**Questionnaire for Applicants for the United States**

**District Court for the Eastern District of Wisconsin**

**Please also review the separate document**

**“Important Application Instructions– Posted November 11, 2013”**

**DUE December 11, 2013**

1. **Full name:** (include any former names used).
2. **Contact Information:** List current address, phone, fax, email and cellular phone information for your residence and office.
3. Residence:
4. Office:
5. **Where and when were you born?**
6. **Spouse/Domestic Partner Information:** List the occupation, employer’s name, business, current address, phone, fax, and cellular phone information of the residence and office of your spouse/domestic partner.
7. Residence:
8. Office:
9. **List any prior marriages.**
10. **Children and Dependents:** List the full names and ages of your children and dependents.
11. **Education:** List each college, law school, or university you have attended, including dates of attendance, degrees received, and dates degrees were granted.
12. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, honors, awards, or honorary society memberships that you believe would be of interest to the Federal Nominating Commission.
13. **Legal Associations:** List all bar associations, legal, or judicial‑related associations, committees, or conferences of which you are or have been a member; dates of membership; and titles and dates of any offices which you have held in such groups.
14. **Other Memberships:** Please list all other organizations to which you belong. Please indicate whether any of these organizations are active in lobbying before public bodies.
15. **Court Admissions:**
16. List all courts in which you have been admitted to practice, with dates of admission, and (if applicable) when any such admissions lapsed.
17. Please explain the reason for any lapse of admission.
18. Give the same information for administrative bodies that require special admission to practice.
19. **Published Writings (Non-Judicial):**
20. List the titles, publishers, and dates of books, articles, reports, or other published material you have written or edited.
21. Please supply copies of all published material you have written or edited, except that instead of copies you should supply a link or a citation for all such material that is available electronically (e.g., on the internet or on LEXIS/Westlaw).
22. Please supply copies of all speeches that you have given on issues involving constitutional law, legal issues, or legal policy.
23. Please list all social media that you currently use or have used in the past? (e.g. facebook, twitter, tumblr, instagram) Note: During the course of the process, applicants may be asked to provide more detail as to the content and nature of those accounts including past activity.
24. **Health:**
25. Is the present condition of your health such that you will be able to immediately assume the bench upon appointment? If the answer is “no,” please explain why.
26. Is there any health condition that will in any way prevent you from fulfilling the duties and obligations of a judge?
27. Do you suffer from any condition of drug or alcohol use, abuse, or dependency that will in any way adversely affect your ability to assume the obligations and duties of a judge?
28. Do you suffer from any condition of mental or emotional illness that in any way adversely affects your ability to assume the obligations and duties as a judge?
29. **Health Disclosure:**
30. Have you disclosed all matters relating to your health, either mental or physical, that will in any way affect your ability to perform your duties and obligations as a judge?
31. If reasonable accommodations would permit you to perform the duties required of the job, please describe them.
32. If you have disclosed concerns that you may have in this regard, please state whether or not you are willing to sign authorizations permitting the Federal Nominating Commission to contact health care providers in order to ascertain information relative to your present fitness for the position for which you have applied.
33. **Employment History:**
34. Starting with your current affiliations, list chronologically all business or professional corporations, companies, firms, other enterprises, partnerships, institutions, and organizations, nonprofit or other, including firms, with which you were connected as an officer, director, partner, proprietor, or employee since graduating from college.
35. Describe any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization, or association of any kind that you have received during the past five years.
36. Have you ever been discharged from employment for any reason, or have you ever resigned after being informed that your employer intended to discharge you?
37. **Military Service:**
38. Have you served in the military?
39. If so, give particulars, including the dates, branch of service, rank or rate, serial number, and type of discharge received.
40. **Public Office:**
41. Starting with your most current position, list chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed.
42. Starting with your most current candidacy, list chronologically any unsuccessful candidacies for elective public office.
43. **Legal Career:**
44. Describe the general character of your practice, dividing it into periods with dates if its character has changed over time. If you are currently a judge, please answer by reference to your practice before becoming a judge.
45. Describe your typical clients and mention the areas, if any, in which you have specialized.
46. Court Frequency
47. Have you appeared in court frequently, occasionally, or not at all? If the frequency of your appearances in court has varied, describe each such variance, giving dates. Please include both trial-court appearances and appellate-court appearances, but you may wish to distinguish between them in the answer.
48. What percentage of these appearances has been in:
49. Federal courts
50. State courts
51. Administrative agencies
52. Arbitrations
53. Tribal or other courts
54. What percentage of your litigation has been:
55. Civil
56. Criminal

iv.) If you have appellate experience beyond the appearances called for in subpart (i),

please describe it.

