APPLICATION FOR COCHISE COUNTY JUDICIAL OFFICE

INSTRUCTIONS FOR COMPLETING THE APPLICATION FORM:

1. Type all answers. Do not include these instructions or the Judicial Vacancy Announcement with the completed application form.

2. Completely answer all questions. If a question does not apply, write "Not applicable" in the space provided. If information is not available, write "Not available" and state the reason(s) the information is not available. Sign the application and the Authorization for Background Checks.

3. Send the original and one copy of the application to:

   Timothy A. Nelson
   General Counsel
   Office of the Governor
   1700 West Washington
   Phoenix, AZ 85007

   The Governor's Office cannot be responsible for applications not received; if the U.S. mail is used, applications should be sent by registered or certified mail, return receipt requested. If you would like acknowledgment of receipt of the application, enclose a self-addressed, stamped envelope.

4. Applications must be received by 5:00 p.m. on Monday, October 16, 2006.

INSTRUCTIONS FOR LETTERS OF REFERENCE AND TELEPHONE CALLS:

The Governor's Office welcomes and needs written assessments of the applicants' skills, expertise, ethics and any other characteristic relevant to an individual's potential for a judgeship. Many applicants solicit letters of reference supporting their candidacies for judgeships. However, applicants are advised that "more" is not necessarily "better." The Governor's Office would prefer to receive no more than 10 substantive e-mails regarding each applicant. The preferred means of communicating recommendations to the Governor's Office is through e-mail. Please direct any such e-mails to Mr. Nelson at: tnelson@az.gov.

SUMMARY OF THE SELECTION PROCESS

1. **Application and Comment Period:** Applications for the upcoming vacancy will be accepted until October 16, 2006. A list of all applicants will be announced on or about October 20, 2006 and public comment on the applicants will be accepted until November 10, 2006.

2. **Interviews and Background Checks:** After receiving the applications and public comment, the Governor will decide which applicants she wishes to interview. Applicants selected for interview will be contacted by telephone for interviews to occur at the Governor's Office in Phoenix. Applicants not selected for interviews shall be notified by mail. ***The Governor may also forward the application of any applicant to the Arizona Department of Public Safety and the Arizona State Bar for a background check.***

3. **Notification of Selection:** Applicants selected for interview shall be notified of the Governor's final selection by telephone. After all applicants are notified, the Governor's Office shall issue a press release announcing the Governor's selection.

4. **Commencement of Service:** The selected applicant will be expected to begin serving as a judge of the Superior Court in late or early January, 2007.

APPLICATION FOR JUDICIAL OFFICE

This original application and one copy must be received by the Governor's Office by 5:00 pm on Monday, October 16, 2006. Read the instructions thoroughly before completing this application form. The fact that you have applied is not confidential and the information provided may be verified by the Governor's Office, the Arizona Department of Public Safety, and the Arizona State Bar and/or members of the public at the request of the Governor or her staff. The names of applicants, interviewees and appointees are made public upon request.

PERSONAL INFORMATION

1. Full Name:

2. Have you ever used or been known by any other legal name? _____ If so, state name:

3. Office Address:

4. Mailing Address:

5. Have you been a resident of Arizona for the past five years?

6. Have you been a resident of Cochise County for the past year?

7. Birth Date: Age:

   (The Arizona Constitution, Article VI, §§ 22 and 37, require that judicial nominees be 30 years of age or older before taking office and younger than age 65 at the time of nomination.)

8. List your present and former political party registrations and approximate dates of each:

9. Gender: Race/Ethnicity:

[ ] White
[ ] Hispanic or Latino (of any race)
[ ] Black or African American
[ ] American Indian or Alaska Native
[ ] Asian
[ ] Native Hawaiian/Pacific Islander
[ ] Other: _____

(Article VI, §§ 36 and 41 of the Arizona Constitution, suggest that consideration of both political party affiliation and the diversity of applicants in relation to the state's or county's population is appropriate. However, the primary consideration shall be merit.)

EDUCATIONAL BACKGROUND

10. List names and locations of schools attended (college, advanced degrees and law), dates attended and degrees.

11. List major and minor fields of study and extracurricular activities.

12. List scholarships, awards, honors, citations and any other factors (e.g., employment) you consider relevant to your performance during college and law school.

PROFESSIONAL BACKGROUND AND EXPERIENCE

13. List all courts in which you have been admitted to the practice of law with dates of admission. Give the same information for administrative bodies, which require special admission to practice.

14. a. Have you ever been denied admission to the bar of any state due to failure to pass the character and fitness screening?_____ If so, explain.

b. Have you ever had to take a bar examination more than once in order to be admitted to the bar of any state?_____ If so, explain.

15. Indicate your employment history since completing your formal education. List your current position first. If you have not been employed continuously since completing your formal education, describe what you did during any periods of unemployment or other professional inactivity in excess of three months. Do not attach a resume.

EMPLOYER	DATES	LOCATION

16. List your current law partners and associates, if any. You may attach a firm letterhead or other printed list. Applicants who are judges should attach a list of judges currently on the bench in the court in which they serve.

