emanuel Urquhart & Sullivan, LLP*

Nicholas Gravante
*Administrative Partner and General Counsel, Boies, Schiller & Flexner LLP*

Lynn Neils
*Partner, Covington & Burling LLP*

Benedict Morelli
*Founder and Partner, Morelli Ratner PC*

Peter J. Johnson, Jr.
*President and Member, Leahey & Johnson, PC*

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*Former Public Defender*
APPENDIX I

Sample Judicial Screening Committee Questions

1. State date, place of birth (giving date, borough, if any, city or town, and state or country), and country of citizenship.

2.
   a. List name, occupation, residence, and business address for each individual with whom you reside.
   
   b. In the case of a child, no matter where the child resides, list the child’s name, date of birth, and residence address, occupation, if any, and business address, and the name of any school where the child is currently in attendance and its address.

3. State every residence you have had in the last ten years, including any temporary residence, in the United States or elsewhere, with the exact address of each, and the month and year of the beginning and ending of such residence.

4. State all colleges and professional schools (other than law schools) ever attended. If you did not receive a degree from any such institution, state that fact.
   
   a. List the post-law school continuing legal education courses in which you have participated within the past four years (in chronological order) that qualified for mandatory continuing legal education credit: (i) description of course, (ii) date, (iii) sponsor, (iv) number of hours.
   
   b. For your most recent biennial registration period, did you satisfy New York State’s mandatory continuing legal education requirement? If no, please describe the circumstances.

5. State if you ever attended any other schools of any kind, other than elementary or secondary, or pursued any course of study in addition to those mentioned above.

6. Have you ever served in the Armed Forces (reserves or otherwise)?
   
   a. If so, give the following information: (i) dates of service, (ii) branch of service, (iii) nature of discharge and rank at time of discharge, (iv) awards or citations.
   
   b. Have you registered under the U.S. Selective Service Act of 1948? If so, give the following information: (i) State original classification and each reclassification. (ii) If your classification or reclassification is other than 1A, give the reasons therefore.
7. Have you ever been rejected or released from service by any of the armed services for reasons other than honorable? If so, state the details.

8. 
   a. List, in chronological order, all employment and periods of unemployment since graduation from law school, including if you have practiced in partnership with others. Provide (i) Name of Firm or Employer; (ii) Address; (iii) Name of Supervisor; (iv) Dates of Employment or Unemployment; (v) Nature of Employment (or activity while unemployed); (vi) Reason for Leaving. In any instance where you practiced law as an associate or a partner and such association or partnership was terminated, state the reason for such termination.
   
   b. If law school attendance did not commence within a few months following completion of undergraduate course study, list all employment and periods of unemployment between college and law school. Provide: (i) Name of Employer; (ii) Address; (iii) Name of Supervisor; (iv) Dates of Employment or Unemployment (Month/Year of the beginning and ending thereof); (v) Nature of Employment (or activity while unemployed); (vi) Reason for Leaving.
   
   c. Have you ever been disciplined, in any manner, in connection with any employment (e.g., suspended, demoted, reprimanded, fined, penalized, or terminated)?

9. Have you ever been engaged on your own account or with others in any business or profession, part-time or full-time, other than those listed in your answer to question 8?

10. If so: (i) state under what name; (ii) give in detail the nature thereof; (iii) the month and year of the beginning and ending (if applicable) of your connection therewith; (iv) position held; (v) all business or professional addresses; (vi) Any such business or profession carried on by you either alone or with others or in partnership, and any incorporated business carried on by you either alone or with others, should be listed here with names and addresses of all partners or associates; (vii) If any business or profession has been discontinued, or if your connection therewith has ceased, state why and whether or not there are unpaid debts or claims or pending litigation.

11. State all courts (federal and state) in which you are admitted to practice, together with the dates of admission.

12. State all areas of the law in which you have concentrated or have had substantial experience and state the period during which you have had such substantial experience.
a. Have you ever held judicial (in addition to the office you now hold if you are currently a judge), public, or political office, elective or appointive, including that of arbitrator, mediator, law clerk?

b. Describe any executive or administrative experience you have had, whether through your occupation or otherwise, giving details and duties.

c. Do you or any members of your family hold any memberships (other than voter registration) in political organizations or engage actively in any political activities?

d. Are you related by blood or marriage to, or do you have a significant relationship with anyone involved in the judicial screening process with respect to the position you are seeking? If so, please supply name, relation, and position of such individual.

e. Are you related by blood or marriage to, or do you have a significant relationship with any attorney or judge, or any other person whose employment, position, affiliation, or activity may reasonably create, with respect to your carrying out the duties of the office you are seeking, the appearance of a conflict of interest? If yes, please supply name, relation, and employment, position, affiliation, or activity.

