

Judicial Screening Committee Kings County Democratic Party

2021-2022 Questionnaire for Civil Court, Supreme Court and Surrogates Court

This questionnaire must be completed by all candidates before consideration of their candidacy can commence. Unless otherwise indicated, every question must be answered, even if the answer is negative or an indication that the question is inapplicable.

At the candidate's request, this questionnaire will also be provided in an electronic form formatted in Word or WordPerfect to facilitate completion without resorting to supplying answers on separate sheets where the space provided is insufficient. If the candidate chooses not to avail him or herself of the electronic format and the space provided is insufficient for a complete answer, please complete the answer on a separate sheet(s) attached to the questionnaire.

The Committee requires that if you change your address or telephone number, or if anything occurs which would affect your answers to this questionnaire, the Committee should be promptly notified. Please attach the following:

1. In the event you are a sitting Judge, please provide copies of all financial disclosure forms or statements filed with any Federal, State or City entity, including but not limited to financial disclosures filed with the OCA, New York State Ethics Commission or any other governmental entity.
2. Copies of any applications submitted to any Judicial Screening Selection Committee for the last 3 years, *other than your previous submissions to this committee*. Only the applications and answers are required, exhibits need not be provided. Scanned copies on CD are acceptable.
3. Please indicate whether you are applying for **Civil Court, Supreme Court, and/or Surrogates Court?**

PLEASE EXECUTE THE WAIVERS ON THE LAST TWO PAGES OF QUESTIONNAIRE.

Please be advised that all information provided will be kept strictly confidential. Due to the pandemic, you must provide a pdf copy of the completed questionnaire no later than **NOVEMBER 22, 2021** to: tali@edelmanpc.com

1. Please indicate whether you are applying for the Civil Court, the Supreme Court and/or Surrogates Court :

2. Full name: _____

(If you have ever used or been known by any other name,
State that name): _____

3. Office address:

4. Present residence:

5. List other residences you have had within the past five years, including temporary residences, and dates:

6. Telephone numbers and email address where you may be reached:

7. Date and place of birth:

(In the event you were not born in the United States, please

submit evidence of United States citizenship)_____

8. Present position or occupation:

9. Have you been engaged in any occupation, business or profession other than the practice of law, since the date you were admitted to the Bar?

(a) If so, give details, including dates, and the circumstances under which you ceased to be so engaged:

(b) In the event that the occupation, business or profession in which you were engaged was owned by you alone, or owned by you with others, directly or indirectly, state the names and present addresses of any of those who shared the ownership, and state whether or not there are unpaid debts or claims with respect to the conduct of that occupation, business or profession:

10. If you are married, in a civil union or a domestic partnership whether formalized or not, state the date when this was entered into and the full name and occupation of your spouse:

11. List all colleges and professional schools (other than law schools) ever attended; include degrees received, class standing if known, honors, and indicate the month and year of beginning and ending of periods of attendance. If a degree was not received, state the reason, and state the nature of the course of study pursued:

12. A. List all law schools attended, giving the same information requested above: _____

B. Date you were admitted to the Bar in New York

C. List any other jurisdictions you are admitted to including all Federal and State Courts and the dates of admission

13. A. List any post-law school education and the degrees if any awarded

<u>Description of Course</u>	<u>Date</u>	<u>Sponsor</u>
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_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. List all continuing legal education courses which you have participated in either by lecturing or attending within the past four years

Number of Hours

14. Have you been in continuous compliance with the registration requirements for Attorneys in the State of New York since your admission to the bar?

YES ___ NO ___ if no please describe the circumstances.

15. Have you been in continuous compliance for the registration requirements for the other jurisdictions you have been admitted to since your admission to that Bar. Yes ___ No ___ if no, please describe the circumstances.

16. Are you registered to vote?

Yes ___

No ___

17. If yes, in what county? _____

18. What, if any, is your party enrollment?

19. Over the past five years have you consistently voted in primary (Y) (N) and general (Y) (N) elections? If no, please explain.

20. Are you a member of any political club, association or organization?

A. If so, please identify and list any offices held during the past five years?

21. Have you been elected (including election as a result of an uncontested primary election) to any public office or have attained any position in any political party and if so please identify the offices or positions that you have held and dates you have held such office(s) or position(s)?

22. If you have served in the Armed Forces, including the Reserves or the National Guard, state the date of entry into and discharge from the service, nature and type of discharge, rank at the time of entry and discharge, and state any award or citations you received:

23. Are you now an officer or director or otherwise engaged in the management of any enterprise or charitable organization?

