

JUDICIAL NOMINATING COMMISSION STATE OF GEORGIA

500 14th Street, N.W.
Atlanta, Georgia 30318
Tel: 678-701-9381

Brian P. Kemp
Governor

This questionnaire is submitted in connection with a vacancy on the

1. Please provide your full name. Include any former names that you have used.
2. Please provide your current office and home addresses, including office, home, and cellular telephone numbers and email addresses.
3. Please provide the date and place of your birth.
4. If you are a naturalized citizen, please give the date and place of naturalization.
5. Please indicate your marital status and if married, the name of your spouse. If you have any children, please provide the names and ages of your children.
6. Please identify any service in the United States Military, including the periods of your military service, the branch in which you served, your rank or rate, and the type of discharge you received if you are no longer active.
7. Please list in reverse chronological order each college and law school you attended, including the dates of attendance, the degree awarded, and your reason for leaving each school if no degree from that institution was awarded.
8. Please list all courts in which you have been admitted to practice (excluding *pro hac vice* admissions), including the dates of admission for each and any lapse in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies having special admission requirements.
9. Are you actively engaged in the practice of law at the present time? If you are connected with a law firm, a corporate law department or a governmental agency, please state its name and indicate the nature and duration of your relationship.

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10. What is the general character of your practice? Indicate the character of your typical clients and mention any legal specialties which you possess. If the nature of your practice has been substantially different at any time in the past, give the details, including the character of such and the periods involved.
11. If, in the past, you have practiced in other localities or have been connected with other law firms, corporate law departments or governmental agencies, please give the particulars, including the locations, the names of the firms, corporate law departments or agencies and your relationship thereto, and the relevant dates. Also indicate any period in the past during which you practiced alone.
12. State chronologically any judicial offices you have held, including positions as an administrative law judge, state whether such position was elected or appointed, state the length of service in each position, give a description of the jurisdiction of each such court and describe the scope of your responsibilities in this court.
13. Have you ever held public office, other than judicial office, or have you ever been a candidate for such an office? If so, give the details, including the offices involved, whether elected or appointed, and the length of your service.
14. Have you ever been an unsuccessful candidate for election to any office? For each election, state the office(s) sought, the date(s), the number of candidates involved, and the percentage of votes you obtained.
15. Have you regularly appeared in court during the past five (5) years? If so,
 - (a) What percentage of your appearances in the last five years were in:
 - (i) Federal Courts (list all courts):
 - (ii) State Courts (list all courts):
 - (iii) Other courts (please list all states other than Georgia):
 - (b) What percentage of your court appearances in the last five years were:
 - (i) Civil?
 - (ii) Criminal?

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- (c) What percentage of your trials in the last five (5) years were:
 - (i) Jury?
 - (ii) Non-jury?
 - (d) State the approximate number of cases you have tried to conclusion in courts of record during **each** of the past five (5) years, indicating whether you were sole, associate, or chief counsel.
 - (e) Describe five (5) of the more significant litigated matters which you have handled.
 - (f) Please list the names and contact information of five (5) attorneys who have appeared as opposing counsel in litigated matters you have handled which involved a bench or jury trial, or a contested hearing before a judicial officer.
 - (g) State with reasonable detail your experience in adversary proceedings before administrative boards or commissions during the past five years.
16. Summarize your experience **in court** prior to the last five (5) years. If during any prior period you appeared in court with greater frequency than during the last five (5) years, indicate the periods during which this was so and give for such prior periods the same data which was requested in item 15 above.
17. Summarize your experience in adversary proceedings before **administrative boards or commissions** prior to the last five (5) years.
18. The following questions (18(a) – 18(h)) apply only to current and former judicial and quasi-judicial office holders.
- (a) Approximately how many cases have you presided over as a trial judge that have gone to verdict or judgment?
 - (b) Of those cases, approximately what percent were:
 - (i) Jury Trials: _____%
 - Bench Trials: _____%
 - (ii) Civil Proceedings: _____%
 - Criminal Proceedings: _____%