13. Are you now, or have you ever been, the subject of any formal complaint or charge filed with any disciplinary committee, investigative office, court, government agency, employer, or bar association arising out of your official or professional responsibilities during the course of your (a) law practice, (b) public or judicial service, or (c) campaign for public or political office? If yes, please describe each complaint or charge and its outcome, including the time frame and whether the governmental agency or other entity to whom such complaint or charge was made censured you, issued a caution, imposed a sanction, or took any other action whatsoever criticizing your conduct, even if the complaint or charge was dismissed.

14. Are you now, or have you ever been the subject of any claim of malpractice, in an action or otherwise? If yes, please describe the claim and/or proceeding and its outcome. Please provide documentation pertaining to each claim(s). If you are or were a member of a firm or organization that was the subject of any claim of malpractice, please describe the claim if it is related to a case or matter on which you worked and state whether your conduct was the subject of the claim.

15. Have you, your firm, your employer or any of your clients ever been cited for contempt or otherwise had a sanction imposed upon you or them as a result of your conduct in any judicial or administrative proceeding?
16. Have you ever been the subject of a claim, or received individual counseling from an employer arising from an actual or perceived claim, about discrimination, or harassment on the grounds of an individual’s actual or perceived age, race, creed, color, gender, sexual orientation, religion, national origin, disability, marital status, socioeconomic status, alienage, or citizenship status?

17. State where you have ever:

a. Been summoned, arrested, or charged with any offense or crime other than a traffic offense, even if the summons, arrest, or charge was later withdrawn, voided, vacated, or dismissed?

b. Have you ever been taken into custody, or indicted, or convicted, or tried or cited for, or charged with, or pleaded guilty to the violation of any law, ordinance, or the commission of any felony, misdemeanor, or contempt of court?

c. Have you ever been subpoenaed, called as a witness, questioned or interviewed, or asked to provide testimony or documents before any federal, state, or local prosecutor, court, legislative, civil, regulatory, criminal, or other investigative body, or grand jury?

d. Have you ever failed to answer on the return date any ticket, summons, or other legal process served upon you personally at any time?

e. As a member of any armed forces, been the subject of any charges or complaints, formal or informal, or have any proceedings been instituted against you, or have you been a defendant in any court martial or been disciplined?

f. Been the subject of any investigation by any federal, state, or city, or other governmental agency, or other investigative body, or by any grand jury, or the Internal Revenue Service?

g. Has any federal, state, or city, or other governmental agency, or other investigative body, or a grand jury, or the IRS initiated or completed an investigation of any law firm, corporation, business, partnership, joint venture, government agency, or other similar entity with which you are, or were at the relevant time, affiliated?

h. Resigned from or, for other reasons, ceased to be a member of the bar or bench of any state or court in any jurisdiction, a member of any governmental body, a hearing officer, or an occupant of any other similar position?
If you answered “Yes” to any subdivision of this question, state the facts in detail, including in each case, the name and locality of the court, agency, or other body, the dates of beginning and termination of action or proceeding, and the judgment or other disposition.

18. Have you ever been involved as a party to any litigation (criminal, civil, or administrative), other than an action you have previously identified in answer to question 14? If so, please provide copies.

b. Are there any unsatisfied judgments against you?

c. Are there any tax warrants, tax liens, or mechanics’ liens outstanding against you or property you own or have an interest in?

d. Are you in default or has any party claimed that you are in default in the performance or discharge of any duty or obligation imposed upon you by any governmental agency or decree or order of any court including alimony/maintenance and support orders and decrees?

19. Has any petition in bankruptcy ever been filed by or against you?

a. Have you, whether personally, as a fiduciary, a partner, or an officer, timely filed all tax returns of any nature, including, but not limited to, income, information, gross receipts, rent and occupancy, franchise, unincorporated business, etc.?

b. Has any Federal, State, City or other taxing authority claimed that you have failed to pay adequate taxes, penalties or other charges for any tax year?

20. Have you ever been issued a license, other than a marriage license, license to practice law, license as a notary public, or driver’s license?

b. Has any license, including a license to practice law, a license as a notary public, or a driver’s license, ever been revoked or suspended?

21. Have you used or do you currently use illegal drugs?

b. Have you abused or do you currently abuse any prescription drugs?

c. Have you abused or do you currently abuse alcohol?
If you answered yes to any of these questions, please explain.