(a) If so, give details, including name, dates, nature of business and description:

(b) Is it your intention to resign each such position and withdraw from participation in the management of any such enterprise, if you are nominated and confirmed?

Yes _____

No _____

If not, state the reasons:

24. List in chronological order the time and location of every place you have practiced law, and the nature of your practice since your first admission to the Bar. If you have practiced in partnership with others, include the partnership name(s) and address (es):

25. List areas of the law in which you have specialized, and the periods during which you have conducted each specialty:

26. a) If you are an **attorney**, state the number of cases you have tried to conclusion in courts of record in the past five (5) years, indicating whether you were sole, associate, or chief counsel. Provide the name, a brief description of each case listed, and the court in which the case was tried. Give the citations of any reported cases. If you participated in the trials noted above as an **attorney**, provide the names, current addresses and telephone numbers of your adversaries, the name of the judge, and the approximate date the trial ended for all cases within the past five (5) years. If you have participated in more than 15 trials over the past five (5) years, list only the 10 most recent trials.

b) If you presided as a **Judge**, include ten (10) most recent trials within the past five (5) years. Also, provide the names of all lawyers and contact information and two (2) recent written opinions whether published or not and (2) published in Supreme/Civil Court if possible. (copies of all opinions should be annexed)

c) If you are a **Court attorney** please provide the last ten (10) conferences that you have participated in any substantial manner. Please provide with us with

28. In the event that you have been a practicing lawyer at any time within the last five years, answer the following:

(a) Did you appear in Court regularly, occasionally or not at all?

If the frequency of your appearances in Court varied during this period, explain the variance.

(b) Describe your litigation practice during the last five years, indicating what percentage was civil or criminal, or attributable to a more specific type of case, such as Personal Injury, Landlord and Tenant, Securities, and the like. Give as much detail as is necessary for an understanding of the nature of your litigation practice during the said five-year period:

(c) What percentage of your appearances in the last five (5) years were _____ in:

New York Court of Appeals,
Supreme Court of the State of New York and/or Civil Court of the City of
New York (Including Appellate Divisions) % _____ other courts of record
% _____ Administrative bodies % _____ Federal Court % _____
Other % _____

29. Summarize your experience in Court prior to the last five years, in comparison to your answer with respect to the last five years:

In the event you have not appeared in court within the last five years, please provide us with a detailed answer as to your work history within that five-year period (e.g.: managing partner, supervising associates, etc.). Kindly list your prior litigation experience in detail.

30. If you have been a practicing lawyer within the last five years, but only a transactional lawyer whose practice did not require or need you to appear in Court on a regular basis or at all, on a separate sheet please list the 10 most important matters that you worked on and a brief description of them and please include the names and contact information of the attorneys you worked with on these matters including any and all supervising attorneys and the attorneys who represented the other parties involved.

31. If your practice within the last five years was mainly a transactional practice as described above and you do not work for a government agency, with your client's permission the committee may wish to contact some clients if that permission is granted.

Please list the names and contact information of any client whom the committee may contact.

32. If you have worked for any organization in the past 10 years and your legal duties consisted of either being a legal advisor or compliance officer, please list all positions you have held and the names and current contact information of your immediate supervisor(s) who is/are intimately familiar with your work. If applicable, please provide at the names of at least three supervisors and current contact information.

33. List each judicial office you have held, including dates in office, and any specific functions you had been assigned within the particular Court:

34. List other experience or positions of a judicial nature, such as arbitrator, mediator, law clerk, and the like, giving dates and explanatory details:

35. List each public position you have held, other than a judicial nature, giving dates and explanatory detail:

36. List any teaching position you have held, including part-time or occasional, with dates and a description of the subject matter and educational institution or sponsor:

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

38. 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:

39. If you have answered the previous question in the affirmative, do any of these organizations, associations, or clubs restrict their membership on the basis of gender, race, religion, national origin, sexual orientation, or physical limitations. If the answer is yes, please describe the restrictions.

40. Describe any executive or administrative experience you have had, whether through your occupation or otherwise, giving details and dates:

41. Annex copies of at least five examples of any legal writings be it legal decisions, articles, books, briefs, or memorandums which are representative of your legal abilities.

42. If you are a sitting Judge and have been reversed or had decisions modified by a higher Court, please provide a list of all such decisions. Please annex a copy of any decision in the last 5 years which have been reversed or modified. If no decision has been reversed or modified on appeal, please provide copies of the decisions which have been affirmed in the last five (5) years. If none of your decisions have been appealed, please so indicate.