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- (c) At any time during your service as a trial judge, have you presided over a Division of your court (including presiding over an Accountability Court) that either entirely or partly involved handling only certain types of cases? If so, provide details including the period you served in such capacity and the percentage of time you typically devote or devoted to these particular cases.
- (d) For each of the 5 most significant cases over which you presided as a **trial** judge, provide: (i) a capsule summary of the nature the case; (ii) the outcome of the case; and (iii) the name and contact information for counsel who had a significant role in the trial of the case.
- (e) For each of the 5 most significant cases which you handled as an **appellate** judge please provide: (i) a capsule summary of the nature of the case; (ii) whether you authored the majority opinion or any dissenting, concurring, or specially concurring opinion, including a brief description of the writing; (iii) a summary of the case disposition on certiorari (if certiorari was sought); and (iv) the name and contact information for counsel who had a significant role in the appeal of the case.
- (f) Provide citations for all of your opinions as a trial judge, or for those opinions you authored as an appellate judge, where the decision was reversed or vacated by a reviewing court or where the judgment was affirmed with significant criticism of the substantive or procedural rulings or holdings. If any of the opinions listed were not officially reported, provide copies of the opinions.
- (g) Identify the basis by which you have assessed the necessity or propriety of judicial recusal (if your court employs an “automatic” recusal system, please include a general description of that system). Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself *sua sponte*. Identify each such case, and for each provide the following information:
 - (i) Whether your recusal was requested by a motion or other request by a party or any other person; or if you recused yourself *sua sponte*;
 - (ii) A brief description of the asserted conflict of interest or other ground for recusal;
 - (iii) The procedure you followed in determining whether or not to recuse yourself; and
 - (iv) Your reasoning for recusing or declining to recuse yourself, including any action taken to remove the real, apparent, or asserted conflict of interest, or to cure any other ground for recusal.

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- (h) List all employment you had while serving as a judge (whether full-time or part-time, contractual, at-will, consulting, teaching, or otherwise) other than elected judicial office. Specify your dates of employment, employer, major job responsibilities, and your supervisor.
19. Describe your appellate practice during the past five (5) years in detail and give citations if your cases were reported.
20. Please submit a representative sample of your writing (e.g. brief, order, opinion, opinion letter).
21. Describe your legal practice, other than litigation experience, during the past five (5) years as it may relate to office and business administration as well as any other phases of your practice.
22. Have you ever been engaged in any occupation, business, or profession other than the practice of law? If so, please give the details including dates.
23. Have you ever been discharged from employment for any reason or have ever resigned after being informed that your employer intended to discharge you?
24. Are you presently acting in a fiduciary capacity? If so, state details.
25. Please describe your opinion of the role that a law clerk or a staff attorney should serve with respect to assisting a judge.
26. Please describe how a judge of the court for which you are applying might improve the efficiency and effectiveness of the legal system in administering justice.
27. Have you ever been sued by a client? If so, please give particulars.
28. Have you ever been a party or otherwise involved in any legal proceedings? If so, please give the particulars. Do not list proceedings in which you were a guardian ad litem or stakeholder, or otherwise involved in your capacity as legal counsel to a party. Include all proceedings in which you were a party in interest, a witness, named as a co-conspirator or a co-respondent, or grand jury investigation in which you figured as a subject, or in which you appeared as a witness.

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29. Have you published any legal books or articles? If so, please list them, giving the citations and dates.
30. List any honors, awards, or other forms or recognition which you have received.
31. List all bar associations and professional societies of which you are a member and give the titles and dates of any offices which you have held in such groups. Please also list chairmanships of any committees in bar associations and professional societies, and memberships on any committees which you believe to be of particular significance.
32. Please describe your knowledge of the Code of Judicial Conduct and the circumstances under which you became familiar with the Code?
33. Will you adhere to the letter and the spirit of the Code of Judicial Conduct should you be appointed?
34. You are requested to execute and transmit to the Chairman of the Commission two copies of the form of Authorization for Access to Information Concerning Disciplinary Matters included in the application packet. Have you executed these documents and transmitted them to the Chairman with your application materials?
35. If you are now an officer or director of any business organization or otherwise engaged in the management of any business enterprise, please give details, including the name of the entity, 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 relinquish participation in the management of any of the foregoing enterprises, please so indicate, giving reasons. List all companies in which you, your spouse or minor currently children hold stock.
36. Please list all non-professional, charitable, and civic organizations to which you belong and any service activities in which you have participated in the past two (2) years.
37. Have you **ever** been arrested, charged, or held by federal, state or other law-enforcement authorities for violation of any federal law, state law, county or municipal law, regulation or ordinance? If so, please give details. Do not include traffic violations for which a fine of \$50.00 or less was imposed.

