



BAR ASSOCIATION
OF ERIE COUNTY

Bar Association of Erie County Confidential Application for Judicial Rating

I hereby apply to the Bar Association of Erie County for a judicial rating. I consent to an investigation relating to my character, personal and professional reputation, and any other matter referred to or relating to my application. If I now hold or have in the past held any judicial office, I have executed the attached Request to the State Commission on Judicial Conduct and I authorize the Association to transmit the Request to the Commission. I have received and read all the Association's Bylaw provisions relating to Judicial Rating, and I recognize the authority vested in the Board of Directors to interpret the Bylaws and action taken thereunder in a final, conclusive and binding manner. I understand the policy of the Association which prohibits me from re-applying for a Judicial Rating for the same office within six (6) months of the receipt of a rating. I authorize the publication of my rating unless I receive a rating of "Not Recommended" and withdraw my candidacy within two (2) days after notification of such rating. (If the answer to any question requires additional space, please continue the answer on a separate sheet and note such continuation on this application.)

I acknowledge the following paragraph as the standard adapted by the Bar Association of Erie County for determining its ratings:

The great public responsibility and power of the bench necessitates that the measure of qualification for judicial office must be greater than that required for the private practice of law. To be rated "Qualified" the applicant must meet each of the listed criteria to a reasonable degree. A rating of "Well Qualified" requires qualifications to a high degree, and a rating of "Outstanding" requires qualifications even beyond that high standard. In assessing an applicant's qualifications it must be remembered that meeting the 'standards of professional conduct expected of lawyers in their relationships with the public, with the legal system, and with the legal profession,' is at least as important as the requirement of knowledge and proficiency in technical aspects of the practice of law.

In support of my application, I submit the following information:

1. Full name: _____
2. Judicial office sought: _____

3. Briefly state your reasons for seeking the rating of outstanding or well-qualified and why you feel your being a judge would be an asset to the (1) community, (2) judiciary, (3) legal profession:

4. Office address: _____

5. Home address: _____

6. Date of birth: _____

7. Present occupation: _____

Date this occupation began: _____

Nature: (Sitting Judges: please describe the part(s) in which you sit, including changes in those assignments since you assumed your current judicial office. Practicing Attorneys: please briefly describe the nature of your practice and the frequency and nature of your trial work.)

8. Colleges and universities attended, dates and degrees:

13. Honors (List any honors, prizes or awards you have received.):

14. Military service (Dates of entry into and discharge from military service, if any, including branch of service, rank upon discharge, and type of discharge. If current in Reserve or National Guard, state service branch, unit and present rank.):

15. Admissions (List all courts in which you have been admitted to practice, with dates of admission. Include any courts in which you are no longer admitted and date admission terminated.):

16. Public service (List all judicial, public or political offices, elective or appointive, with dates of service.):

17. Elective office (List all public offices for which you have been an announced candidate or a party nominee, along with dates.):

18. Are you current in your attorney registration? _____ If not, why?

Questions 19-27 are for applicants who are in private practice or who are in public practice involving the representation of a party in court, and for applicants who were so engaged at any time during the last 5 years. If you were involved in private practice more than 5 years ago and wish to provide information on that practice, you may do so, so long as you indicate which information is for practice which occurred more than 5 years ago. Otherwise, go to question 28.

19. Jury verdicts: State the number of cases you have tried to a jury verdict during the last five years in the following courts:

Justice Court: _____

City Court: _____

County Court: _____

State Supreme Court: _____

U.S. District Court: _____

Other: _____

20. Jury cases without verdict (State the number of jury cases you have tried which were concluded prior to a jury verdict during the last five years):

Justice Court: _____

City Court: _____

County Court: _____

State Supreme Court: _____

U.S. District Court: _____

Other: _____

21. Non-jury verdicts (State the number of non-jury cases you have tried which resulted in a judicial decision during the last five years):

Justice Court: _____

City Court: _____

Family Court: _____

County Court: _____

State Supreme Court: _____

State Court of Claims: _____

U.S. District Court: _____

Other: _____

22. Non-jury cases without decision (State the number of non-jury cases you have tried which were concluded prior to the rendering of a judicial decision, during the last 5 years):

Justice Court: _____

City Court: _____

Family Court: _____

County Court: _____

State Supreme Court: _____

State Court of Claims: _____

U.S. District Court: _____

Other: _____

23. Hearings (State the number of hearings, including administrative hearings, in which you have served as counsel, stating the types of hearings involved, during the last 5 years):

24. Trial practice (State the percentages of your trial practice for the following):
Civil: _____
Criminal: _____
Matrimonial: _____
Total: _____ 100%

25. Appeals argued (State the number of appeals argued in the following, during the last 5 years):
County Court: _____
Appellate Division: _____
N.Y. Court of Appeals: _____
U.S. Court of Appeals: _____
U.S. Supreme Court: _____
Other: _____

26. Appellate practice (State the percentages of your appellate practice for the following.)
Civil: _____
Criminal: _____
Matrimonial: _____
Total: _____ 100%

27. List the last five trials in which you appeared as trial counsel, giving the name of the presiding Judge and opposing counsel. (If you are not a trial lawyer please list the names of five lawyers with whom you have handled significant legal matters in the past five years, stating the matters concerned.):

Questions 28-30 are for applicants who currently hold judicial or quasi-judicial (i.e. administrative law judges, hearing officers and law clerks) offices. Otherwise go to question 31.

28. List the last five trials at which you presided or otherwise played a quasi-judicial role, giving the names of all trial counsel. Also please provide the names of three lawyers who have appeared before you on matters other than trials in the past 12 months:

29. **For sitting judges only:** Provide the number of cases you have presided over during the last 12 months in office for each of the following categories:

Tried to jury verdict: _____

Tried to written decision: _____

Tried to oral decision: _____

Settled or otherwise disposed of: _____

Remaining on your calendar: _____

30. **For quasi-judicial personnel only:** Provide the number of hearings you have presided over during the last two years in the following categories:

Tried to written decision or report: _____

Tried to oral decision or report: _____

Answer each of the following YES or NO. For any YES answer, give an explanation below:

31. Have you ever been arrested from the time of first admission to the Bar? YES ___
NO ___

32. Have you ever been convicted of or plead guilty to a crime? YES ___
NO ___

33. Have you ever been convicted of or plead guilty to a vehicle and traffic law provision involving alcohol or drugs? YES ___
NO ___

34. Have you ever filed for or been adjudicated a bankrupt? YES ___
NO ___
35. Are you less than current in filing appropriate tax returns as required by federal, state, local or other governmental authorities? YES ___
NO ___
36. Do you or have you had any liens or judgments against you? YES ___
NO ___
37. Have you ever been sued? YES ___
NO ___
38. Are you or have you been a party in any litigation? YES ___
NO ___
39. Are there any bar association, attorney grievance committee or judicial conduct commission disciplinary proceedings or grievances presently pending against you? YES ___
NO ___
40. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by any court, commission, administrative agency, bar association, disciplinary committee, or other professional group? YES ___
NO ___
41. Do you have any health problems? YES ___
NO ___
42. Are you now suffering from any physical or mental disability which could impair your capacity to discharge any essential aspects of judicial responsibilities? YES ___
NO ___
43. Are you a member of any club or organization which directly or indirectly discriminates in any manner against any person based on race, creed, national origin, gender, or sexual orientation? YES ___
NO ___
44. Have you ever been the subject of a complaint based upon alleged discrimination on the basis of race, creed, national origin, or gender? YES ___
NO ___

Explanation of any yes answer to questions 31 - 44. Please provide the question number for any explanation provided:

45. List all bar associations and legal professional societies of which you are or were a member. (Give the titles of any office you have held in such groups, and committees to which you belonged.):

46. List any other legal experience you have had that you feel would be helpful to the committee in its evaluation:

47. List any other community organizations or activities in which you have participated or in which you are presently involved:

48. Is there any information not otherwise elicited by this application which would affect, favorably or unfavorably, your eligibility for the judiciary? (If yes, please set forth):

49. List five attorneys with whom you have had a legal proceeding or matters with within the last year who have not been previously listed on this application. State the nature of the professional contact, i.e., real estate, contract negotiations, trials, corporate law, etc. (Please include phone numbers. If you list a present law partner, such should be in addition to 5 other references.):

50. Use this space to list any and all experience which has not previously been provided in this application which you feel is relevant and material to your qualifications to sit on the judiciary.

Certification

The undersigned hereby acknowledges that the candidate is responsible to supplement, amend, and update the information and responses to the questions contained in this application up to and including such time as the Bar Association has finalized its ratings of the applicant.

I certify that the foregoing data and information is true and that the Bar Association of Erie County will rely upon this certification. I further pledge to uphold the confidentiality of the ratings process.

Signature of Applicant

Dated: _____

Request to the New York State Commission on Judicial Conduct

Name: _____

Date and place of birth: _____

Residence address: _____

Office address: _____

If I have been or am presently the subject of any complaint before the Commission, I request the Commission to make available to the Bar Association of Erie County copies of the complaint, the transcripts of hearings by the Commission thereon, if any, and the dispositive action of the Commission with respect to the complaint. I also request the Commission to make available to the Bar Association of Erie County any other information or documents relating to me that the Commission may lawfully disclose to it.

To the best of my knowledge, I have not been the subject of any complaint before the State Commission on Judicial Conduct except as follows:

I authorize the Bar Association of Erie County to transmit this Request to the State Commission on Judicial Conduct.

Dated: _____

Name (please print)

Signature

Consent for Release of Confidential Information

I hereby consent that any information about me _____, phoned to any educational institution, Grievance or Ethics Committee, Judiciary or Relations Committee, Commission on Judicial Conduct, Prosecutor's Office, Police Department, Investigation Department or Bureau, or any other disciplinary or regulatory body or agency be supplied to the Judiciary Committee and Board of Directors of the Bar Association of Erie County for their use and the discharge of their duties pursuant to the by-laws of the Bar Association of Erie County. I authorize the Bar Association of Erie County, its Board of Directors and Judiciary Committee, to supply a copy of this consent to any such entity which so request.

Dated: _____

Name (Please print)

Signature

***ACKNOWLEDGEMENT AND OATH OF CONFIDENTIALITY
FOR CANDIDATES FOR JUDICIAL OFFICE***

I, _____, agree and acknowledge that the procedures of the Bar Association of Erie County for rating candidates for judicial office are to be conducted in strict confidence and that any and all investigations, conversations, deliberations and reports are so treated as confidential matters.

I further agree, acknowledge and affirm that I will not divulge to anyone, except to members of the Judiciary Committee, any of the information discussed with me during my meeting with the Judiciary Committee.

I understand that if I violate this Oath of Confidentiality, such violation could be considered as a reflection on my qualifications for judicial office.

Signature of Candidate

Please print name

Date

Sworn to before me this ____ day of _____, 2017.

Notary