43. If you are a sitting Judge, list all cases that have come before you in which a litigant has requested that you recuse yourself or which you have recused yourself sua sponte, and explain the circumstances of the request or sua sponte recusal.

44.

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, sex, 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?

Yes_____ No_____

45.

Has any complaint been filed or otherwise brought to your attention which involved issues concerning insensitivity to issues involving any of the above in question 44?

Yes____ No____

If you answered yes, please describe in detail the circumstances and any resolution that may have been reached.

46. If you are a sitting Judge in any Court, have you ever held a lawyer in contempt?

Yes____ No____

If yes, please list the number of times you have done so, the names and the addresses of the lawyers involved, the circumstances of the contempt, the fines you levied or imposed and the outcome of any appeal taken by the lawyer.

47. A judge may be required to handle emergency applications, cope with media scrutiny, issue quick decisions, deal with fractious litigants, recall significant mounts of information, and otherwise respond to extremely stressful situations. Can you describe briefly how you would handle such situations .

48. Has an employer or supervisor or Administrative Judge ever counseled or expressed concern about, your absenteeism or failure to meet expected deadlines or other productivity expectations?

Yes ____ No ____

If yes, please describe:

49. If you are presently a Judge, can you detail whether or not your decisions on motions have been issued within the time frame set by either OCA or your administrative Judge and if not please detail the percentage of motions that are not in compliance and detail the circumstances that have prevented you from complying with the set time frames.

50. If you are presently a Judge who handles trials, can you detail the average time to render decisions in post-trial motions.

51. List all interviews you have given to newspapers, magazines, or other publications, radio, or television stations or programs broadcasted over the internet and provide the dates of and subject matter of such interviews

52. Do you engage in TWITTER, LINKEDIN, FACEBOOK, INSTAGRAM or other similar public communication platforms?

53. What is the name(s) that you use when you use any of these platforms?

54. What subjects have you Tweeted, Instagrammed, or Facebooked about?

55. Do you have a following on any of these platforms?

56. Do you give permission to member(s) of the committee to view/investigate the “public” aspect of your social media platform?

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

(a) law practice? Yes ___ No ___

(b) public or judicial service? Yes ___ No ___

(c) If yes, please describe each complaint or charge

(d) If the complaint or charge has been resolved please detail its outcome, including whether the governmental agency or other entity, with whom such complaint or charge was filed, 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:

(e) If the complaint is not resolved as of today and it is still pending please include a detailed statement of what proceedings have taken place so far, if at all, and when if you know you expect a decision on the complaint or charge.

58. Have you ever been investigated , disciplined, cited, admonished or cautioned for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group, or without regard to the outcome, to your knowledge, has there ever been a complaint preferred against you with or by any court, administrative agency, bar association, or other professional group?

Yes ___ No ___ If so, give the particulars.

59. To your knowledge, have you ever been the subject of an investigation by any person or private or public entity concerning any possible misconduct, incompetence, unsatisfactory performance of duty, or violation of law?

Yes___ No___ If yes, give particulars.

60. Have you, to your knowledge, ever been found not qualified for any public position by any court, administrative agency, bar association or other professional group?

Yes___ No___ If yes, give particulars.

61. Have you ever been disciplined or terminated by or because of possible termination resigned from any public or private employer, law firm or any other entity because of any misconduct, incompetence or unsatisfactory performance in any respect?

Yes___ No___ If yes, give particulars.

62. Have you ever 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 similar position?

Yes___ No___ If so, give particulars.

63. Have you filed appropriate tax returns as required by Federal, State, Local, and other Government authorities in a timely fashion whether by April 15 or by timely filed extensions

Yes___ No___ If no, explain

64. State whether you have ever:

- a) been summoned, arrested, or taken into custody, indicted, or convicted, tried or charged with or pleaded guilty to the violation of any law, ordinance or in the commission of any felony, misdemeanor, or contempt of court, or been requested to appear before any prosecuting or investigative agency in any matter, other than traffic offenses?

Yes___ No___ If yes, please give the particulars:

b) Failed to answer on the return date any ticket, summons or other legal process served upon you personally at any time?

Yes ___ No___

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

Yes ___

No ___

If yes, please give the particulars:

c) 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 proceeding or otherwise disciplined?

Yes ___

No ___

Not applicable _____

If yes, Please give the particulars:

d) Been declared a ward of any Court, or adjudged an incompetent, or have any proceedings been brought to have you declared a ward of any Court or been adjudged incompetent in the past?