1. State the number of cases that you tried to a verdict or judgment (rather than settlement), indicating whether you were sole counsel, chief counsel, or associate counsel.
2. What percentage of these trials were:
3. Jury
4. Non-jury
5. Describe what you have done to serve the following pro bono or public service objectives, listing specific instances and the amount of time devoted to each (cf. Wis. Sup. Ct. R. 20:6.1, as revised effective July 1, 2007):

(a) provide legal services without fee or expectation of fee to:

(1) persons of limited means or

(2) charitable, religious, civic, community, governmental, and educational organizations in matters that are designed primarily to address the needs of persons of limited means; or

(b) provide any additional services through:

(1) delivery of legal services at no fee or substantially reduced fee to individuals, groups, or organizations seeking to secure or protect civil rights, civil liberties, or public rights, or charitable, religious, civic, community, governmental, and educational organizations in matters in furtherance of their organizational purposes, where the payment of standard legal fees would significantly deplete the organization's economic resources or would be otherwise inappropriate;

(2) delivery of legal services at a substantially reduced fee to persons of limited means; or

(3) participation in activities for improving the law, the legal system, or the legal profession.

1. Do you currently belong, or have you belonged, to any organization that discriminates on the basis of race, sex, or religion, through either formal membership requirements or actual application or implementation of membership policies?
2. If so, list each, with dates of membership.
3. Explain why you became a member, how you found out about the requirements or policies, and what if anything you did to change them.
4. **Litigation:** Please address the following if you have ever represented clients in litigation. Describe up to ten of the most significant matters of litigation that you have personally handled (if you describe fewer than five, please provide an explanation). Be sure to include the following for each case:
5. The citations, if the cases were reported, and the docket numbers and dates if unreported.
6. A capsule summary of the substance of each case.
7. The party or parties whom you represented.
8. A detailed description of the nature of your participation in the litigation and the final disposition of each case.
9. The dates of representation.
10. The name of the court and the name of the judge or judges before whom each case was litigated.
11. The individual names, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.
12. **Non-Litigation Legal Experience:** Describe the most significant non-litigation legal activities you have pursued.
13. **Participant in Litigation:**
14. Have you ever been a party to any litigation?
15. If so, give full details. How was the matter resolved?
16. **Complaints:**

A. To your knowledge, are you currently the subject of investigation by the Office of Lawyer Regulation or any comparable body for a breach of professional ethics or other professional misconduct?

B. Has any motion for sanctions under Federal Rule of Civil Procedure 11, Wis. Stats. § 802.05, or any comparable rule or statute ever been filed against you?

C. If your answer to either of the foregoing is “yes,” give full details. How was the matter resolved?

1. **Formal Charges:**
2. To your knowledge, have you ever been publicly or privately disciplined for professional misconduct or medical incapacity as a result of a public complaint filed by the Office of Lawyer Regulation, the former Board of Attorneys Professional Responsibility, or any comparable body in another state or territory?
3. If so, give full details. How was the matter resolved?
4. **Conduct:**
5. Has your conduct ever been the subject of favorable or unfavorable comment by an appellate court?
6. If so, give full details. How was the matter resolved?
7. **Finances:**
8. Is there anything in your current financial situation that would affect your ability to hold the office for which you are seeking an appointment about which the Federal Nominating Commission should know?
9. Do you have an overall positive net worth?
10. **Taxes:**
11. Were all your taxes (federal, state, local, employment and self-employment) current (filed and paid) as of the date of your application?
12. If not, give full details. How was the matter resolved?
13. Have you or your spouse/domestic partner ever been the subject of any audit, investigation, or inquiry for either federal, state, or local taxes?
14. If so, give full details. How was the matter resolved?
15. Have federal, state, or local authorities ever instituted a tax lien or other collection procedure against you?
16. If so, give full details. How was the matter resolved?

1. Are you in compliance with all applicable federal and state laws regarding the payment of taxes for any household employees whom you employ or have employed in the past?
2. **Bankruptcy:**
3. Have you or your spouse/domestic partner ever declared bankruptcy?