22. Has any employer or supervisor ever counseled you regarding, or expressed concern about, your absenteeism?

23. 
   a. List all bar associations, other professional societies and community organizations of any kind of which you are a member, and give the titles and dates of any office, chairmanship, or committee membership which you have held.
   
   b. List any other organizations of which you are or have been a member, including social or fraternal, and give the titles and dates of any office, chairmanship, or committee membership which you have held.

24. 
   a. Have you written any articles for publication? If so, give the name and date of the publication and the title and subject matter of each article.
   
   b. List any teaching positions you have held, including part-time or occasional, with dates and a description of the subject matter and educational institution or sponsor.

25. Have you ever been rated as a candidate for office (including the present office for which you wish to be considered) by any bar association or other professional association? If yes, state the office(s) for which you were rated, the name and address of the organization(s) which issued the rating, the date of the rating, and the rating which you were given.

26. Please provide the following information:
   
   a. whether within the last ten years you have appeared in court regularly, occasionally, or not at all, and, if the frequency of your court appearances varied during this period, explain the variance;
   
   b. the number and types of cases you have handled in the past ten years;
   
   c. what percentage was civil, criminal, family, or administrative, or attributable to a more specific type of case, such as personal injury, landlord and tenant, etc.;
   
   d. of these cases, the types and number of each type of trial you have conducted in the past ten years;
e. the number of cases in category (d) of this question which ended in a verdict or judgment or ruling by the trier of fact;

f. the number of cases listed in category (d) of this question which were tried before a jury;

g. the courts or other tribunals in which the cases were tried;

h. the number and types of appeals briefed in the past ten years;

i. the number of appeals argued and the courts in which the arguments were heard;

j. the number and types of dispositive motions you have litigated in the past ten years;

k. the number of dispositive motions you have argued and the courts or other tribunals in which the arguments were heard; and

l. the title and citation of reported cases in which you conducted the trial, wrote the brief and/or argued the appeal, or wrote the papers on the dispositive motion.

27. Submit a list of the last ten trials, dispositive motions, or appeals in which you have actively and substantially participated in any state or federal court at the trial or appellate level, including the title of the case, the index, docket, or indictment number, the court in which the case was heard, a concise description of the nature of the case, the date of the trial or oral argument, the name, address, and telephone number of each adversary and co-counsel, and the names, addresses, and telephone numbers of the judges who presided at trial or sat on the appellate panel. For each appellate matter, please submit one copy of your brief.

28. Submit a list of the name, court, and telephone number of the last ten judges before whom you appeared in the last three years (other than for routine calendar appearances).

29. a. Attach a statement describing your legal experience other than litigation. Include in that statement a general description of the last ten matters you handled and the names, addresses, and telephone numbers of the lawyers, other than your associates, employees, partners, co-tenants, supervisors, or employers, with whom you worked on each of those ten matters. For example, judicial law clerks should list the attorneys with whom they had substantial contact. Similarly, law professors should list attorneys, judges, and/or other law professors who are familiar with their work.
b. Attach three recent writing samples of your legal writing, and if you are not the sole author of the sample, please explain your role in its preparation.

c. State any other relevant experience for this position not requested in any of the foregoing questions.
Judges are not political candidates in the traditional sense. They do not represent constituents; they represent the law. Their decisions must be based on an informed and good faith interpretation of the law and the Constitution, not popular opinion or special interests. They should not support any political or ideological agenda.

Because of the unique role of judges in our democratic system, candidates for judicial office must be held to higher standards than candidates for other elective offices. Judicial candidates not only must be unbiased and impartial, they also must avoid any appearance of bias or partiality.

In New York State, the conduct of lawyers and candidates for judicial office is governed by the Lawyer’s Code of Professional Responsibility and the Code of Judicial Conduct (codified as Part 100 of the Rules of the Chief Administrator of the Courts). DR 8-103 of the Code of Professional Responsibility specifically requires a lawyer who is a candidate for judicial office to comply with Canon 5 of the Code of Judicial Conduct.

These rules ensure that judicial candidates conduct campaigns that are consistent with the dignity and integrity of the legal profession and the judicial system. Election by means of conduct that debases the dignity of the judicial office not only devalues the victory but, more importantly, decreases the effectiveness of the judicial system in playing its part to uphold the rule of law, which is the highest calling of all members of the profession.