Yes ____

No ____

If the answer is yes, please provide the details:

e) Have you received treatment for or in the past been committed to any institution for the care of persons suffering from mental or nervous disorders or drug addiction or alcoholism?

Yes ____

No ____

If yes, please provide the details:

f) Been a Plaintiff or Defendant in a lawsuit of any kind?

If your answer is Yes to any subdivision above, on a separate sheet, state all facts in full detail and in each case, give name and locality of any court or agency, dates of beginning and termination of action or proceeding, and the judgment or other disposition.

65. (a) Are there any unsatisfied judgments against you?

If so, list the same giving name and address of the judgment creditor and the court by which judgment was rendered, together with the date(s) and the amount(s) thereof and the nature of the claim upon which it was based:

(b) Are you 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 and support Orders and Decrees?

Yes_____ No_____

If so, state the facts in detail:

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

Yes_____

No_____

(d) Has any petition for bankruptcy ever been filed by or against you?

Yes_____

No _____

If so, state the facts in detail:

66. (a) What is the present state of your health?

(b) Have you in the past ten years:

(i) been hospitalized due to injury or illness:

Yes _____
No _____

(ii) been prevented from working due to injury or illness or otherwise incapacitated for a period in excess of ten days?

Yes _____
No _____

If so, give the particulars, including the causes, the dates, the places of confinement, and the present status of the condition which caused the confinement or the incapacitation:

(iii) Have you had any hospital confinement, mental illness, serious physical illness, or drug or alcohol addiction during the past ten (10) years?

Yes___ No___

If yes, explain and provide the name, address and telephone number of your attending physician(s), and all hospitals and other institutions to which you were admitted and the date(s) of each hospitalization.

(iv) Are you presently receiving or contemplating receiving treatment for a physical or mental illness or condition, or for drug or alcohol addiction? Yes ___ No___ If so, please give details.

(c) Do you suffer from any physical or mental impairment or other physical handicap that would impede your performance as a Judge, or if you would need any aides or additional help to properly perform your job.

Yes_____

No_____

If so, give details:

(d) Are you currently under treatment for an illness or physical condition which may impede your ability to carry out your judicial functions?

Yes _____

No _____

If so, give details:

67. Do you currently use or have in the past used any illegal drugs, abused alcohol, or abused any prescription drugs?

Yes _____ No _____

If yes, please describe the circumstances and any treatment or counseling you may have received:

68. Are you presently, or have been in the past, an officer or director or acted in any capacity or have or had any relationship whatsoever including but not limited to providing legal services for or to any corporation or institution be it a profit or not for profit corporation, hospital, or professional association?

Yes ____ No ____

If yes, please supply complete details including all dates of service or association:

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

Yes ____ No ____

If yes, please describe the license, and list the dates of its initial issuance and its last renewal:

69. Has any license, including a license to practice law, a license as a notary public, a driver's license or a realtor's ever been revoked or suspended? Yes ___ No ___ If yes, please describe the circumstances:

70. Have you ever resigned from a position as, or for other reasons, ceased to be a member of a governmental body, a hearing officer or magistrate or any similar position?

Yes____ No____

If yes, please describe the circumstances:

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

Yes____ No____

If so, please describe the circumstances:

72. Have you, your firm, your employer or any of your clients ever been cited for

contempt or otherwise had sanctions imposed upon you or them as a result of your conduct in any judicial or administrative proceeding?

Yes____ No____

If yes, please describe, even if the citation or sanction was later withdrawn, suspended or modified.

73. 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?

Yes____ No____

If no, please describe the circumstances:

74. Describe any significant community activities in which you have engaged:

75. Have you written articles for publication? Yes____ No_____

If yes, please give the name and date of the publication and the title of each article:

76. Have you had any teaching experience in law or related fields?

Yes____

No____

If yes, please describe:

77. Have your qualifications been reviewed by **this** committee?

Yes____

No____

If yes, please list the years and determination of the committee even if you have withdrawn your application to avoid publication.

78. Have your qualifications for public office previously been reviewed by any other committee or other professional association?

Yes___ No___

If yes, please identify the organization, state the date of the review, and detail all findings by the organization:

79. (a) If you are seeking elective office, do you subscribe, and have adhered to the campaign guidelines established for judicial candidates by the New York State Bar Association (published in the New York State Bar Association Journal; Committee on Professional Ethics Opinion No. 289, dated April 27, 1973?)