B. If so, give full details. How was the matter resolved?

1. **Professional Investigations:**
2. Has any organization of which you were an officer, director, or active participant ever been the subject of an investigation with respect to activities within your professional responsibility?
3. If so, give full details. How was the matter resolved?
4. **Criminal Charges**
5. Have you ever been charged with any misdemeanor or felony other than a minor traffic offense?
6. If so, give full details. How was the matter resolved?
7. **Traffic Violations**
8. Have you ever been charged with any traffic offense in the last 10 years?
9. If so, give full details. How was the matter resolved?
10. **Questionable Actions:**
11. To your knowledge, are there any circumstances in your professional or personal life that create a substantial question as to your qualifications to serve as a federal judge or that might interfere with your ability to serve?
12. If so, give full details. How were those circumstances resolved?

**If you are currently a judge, please answer question 32. If you are or have ever been a judge, please answer questions 33-41.**

1. **Present Judicial Duties:**
2. Describe your present assignment, including the date it began, the location and courtroom, and the nature of your call and duties.
3. List the name and phone number of your current presiding, supervising, or chief judge, if any.
4. Please provide the case management statistical reports for your court for the last three years, including, if available, such facts as the weighted case average, matters disposed of, the Federal Civil Justice Reform Act reports, or their state-court equivalents.
5. **Previous Judicial Duties:**
6. Beginning with your most recent assignment prior to your present one, provide the same information requested in the previous question for each judicial assignment, and the respective dates of each assignment.
7. If there have been interrupted periods of judicial service, so indicate.
8. **Recent Jury Trials:** List the five most recent jury cases tried before you. Be sure to include the following for each case:
9. The names of the cases, the docket numbers, and citations.
10. A capsule summary of the substance of each final ruling, judgment, or settlement (if known to you).
11. The names and phone numbers of the attorneys involved.
12. **Recent Non-Jury Trials:** List the five most recent non-jury cases tried before you. Be sure to include the following for each case:
13. The names of the cases, the docket numbers, and citations.
14. A capsule summary of the substance of each final ruling, judgment, or settlement (if known to you).
15. The names and phone numbers of the attorneys involved.
16. **Recent Rulings:** List the five most recent matters, excluding the jury and non-jury cases in questions 34 and 35, in which you made a ruling on a contested motion or presided at a settlement which disposed of the case.
17. The names of the cases, the docket numbers, and citations.
18. A capsule summary of the substance of each ruling or settlement.
19. The names and phone numbers of the attorneys involved.
20. **Trial Court Decisions (To Be Completed by Applicants Who Are or Have Been Trial Court Judges):**
21. In cases in which your trial court ruling was appealed, list the five most significant appellate court decisions. Provide a short summary and the appellate citation for each case. Explain why you think each is important. Include the names and phone numbers of the appellate attorneys involved (if known to you).
22. Provide a short summary of and citations for appellate opinions where your decisions were reversed or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, please provide copies of the opinions.
23. Provide copies and citations of up to five significant trial court rulings you have written dealing with federal or state constitutional issues.
24. Provide copies and citations of the five most recent dispositive opinions you have written.
25. **Appellate Court Decisions (To Be Completed by Applicants Who Are or Have Been Appellate Court Judges):**
26. List the five most recent appellate court opinions (majority, concurring, or dissenting) you have written. Include citations or docket numbers and the names and phone numbers of the appellate attorneys involved.
27. List the five most significant appellate court opinions (majority, concurring, or dissenting) you have ever written. Include citations or docket numbers. Explain why you think each decision is important.
28. List the five most significant appellate court decisions in which you have participated, but did not write an opinion. Include citations or docket numbers. Explain why you think each decision is important.
29. List the five most significant appellate court decisions in which your appellate court rulings were appealed. Include citations or docket numbers. Explain why you think each is important.
30. **Complaints of Judicial Misconduct:**
31. Has your conduct ever been the subject of a complaint or a petition filed in the Wisconsin Supreme Court by the Wisconsin Judicial Commission; a private letter or other expression of warning or concern from the Wisconsin Judicial Commission; or any similar disciplinary action by or communication from the Chief Judge of the U.S. Court of Appeals?
32. If any such matter has been resolved, describe that matter and its resolution.
33. If any complaint or petition filed in the Wisconsin Supreme Court by the Wisconsin Judicial Commission is pending, describe that matter and its current status.
34. To your knowledge, is there any other complaint or investigation regarding your conduct now pending before the Wisconsin Judicial Commission or the Chief Judge of the U.S. Court of Appeals? If so, describe that matter and its current status.
35. **Discipline or Censure:**
36. Have you (as a judicial officer) ever been disciplined or censured by any court or disciplinary body?
37. If so, give full details. How was the matter resolved?
38. **Judicial Conduct:**
39. Has your judicial conduct ever been the subject of favorable or unfavorable comment by an appellate court?
40. If so, give full details. How was the matter resolved?