In reviewing the following guidelines for judicial campaign conduct, the candidate should be guided by the overriding principle that all campaign conduct is to be compatible with and in furtherance of professional and judicial dignity and integrity.
CAMPAIGN THEMES: Avoiding the Pitfalls

1. Qualifications: Campaign material may include a discussion of the candidate’s qualifications as well as those of an opponent. Any such discussion must be truthful and dignified. Campaign material may not include statements as to positions on contested legal or political issues, appeals to passion, fear or prejudice, or any other topic inappropriate for judicial campaign material.

2. Endorsements: Campaign material may include references to endorsements the candidate has received. However, care should be taken to avoid soliciting improper endorsements, and the candidate should not personally solicit endorsements.

3. Issues which may come before the court: views on disputed legal or political issues. It is a long-standing rule that a judicial candidate may not discuss how he or she would decide a case that might come before the candidate if elected. In addition, while it is recognized that a candidate will have views on disputed legal or political issues, a public pronouncement of these views may be seen as an indication of how the candidate would decide cases as a judge and would give the impression that the candidate would not approach a case involving those issues with an open mind. Accordingly, the candidate should not announce his or her views on disputed legal or political issues if it is foreseeable that such issues may bear upon a case that may come before the court in the future.

4. Appeals to passion, fear, prejudice or other improper basis for voter action: The only basis on which a candidate should seek voter support is whether the candidate will be a capable and impartial judge. A candidate should not, either directly or indirectly, appeal to voters’ fears, passions or prejudices. The candidate should not use appeals for or against any particular race, ethnic group, gender, religion, or similar group.

5. Incumbent judges: An incumbent judge should not give the impression that he or she is using the judicial office improperly to promote his or her candidacy. The judge should not take any judicial action which is designed to gain support for his or her campaign. At the same time, the judge is expected to discharge fully his or her judicial responsibilities without interference by his or her campaign.

6. Misrepresentation: None of a judicial candidate’s campaign material should knowingly make false statements concerning either the candidate or an opponent.

CAMPAIGN BOUNDARIES: Media and Appearances

1. Presentation of campaign material: Any media, including television and radio, newspaper and other publications, posters, signs and handbills, may be used in a campaign. The presentation of campaign materials should comport with the dignity and integrity of judicial office, and should not be done in a sensational or dramatic manner. Particular care should be taken in preparing campaign material for television, in light of the potential impact of that medium.

2. Appearances by the candidate: endorsements: A judicial candidate may appear before political, civic or other organizations, either alone or in the company of other candidates. However, while merely appearing with other candidates is not improper, a judicial candidate may not endorse other candidates for either judicial or non-judicial office.

3. Appearances or support by others: Any person may appear in support of a judicial candidate, except the following: (a) a non-judicial candidate; (b) a judge in the Unified Court System; (c) a non-lawyer who is a party to litigation which is or reasonably may be expected to come before the candidate, or has come before the candidate so recently as to give the appearance of impropriety; and (d) a lawyer involved in such litigation.

FUNDRAISING: The Limitations

1. Persons soliciting funds: Neither a judicial candidate nor a member of the candidate’s immediate family may solicit campaign funds, except from family members. Campaign funds should be solicited only through campaign committees. A judicial candidate may not solicit funds on behalf of any other candidate, whether judicial or non-judicial.

2. Solicitation of parties to litigation: Campaign funds may not knowingly be solicited or accepted from a party to litigation that is or may reasonably be expected to come before the candidate, or has come before the candidate so recently as to give the appearance of impropriety. This ban extends to those employed by, affiliated with, or immediately related to a party. Funds also may not knowingly be solicited or accepted from an organization that has as one of its purposes the promotion of one side of a legal issue that reasonably may be expected to come before the candidate if elected.

3. Soliciting lawyers: Because lawyers have a better opportunity than many to appraise the qualifications of judicial candidates, there is no blanket prohibition against soliciting campaign funds from lawyers. However, contributions should not knowingly be accepted from lawyers who have cases pending before a trial court candidate, and a lawyer with a case pending before that candidate should not contribute to the candidate’s campaign.

4. Identity of donors: To prevent the appearance of impropriety, the names of campaign contributors should be kept secret from the candidate to the extent legally permissible. The candidate should not seek access to a list of contributors, nor should the candidate seek in any other way to learn the names of contributors.

5. Amount of donations: The total amount of funds contributed to a candidate’s campaign should not exceed either any limits imposed by law or the actual needs of the candidate’s campaign. A campaign should not accept a donation so large as to give the appearance that the donor is trying to gain some special favor from the candidate.

CONCLUSION

A judge’s position is one of great and sacred trust. Judicial candidates should adhere to these and all principles that uphold the dignity of the courts, promote judicial independence, and avoid even the appearance of impropriety.