Yes___
No___
Not Applicable._____

If you answered this question in the negative, please explain:

(b) If you are seeking elective office, have you, or anyone on your behalf, issued any campaign literature concerning the election in which you are a candidate?

Yes___ No___ If yes, please attach copies.

(c) If you are seeking elective office, have you read the rules of the Chief Administrative Judge relating to inappropriate political activity by a judge or a candidate for public election to judicial office(22 NYCRR 100.5)? Yes___ No___

(d) Have you complied with the rules mentioned in (c) above?

Yes___ No___

(e) If you are seeking elective office, please provide copies of campaign expenditure reports, if available.

80. Are you related by blood, marriage or other partnership or civil union relationship to any member of the Committee who will review this application?

Yes___ No ___

If so, give their names.

81. Has any member of the Committee ever represented you or any family member?

Yes_____ No_____

If yes please give details of such representation.

82. List any office, trusteeship, directorship, partnership or position of any nature, whether compensated or not, held by the reporting individual with any firm, corporation, association, partnership, or other organization other than the State of New York. Include compensated honorary positions; do NOT list membership or uncompensated honorary positions. If the listed entity was licensed by any state or local agency, was regulated by any state regulatory agency or local agency, or, as a regular and significant part of the business or activity of said entity, did business with, or had matters other than ministerial before, any state or local agency, list the name of any such agency.

___ None

<u>Position</u>	<u>Organization</u>	<u>State or Local Agency</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

83. If you, your spouse, domestic partner or unemancipated child was engaged in any occupation, employment, trade, business or profession which activity was licensed by any state or local agency, was regulated by any state regulatory agency or local agency, or as a regular and significant part of the business or activity of said entity, did business with, or had matters other than ministerial matters before, any state or local agency, list the name, address and description of such occupation, employment, trade, business or profession and the name of any such agency.

___ None

85. State any additional education or other experiences you believe would assist you in holding judicial office:

86. (a) Set forth any information not otherwise elicited by this application which would effect favorably or unfavorably, your eligibility for the office for which you are a candidate or in any way may bear upon consideration of your candidacy:

(b) State any pertinent information reflecting positively or adversely on you which you believe should be disclosed to this Committee in connection with your possible nomination Judicial office.

(c) Is there anything in your personal or professional background that, if publicly known, could be viewed as embarrassing either to you personally or this committee or to the judiciary? Yes____ No _____
If yes, give particulars.

87. State any achievements or actions you have accomplished, demonstrating your professional abilities and or your commitment to equal justice under the law:

88. Briefly state why you believe you are qualified for the Judicial position you seek.

WAIVER

STATE OF NEW YORK)
) ss.
COUNTY OF NEW YORK)

I, _____ hereby waive the privilege or privacy and confidentiality including, without limitation, any confidentiality under Section 90 of the Judiciary Law, with respect to any information which concerns me and is known, recorded with, on file with, or in the custody and possession of any person or organization including, without limitation, any governmental, judicial, investigate or other official agency, and grievance or disciplinary committees, body or court, any bar associations or other professional associations, and any educational institution, doctor or hospital; I hereby consent to the release of all such information to the Judicial Screening Committee and consent to the issuance, without notice, of any Order necessary or appropriate to obtain such information; I hereby authorize a representative of the Judicial Screening Committee to request and to receive any such information; and I hereby request any such organization or person in possession of such information to deliver it to a representative of the Judicial Screening Committee, forthwith.

I specifically consent to the release of any such information in the possession of the New York State Commission on Judicial Conduct and Office of Court Administration and request that the same be delivered to a representative of the Judicial Screening Committee, forthwith.

Sworn to before me this
Day of _____ 2021

Notary Public

INFORMATION AND PRIVACY WAIVER

I, _____ am informed that as a part of a routine check of my background in connection with my possible appointment to a position with the New York State Supreme Court / Civil Court of the City of New York, the Judicial Screening Committee may wish to make inquiries concerning me to various agencies of the Federal or State Government. Having been advised that information from the files of federal or state agencies may be unavailable to the Judicial Screening Committee without my written consent, due to the Privacy Act of 1974, 5 United States Code Section 552 (a), and the Freedom of Information Act, 5 U.S.C. Section 552, I hereby consent to inquiries concerning me by the Judicial Screening Committee to any Federal or State agency, and to the disclosure to the Judicial Screening Committee by such federal or state agency.

Sworn to before me this

_____ day of _____ 2021

Notary Public