**Question 41 marks the end of the questions exclusive to judges.**

**Please answer question 42 only if you are not a judge.**

1. **Filings in Court:** Please provide copies of five substantive briefs or memoranda that you have filed in court and that you have either written yourself or so substantially contributed to that you consider them to be “your” work.

**Questions 43 and beyond should be answered by all applicants.**

1. **Judicial Interpretation:**
2. Has anyone involved in the process of selecting you as a nominee discussed with you any specific case, legal issue, or question in a manner that could reasonably be interpreted as asking how you would rule on such case, issue, or question?
3. If so, please explain fully.
4. Please advise if there is any additional information that could be personally or professionally embarrassing of which the Federal Nominating Commission should be aware.
5. Provide the names and current phone numbers of at least five, but no more than ten persons (of whom not fewer than four must be lawyers not now or previously associated with you in the practice of law or in business), who have knowledge regarding your character and ability, and state how long each has known you. Any personal references must have had adequate opportunities for observing your professional and general conduct and ability. Describe your relationships to these people.
6. If you are not currently a judge, provide the names and current phone numbers of not more than five judges (of whom at least three must be active) with whom you are not and have not been associated in the practice of law or in business, before whom you have appeared recently in matters which would afford them an opportunity to observe your professional conduct and ability.

If you are currently a judge, in order to comply with rules of judicial conduct, you need not supply any information regarding other members of judiciary. The Federal Nominating Commission will request information directly from other judges where necessary.

1. Unless you have been a judge for the past five years, provide the names and current phone numbers of five lawyers who been adverse to you in matters that you have handled as a lawyer in the past five years.
2. In 500 words or fewer, why do you want to be a judge on the United States District Court for the Eastern District of Wisconsin?
3. In 500 words or fewer, please describe the proper role of a United States district judge as you see it.
4. In 250 words or fewer, please describe the role that you see law clerks appropriately playing in the judicial process.
5. In 500 words or fewer, please identify the two or three justices or judges (living or dead) whom you most admire and explain why (please exclude anyone for whom you have worked).

**additional facts.**

1. Is there any other information in your background, whether helpful to your possible selection or otherwise, which is not called for by any prior question which you believe the Commission should be aware of? If so, please advise.
2. **Affidavit:** Please sign the Affidavit below.
3. **Authorization:** Please sign the Authorization for the Release of Confidential Information below.

AFFIDAVIT

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do swear that the information

(Please Print Name)

provided in this questionnaire is, to the best of my knowledge, true and accurate.

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| Signature | Date |

Sworn and subscribed to before me this \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_ 2013:

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| Notary Public, State of Wisconsin |

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| My Commission: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

Authorization for the Release of

Confidential Information

Whereas, the undersigned has submitted an application to the Federal Nominating Commission for a judgeship on the United States District Court for the Eastern District of Wisconsin; and

Whereas, Senators Johnson and Baldwin have chartered the establishment of the Federal Nominating Commission to recommend nominees for the United States District Court for the Eastern District of Wisconsin; and

I, the undersigned, hereby request and authorize the Federal Nominating Commission to have full access to any of the records of the Board of Attorneys Professional Responsibility (BAPR), the Office of Lawyer Regulation (OLR), and/or the Judicial Commission or its federal equivalent, that might apply to me including, but not limited to, discussing with members of the Federal Nominating Commission any and all aspects of my contacts or records with them, including obtaining copies of any dealings I have had with them; and

I expressly waive, to the extent necessary to fulfill this authorization, any right of confidentiality I have under Wisconsin Supreme Court Rules, SCR 21-22, or §757.93 of the Wisconsin State Statutes; and

I authorize that the use of a photocopy of this authorization shall be accepted as though it were an original; and

I authorize the effectiveness of this document forthwith from the date below until the vacancy for the United States District Court for the Eastern District of Wisconsin has been filled.

I understand that during the course of the Commission’s review the names of those who apply may be revealed privately to others in the community to facilitate reference checks.

I understand the names of those applicants submitted to the President will be made public.

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(Please Print Name)

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|  | Date |

Sworn and subscribed to before me this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_ 2013:

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| Notary Public, State of Wisconsin |

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| Signature |
| My Commission: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | |