

## **Governor's Judicial Selection Committee**

### **Personal Data Questionnaire**

In answering these questions, please answer each question and place your answer immediately beneath in the space provided. If more space is needed, attach additional pages as necessary. Send in your completed questionnaire as soon as possible, as it is a prerequisite to consideration for the position.

Please state the judicial appointment in which you are interested.

1. Full Name
  
  
  
  
  
  
  
  
  
  
2. Office and home addresses, zip codes and telephone numbers. Present occupation (name of law firm, if applicable)
  
  
  
  
  
  
  
  
  
  
3. Date and place of birth
  
  
  
  
  
  
  
  
  
  
4. Are you a naturalized citizen? If so, give date and place of naturalization.
  
  
  
  
  
  
  
  
  
  
5. Family status
  - a. Are you married? If so, state the date of marriage.
  
  
  
  
  
  
  
  
  
  
  - b. What is your spouse's occupation, if applicable?
  
  
  
  
  
  
  
  
  
  
  - c. Names of your children, with age, address and present occupation of each.

- d. Please indicate any family circumstances which could arguably have any negative bearing on your fitness to serve on the court.
6. Have you had any military service? If so, give dates, branch of service, rank or rate, serial number, present status and type of discharge.
7. List each college and graduate and law school you attended, including dates of attendance, the degrees awarded and their dates. If you left any institution without receiving a degree, state the reason for leaving.
8. List all courts in which you have been admitted to practice, with year of admission. Give the same information for administrative bodies which require special admission to practice.
9. Describe chronologically your law practice and experience after your graduation from law school, including:
- a. Whether you served as clerk to a judge, and if so, the name of the judge, the court, and the dates of the period you were a clerk.
  - b. Whether you practiced alone, and if so, the addresses and the dates.
  - c. The dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been connected, and the nature of our connection with each.

- d. Any other relevant particulars, such as law teaching experience, mediation, arbitration and the like.

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

Describe the areas, if any, in which you have specialized.

11. With respect to the last five years:

- a. Did you appear in court regularly, occasionally or not at all? If the frequency of your appearances in court has varied during this period describe the variance.

- b. What percentage of these appearances was in:

- 1. Federal Court
- 2. State Supreme Judicial Court
- 3. State Superior Court
- 4. State District Court
- 5. Other Courts
- 6. Administrative hearings

- c. What percentage of your litigation was

- 1. Civil
- 2. Criminal

- d. State the approximate number of cases in courts of record you tried to verdict or judgment (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

**\*For the purposes of this questionnaire, "appearance" should be construed to include any contested proceeding, including motions for injunctive relief, suppression of evidence, pre-trial conferences, and the like.**

- e. What percentage of these trials was
  - 1. Jury
  - 2. Non-jury

12. Summarize your experience in court prior to the last five years, indicating as to that period:

- a. Whether your appearances in court were more or less frequent.
- b. Any significant changes in the percentages state in your answers to questions 11b, 11c, and 11e.
- c. Any significant changes in the number of cases per year in courts of record you tried to verdict or judgment (rather than settled), as sole counsel, chief counsel, or associate counsel.

13. Describe briefly what you regard as the most significant litigated matter which you personally handled and give the citations, if the case was reported. Give a capsule summary of the substance of the case, and succinct statement of what you believe to be the particular significance of the case. Identify the party or parties whom you represented; and describe the final disposition of the case.

14. Have you ever held judicial office?

- a. If so, give dates and the courts involved.
- b. As a judge have you participated in any proceeding in which you had stock or other financial interest in one of the parties of the matter of controversy? If so, give particulars. Did you disclose that interest prior to the commencement of the trial?
- c. Have you as a judge, to the best of your knowledge and belief, complied with the applicable statutes and canons relative to such matters as were in force and applicable at the time? If not, give particulars.
- d. While a judge, have you ever received any compensation from outside sources for any service rendered, including service for charitable or non-profit organizations. If so, give particulars.
- e. Describe what you regard as the most significant opinion you have written. Give citations to any appellate review of such opinion.

- f. Describe what you regard as the most significant case at which you presided, either civil or criminal, including the number of days involved, the nature of the case and the types of rulings which you were called upon to make. Include in this answer details of any issue of exceptional public interest.

15. Have you ever held public office other than judicial office?

- a. If so, give details, including the office involved, whether elected or appointed, and the length of your service, giving dates.
- b. If you have ever been an unsuccessful candidate for elective public office, please identify the office and the date.

16. Since graduation from law school, have you ever been engaged in any occupation, business or professional, other than the practice of law, or holding judicial or other public office? If so, give details, including dates.

17. Are you now an officer or director or otherwise engaged in the management of any business enterprise?

a. If so, give details, including the name of the enterprise, the nature of the business, the title or other description of your position, the nature of your duties and the term of your service.

b. Is it your intention to resign such positions and withdraw from any participation in the management of such enterprises if you are nominated and confirmed? If not, give reasons.

18. Have you ever been arrested, charged, or held by federal, state or other law enforcement authorities for violation of any federal law or regulation, state law or regulation, or municipal ordinance? If so, please provide details. Do not include traffic violations for which a fine of \$100 or less was imposed, unless in the aggregate such fines have totaled more than \$350 in the last ten years.

19. Have you, or members and associates in your firm, to your knowledge, ever been under federal, state or local investigation for possible violation of a criminal statute? If so, give particulars. (If you would prefer to discuss this confidentially with the Governor, please so indicate.)

20. Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities? If so, give particulars. (If you would prefer to discuss this confidentially with the Governor, please so indicate.)
21. Have you ever been sued by a client or been involved in a fee dispute procedure? If so, give particulars?
22. Have you ever been a party or otherwise involved in any other legal proceedings. If so, give the particulars. Do not list proceedings in which you were merely guardian ad litem or stakeholder. Include all legal proceedings in which you were named as 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.
23. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of complaint to, any court, administrative agency, Attorney General, Board of Overseers of the Bar, bar association, disciplinary committee, or other professional group? If so, give the particulars.

24. **Please Note:** If you would prefer to discuss your responses to questions 24a-e confidentially with the Governor, please indicate such in the space provided for the respective question(s).

- a. How is your present health?
- b. When was your most recent physical examination?
- c. Are you currently receiving treatment for a physical illness or condition that likely would affect your ability to carryout the responsibilities of a judicial appointment?
- d. In the past ten (10) years have you received treatment for an alcohol and/or drug addiction?

Are you currently receiving treatment for an alcohol and/or drug addiction?

- e. In the past ten (10) years, have you received treatment and/or been hospitalized for a major mental illness?

Are you currently receiving such treatment?

- 25. At your option, you may submit any legal article, book, brief or other legal writing which was the result of your personal work. (Please limit any such submission to no more than three samples.)
- 26. List all bar association and professional societies of which you are a member and give titles and dates of any offices which you have held in such groups. List also chairmanships of any committees in bar associations and professional societies, and memberships on any committees which you believe to be of particular significance.

27. List all organizations other than bar and professional association of which you are or have been a member, including civic, charitable, educational, social and fraternal organizations.
28. You may, if you wish, indicate the names and addresses of firms and telephone numbers of no more than three attorneys whom you would suggest the Committee contact with respect to your application.
29. Have you participated in continuing legal education? If so, give particulars.
30. List any honors, prizes, awards or other forms of recognition which you have received (including any indication of academic distinction in college or law school) other than those mentioned in answers to foregoing questions.
31. If requested, are you willing to furnish a list of assets and liabilities and copies of your federal and state income tax returns for the past three years? (If you would prefer to make such disclosures directly to the Governor in confidence, please so indicate.)

32. The Legislature's Joint Committee on the Judiciary has typically asked a broad range of questions of our judicial nominees. Among the most common have been the following. We understand that the following issues may not be the most difficult or controversial now concerning the Judiciary, but they are among those we can reasonable expect from the Committee. Please write a very concise paragraph expressing your views on each of the following areas:

- a. Your willingness to apply the law notwithstanding your personal disagreement with it.
- b. Whether you recognize an obligation on the part of the court with respect to the legislative will.
- c. Whether you would impose the death penalty if required by law.
- d. Whether you believe there ought to be any structural changes in the court system.
- e. Whether you believe all judicial proceedings ought to be open to the press and public.
- f. How the system of justice in Maine might be improved.
- g. Your position with respect to mandatory sentencing.

h. Your position with respect to releasing the names of juveniles and extending leniency to juveniles.

i. Your position with respect to remedies the court might impose on indigent criminal defendants unable to pay fines.

33. State any other information which may reflect positively or adversely on you, or which you believe should be disclosed in connection with consideration of your nomination for a judicial position in the State of Maine.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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|--|
| <p style="text-align: center;"><b>LEGISLATIVE STAFF QUESTIONNAIRE<br/>FOR<br/>GUBERNATORIAL NOMINEES</b></p> |
|--|

NAME:

HOME ADDRESS:

HOME PHONE:

BUSINESS ADDRESS:

BUSINESS PHONE:

PREFERRED EMAIL ADDRESS:

POSITION TO WHICH NOMINATED:

IS THIS A REAPPOINTMENT?

IF YES, LENGTH OF PREVIOUS SERVICE:

**EDUCATIONAL BACKGROUND**

High School:

College:

Graduate Work, if any:

Special Training:

**PROFESSIONAL BACKGROUND**

Present Employment:

How Long?

Contact Person for Reference:

Phone:

Prior Employment:

How Long?

Contact Person for Reference:

Phone:

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PROFESSIONAL BACKGROUND (Continued):

Prior Employment:

How Long?

Contact Person for Reference:

Phone:

COMMUNITY SERVICE BACKGROUND:

Civic:

Church (optional):

Political:

Other:

PROFESSIONAL AND BUSINESS AFFILIATIONS AND ASSOCIATIONS:

SPECIAL RECOGNITION, HONORS OR AWARDS:

MISCELLANEOUS

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HAVE YOU EVER SERVED ON ANY OTHER STATE BOARDS OR HELD ANY OTHER APPOINTIVE OR ELECTIVE POSITION IN STATE GOVERNMENT?

IF YES, LIST POSITIONS AND DATES:

DID YOU SEEK THIS APPOINTMENT?

IF SO, WHY?

WHAT EXPERIENCE OR EXPERTISE DO YOU FEEL YOU WOULD BRING TO THIS APPOINTMENT?

DO YOU KNOW OF ANY REASON WHY ANY INDIVIDUAL OR GROUP WOULD BE OPPOSED TO YOUR NOMINATION?

IF SO, WHY?

PLEASE LIST ANY ORGANIZATIONS, BUSINESSES OR CORPORATIONS IN WHICH YOU OR YOUR SPOUSE OR CHILDREN HOLD ANY OFFICE, OWNERSHIP INTEREST, STOCKS OR BONDS, AND INDICATE THE NATURE OF YOUR RELATIONSHIP.

ARE YOU AWARE OF ANY ACTUAL OR POTENTIAL CONFLICT OF INTEREST ARISING OUT OF THIS APPOINTMENT PURSUANT TO TITLE 5, PARAGRAPH 18, 2. A-E, AS FOLLOWS:

2. EXECUTIVE EMPLOYEE. An executive employee commits a civil violation if he personally and substantially participates in his official capacity in any proceeding in which, to his knowledge, any of the following have a direct and substantial financial interest:

- A. Himself, his spouse or his dependent children
- B. His partners
- C. A person or organization with who he is negotiating or has agreed to an arrangement concerning prospective employment
- D. An organization in which he has a direct and substantial financial interest
- E. An organization with whom he has been associated as a partner or a fellow shareholder in a professional service corporation pursuant to Title 13, Chapter 22, during the preceding year.

IF YOU HAVE A CONFLICT, WHAT STEPS HAVE YOU TAKEN OR DO YOU PLAN TO TAKE TO DISASSOCIATE YOURSELF FROM THIS CONFLICT SITUATION?

ARE YOU OR HAVE YOU EVER BEEN A PARTY OF CIVIL OR CRIMINAL COURT LITIGATION EITHER PERSONALLY OR AS AN OFFICER OR A CORPORATION, ASSOCIATION, OR OTHER LEGAL ENTITY? DESCRIBE THE CIRCUMSTANCES OF ANY SUCH LITIGATION.

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HAVE YOU EVER BEEN SANCTIONED OR REPRIMANDED BY A PROFESSIONAL OR  
OCCUPATIONAL BOARD?

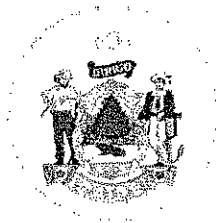
WHAT ACTION WAS TAKEN?

WOULD YOU HAVE ANY OBJECTION TO HAVING A BACKGROUND CHECK RUN ON YOUR  
MOTOR VEHICLE AND CRIMINAL RECORD?

ADDITIONAL COMMENTS:

DATE \_\_\_\_\_ SIGNATURE OF NOMINEE \_\_\_\_\_

DATE OF BIRTH \_\_\_\_\_



Office of the Governor  
State of Maine

AUTHORIZATION FOR RELEASE OF PERSONAL INFORMATION

I, \_\_\_\_\_, do hereby authorize a review of and full disclosure of all records or any part thereof concerning myself, to **the State Bureau of Identification**, a duly authorized agent of the State of Maine, whether said records are of a public, private, or confidential nature.

The intent of this authorization is to give my consent for a full and complete disclosure of the records of any institution, agency, department, system, and the like concerning criminal acts now or formerly prohibited by law. I understand these records may include additional personal information that may not be redacted and specifically authorize release thereof.

It is the intent of this authorization to provide free and full access to the background and history of my personal life, for the specific purpose of undertaking a background investigation, which may provide pertinent data in determining my suitability for employment, appointment, or commissioning by the State of Maine. It is my specific intent to provide access to such personal information, however personal or confidential it may appear to be, to assist the relevant parties in determining said suitability and the sources of information specifically enumerated above are not intended to deny access to any records not specifically mentioned herein.

I understand that any information obtained by the personal history background investigation, whether developed directly or indirectly, in whole or in part, upon this release authorization will be considered in determining my suitability for employment, appointment, or commissioning by the State of Maine. I acknowledge that this has been fully and clearly explained to me and fully understand that the refusal to grant authorization will not, of itself, constitute a basis for rejection of my application.

A photocopy or electronic version of this release will be valid as an original hereof.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

STREET ADDRESS \_\_\_\_\_

DOB \_\_\_\_\_ SSN \_\_\_\_\_ PHONE \_\_\_\_\_

WITNESS SIGNATURE \_\_\_\_\_

WITNESS NAME \_\_\_\_\_

**STATE OF MAINE**  
**Tax Clearance for Governor Appointive Position**

To State Tax Assessor: To assist in the evaluation of my qualifications to serve in an appointive position in Maine State Government, I hereby authorize the State Tax Assessor to release a summary of my Maine tax standing to the Commissioner of Finance or the Commissioner's Authorized Representative. The summary of tax standing will be through the date of this agreement and limited to information concerning the proper filing of State tax returns and the satisfaction of any State tax liabilities. A copy of the report is to be provided to the authorized representative and myself. This authorization of a representative pursuant to 36 M.R.S.A. §191, subsection 2, paragraph A, is limited only to that information contained in the summary of tax standing and does not extend to a further review of the records on file with the Bureau of Maine Revenue Services.

It is understood that any specific information provided in the summary of tax standing is to be treated in a confidential manner as required by 36 M.R.S.A. §191.

|                           |  |          |
|---------------------------|--|----------|
| Taxpayer Name:            |  | Phone #: |
| Social Security #:        | Date of Birth:                           |          |
| Taxpayer Current Address: | Alternate name you may have filed under: |          |

1. Do you have any State of Maine tax liability that is currently outstanding? ☐ No ☐ Yes  
If YES, please explain: \_\_\_\_\_
2. Are you required to file any Maine State return(s) other than individual income tax ☐ No ☐ Yes  
If YES, please list tax type and account #: \_\_\_\_\_
3. Have you filed a Maine State Income Tax Return every year for the past 7 years?  
☐ No ☐ Yes If NO, please list the year(s) and explain why the return(s) was not filed:  
\_\_\_\_\_  
\_\_\_\_\_
4. Are there any Maine State tax returns that have not been filed because you lived outside the State of Maine? ☐ No ☐ Yes If YES, what years, and what date did you return to Maine: \_\_\_\_\_  
\_\_\_\_\_

Taxpayer's signature: \_\_\_\_\_ Date: \_\_\_\_\_

**MRS – Office Use Only**

Clearance Granted: ☐ Yes ☐ No If No, reason: \_\_\_\_\_

MRS Clearance Officer: \_\_\_\_\_ Date: \_\_\_\_\_

Tracer needed: ☐ Yes ☐ No

F107 Note: ☐

## AUTHORIZATION AND RELEASE

In relation to Governor Paul R. LePage's consideration of my application for judicial appointment, I, \_\_\_\_\_ hereby authorize and request Bar Counsel of the Board of Overseers of the Bar to furnish to the Office of the Governor or its agents, copies of all files or information in the possession of the board regarding any grievances filed against me, whether formal or informal, pending or closed. By this release I intend to include 1) all such matters earlier handled and processed by the Maine State Bar Association; 2) all Bar Counsel files, Board of Overseers files or Grievance Commission files of the Board relating to me; and 3) all such dispositions which would otherwise be private or confidential under the Maine Bar Rules without this consent.

I hereby release the Board, Bar Counsel, Assistant Bar Counsel and all Board staff from any and all liability for damages of whatever kind, which may at any time result to me, my heirs, family or associates because of compliance with this authorization and request to release information, or any attempts to comply with it. Should there be any questions as to the validity of this release, I may be contacted as indicated below.

Full Name: \_\_\_\_\_  
(Signature)

Full Name: \_\_\_\_\_  
(Type or Print) (Date)

Current Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Bar Membership(s): \_\_\_\_\_  
\_\_\_\_\_