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38. To your knowledge, have you ever been the subject of any complaint to or been disciplined or cited for a breach of ethics or unprofessional conduct by any court (including findings of contempt of court), or by any organization, agency or professional group, including but not limited to the State Bar of Georgia or the Judicial Qualifications Commission? If so, provide details.
39. During any period of public service (appointed or elected), please state whether you have ever been the subject of any complaint, enforcement action, or entered into any consent or compliance order with the Georgia Government Transparency and Campaign Finance Commission (or its predecessor), the Federal Election Commission, any municipal or county governing authority, or other campaign finance regulatory body in another jurisdiction. Please also state whether you have ever paid a civil penalty or late fee to the Commission or any other campaign finance regulatory body in another jurisdiction, including but not limited to the filing of (or failure to file) a campaign disclosure report or personal financial disclosure report as required by applicable law. If so, please provide details.
40. The Governor's Ethics Order prohibits the appointment by the Governor of any person to fill a judicial vacancy who has: (a) made a contribution to, or expenditure on behalf of, the Governor or the Governor's campaign committee at any time **after** the vacancy occurs; or (b) who has made a contribution to, or expenditure on behalf of, the Governor or the Governor's campaign committee within the 30 days **preceding the vacancy** unless such person requests and is granted a refund of such contributions or reimbursement of such expenditure.
- (1) Have you made a contribution or expenditure as described in 40(a) above?
- (2) Have you made a contribution or expenditure as described in 40(b) above?
- (3) If you answered yes to 40(b), have you been granted a refund or reimbursement?

Applicant's Signature

Date: _____



JUDICIAL NOMINATING COMMISSION

STATE OF GEORGIA

500 14th Street, N.W.
Atlanta, Georgia 30318
Tel: 678-701-9381
Fax: 404-856-3250

Brian P. Kemp
Governor

Vincent Russo, Esq.
Co-Chair

Mark Middleton, Esq.
Co-Chair

Hon. Shannon Wallace,
Co-Chair

Neera Bahl, Esq.

Beth Beskin, Esq.

Hon. Michael Boggs

Derek Bottoms, Esq.

Lance Cooper, Esq.

Meg Heap, Esq.

Robert S. Highsmith, Jr. Esq.

Andrew Hill, Esq.

Anne Kaufold-Wiggins, Esq.

Hon. Shawn E. LaGruta

Anh Le, Esq.

Quentin Marlin, Esq.

John Mroczko, Esq.

Brooke Newby, Esq.

Hon. Natalie Paine

Darrell Sutton, Esq.

Mack Taylor, Esq.

Trey Taylor, Esq.

W. Ryan Teague, Esq.

Frank Turner, Jr., Esq.

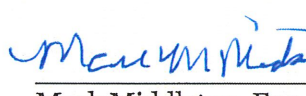
Josh Waters, Esq.

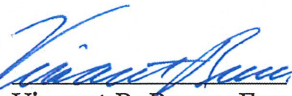
Kathleen Wilkinson, Esq.

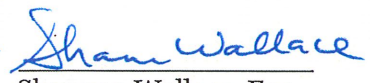
All Members of the Georgia Judicial Nominating Commission ("JNC") shall act in accordance with the following protocols.

1. The JNC does not select or pick judges; this is a power reserved exclusively to the Governor.
2. No Member may receive anything of value from any applicant (a person who has an application for consideration for appointment to a vacant judgeship) while their application is pending.
3. No Member shall receive anything of value in exchange for their support or vote for an applicant.
4. No Member shall communicate any information received during any part of the process that has been deemed "confidential" by the Co-Chairs.
5. No Member of the Commission other than the Co-Chairs is authorized to speak for or comment on the work of the JNC.
6. No Member of the JNC shall have the legal authority, whether by agency or otherwise, to bind the JNC or any member of State government to anything.
7. Each Member is responsible for complete and total compliance with all applicable laws, rules, regulations, and Codes of Professional Conduct.

Approved:


Mark Middleton, Esq.
Co-Chair


Vincent R. Russo, Esq.
Co-Chair


Shannon Wallace, Esq.
Co-Chair

RULES AND PROCEDURES OF THE JUDICIAL NOMINATING COMMISSION

1. The list of persons under consideration is considered public information.
2. Discussions at the interview meeting between nominees and the Commission are confidential.
3. Each nominee should mail the application packet to the Judicial Nominating Commission, c/o Vincent Russo, 500 14th Street, N.W., Atlanta, GA 30318. The application packet consists of the following items: 1) one-page resumé; 2) completed questionnaire; 3) writing sample, 4) two notarized release forms; and 5) nominee's photo.
4. All nominees who have submitted application packets should appear at the interview meeting if possible.
5. The Commission welcomes inquiries from any nominee who desires further information concerning the procedures of the Commission.
6. The Commission welcomes communications from organizations or persons familiar with the specific qualifications, experience, and ability of any nominee but discourages general endorsement letter writing "campaigns" in support of a nominee. A copy of any communication recommending a nominee should be sent the Commission.

STATE OF GEORGIA

COUNTY OF _____

The undersigned, being a nominee for appointment by the Governor of the State of Georgia, to a position of Judge in one of the courts in this State and being fully cognizant of the responsibility to the public, the Bench and the Bar of this State, lodged with the Judicial Nominating Commission of the State of Georgia in the selection of persons to be submitted to the Governor for any such appointment do hereby:

1. Authorize the State Bar of Georgia and its Disciplinary Board (and the disciplinary authority of any other state in which the undersigned may have practiced law) and/or the Judicial Qualifications Commission of the State of Georgia to answer any inquiries, questions or interrogatories concerning the undersigned which may be submitted to them by the Judicial Nominating Commission of the State of Georgia or its authorized representative, and to give full and complete information regarding the undersigned in any of their files and to permit said Commission or its authorized representative to inspect and make copies of any documents, records and other information concerning the undersigned and any complaint which might have been made against the undersigned at any time whatsoever:
2. Does hereby release and exonerate the Governor of the State of Georgia, the State Bar of Georgia, the Judicial Nominating Commission of the State of Georgia, the Judicial Qualifications Commission of the State of Georgia, and every other person, firm, officer, corporation, association, organization or institution which might be involved in complying with, or receiving information under, the authorization and request made herein from any and all liability of every nature and kind growing out of or in any wise pertaining to compliance with this authorization and request.

IN WITNESS WHEREOF the undersigned has set his/her hand and seal this _____ day of _____, 20__.

Please fill in: Date of birth _____

State Bar Number _____

Print Name _____

Subscribed before me this ____ day of _____, 20__

Notary Public

STATE OF GEORGIA

COUNTY OF _____

The undersigned, being a nominee for appointment by the Governor of the State of Georgia, to a position of Judge in one of the courts in this State and being fully cognizant of the responsibility to the public, the Bench and the Bar of this State, lodged with the Judicial Nominating Commission of the State of Georgia in the selection of persons to be submitted to the Governor for any such appointment do hereby:

1. Authorize the State Bar of Georgia and its Disciplinary Board (and the disciplinary authority of any other state in which the undersigned may have practiced law) and/or the Judicial Qualifications Commission of the State of Georgia to answer any inquiries, questions or interrogatories concerning the undersigned which may be submitted to them by the Judicial Nominating Commission of the State of Georgia or its authorized representative, and to give full and complete information regarding the undersigned in any of their files and to permit said Commission or its authorized representative to inspect and make copies of any documents, records and other information concerning the undersigned and any complaint which might have been made against the undersigned at any time whatsoever:
2. Does hereby release and exonerate the Governor of the State of Georgia, the State Bar of Georgia, the Judicial Nominating Commission of the State of Georgia, the Judicial Qualifications Commission of the State of Georgia, and every other person, firm, officer, corporation, association, organization or institution which might be involved in complying with, or receiving information under, the authorization and request made herein from any and all liability of every nature and kind growing out of or in any wise pertaining to compliance with this authorization and request.

IN WITNESS WHEREOF the undersigned has set his/her hand and seal this _____ day of _____, 20__.

Please fill in: Date of birth _____

State Bar Number _____

Print Name _____

Subscribed before me this _____ day of _____, 20__

Notary Public

Judicial Application Checklist

Your complete application packet (items listed below) must be received by the Judicial Nominating Commission no later than the application deadline. Please mail or hand-deliver your complete application packet to the Judicial Nominating Commission, c/o Vincent Russo, 500 14th Street, N.W., Atlanta, Georgia 30318. You may submit an electronic copy of your complete application packet to the Judicial Nominating Commission by email prior to the application deadline with a hard copy to follow by mail.

1. One Page Resume
2. Completed Questionnaire
3. Writing Sample
4. Two Notarized Release Forms
5. Photo

NOTE: Application packet should be an unbound copy suitable for scanning.