17. Describe the nature of your present law practice, listing the major areas of law in which you practice and the percentage each constitutes of your total practice.

18. List other areas of law in which you have practiced.

19. Indicate any specialties for which you have applied for certification by the State Bar of Arizona and the results of that or of those applications.

20. Describe your typical clients.

21. Have you served regularly in a fiduciary capacity other than as a lawyer representing clients? If so, give details.

22. Describe your experience as it relates to negotiating and drafting important legal documents, statutes and/or rules.

23. Have you practiced in adversary proceedings before administrative boards or commissions? _____ If so, state:

    a. The agencies and the approximate number of adversary proceedings in which you appeared before each agency.

b. The approximate number of these matters in which you appeared as:

Sole Counsel: _____

Chief Counsel: _____

Associate Counsel: _____

24. Have you handled any matters that have been arbitrated or mediated? _____ If so, state the approximate number of these matters in which you were involved as:

Sole Counsel: _____

Chief Counsel: _____

Associate Counsel: _____

25. List not more than three contested matters you negotiated to settlement. State as to each case: (1) the date or period of the proceedings; (2) the names, addresses (street and e-mail) and telephone numbers of all counsel involved and the party each represented; (3) a summary of the substance of each case: and (4) a statement of any particular significance of the case.

26. Have you represented clients in litigation in Federal or Arizona trial courts? _____ If so, state:

The approximate number of cases in which you appeared before:

Federal Courts: _____

State Courts of Record: _____

Municipal/Justice Courts: _____

The approximate percentage of those cases which have been:

Civil: _____

Criminal: _____

The approximate number of those cases in which you were:

Sole Counsel: _____

Chief Counsel: _____

Associate Counsel: _____

The approximate percentage of those cases in which:

You conducted extensive discovery[1]: _____

You wrote and filed a motion for summary judgment: _____

You wrote and filed a motion to dismiss: _____

You argued a wholly or partially dispositive pre-trial, trial or post-trial motion (e.g., motion for summary judgment, motion for a directed verdict, motion for judgment notwithstanding the verdict): _____

You made a contested court appearance (other than as set forth in above response)

You negotiated a settlement: _____

The court rendered judgment after trial: _____

A jury rendered verdict: _____

Disposition occurred prior to any verdict: _____

The approximate number of cases you have taken to trial:

Court _____

Jury _____

Note: If you approximate the number of cases taken to trial, explain why an exact count is not possible.

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[1]Extensive discovery is defined as discovery beyond standard interrogatories and depositions of the opposing party.

27. Have you practiced in the Federal or Arizona appellate courts? _____ If so, state:

The approximate number of your appeals which have been:

Civil: _____

Criminal: _____

The approximate number of matters in which you appeared:

As counsel of record on the brief: AZ _____ U.S. _____

Personally in oral argument: AZ _____ U.S. _____

28. Have you served as a judicial law clerk or staff attorney to a court? _____ If so, state the name of the court and dates of service, and describe your experience.

29. List not more than five cases you litigated or participated in as an attorney before mediators, arbitrators, administrative agencies, trial courts or appellate courts. State as to each case: (1) the date or period of the proceedings; (2) the name of the court or agency and the name of the presiding judge or officer before whom the case was heard; (3) the names, addresses (street and e-mail) and telephone numbers of all counsel involved and the party each represented; (4) a summary of the substance of each case; and (5) a statement of any particular significance of the case.

30. If you now serve or have previously served as a mediator, arbitrator, part-time or full-time judicial officer, or quasi-judicial officer (e.g., administrative law judge, hearing officer, member of state agency tribunal, member of State Bar professionalism tribunal, member of military tribunal, etc.), give dates and details, including the courts or agencies involved, whether elected or appointed, periods of service and a thorough description of your assignments at each court or agency. Include information about the number and kinds of cases or duties you handled at each court or agency (e.g., jury or court trials, settlement conferences, contested hearings, administrative duties, etc.).

31. List not more than five cases you presided over or heard as a judicial or quasi-judicial officer, mediator or arbitrator. State as to each case: (1) the date or period of the proceedings; (2) the name of the court or agency; (3) the names, addresses (street and e-mail) and telephone numbers of all counsel involved and the party each represented; (4) a summary of the substance of each case; and (5) a statement of any particular significance of the case.

32. Describe any additional professional experience you would like to bring to the Commission's attention.

BUSINESS AND FINANCIAL INFORMATION

33. Have you ever been engaged in any occupation, business or profession other than the practice of law or holding judicial or other public office, other than as described at question #15? _____ If so, give details, including dates.

34. Are you now an officer, director or majority stockholder, or otherwise engaged in the management, of any business enterprise? _____ 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.

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

35. Have you filed your state or federal income tax returns for all years you were legally required to file them?_____ If not, explain.

36. Have you paid all state, federal and local taxes when due? _____ If not, explain.

37. Are there currently any judgments or tax liens outstanding against you? _____ If so, explain.

38. Have you ever violated a court order including but not limited to an order for payment of child or spousal support? _____ If so, explain.

39. Have you ever been a party to a lawsuit, excluding divorce? _____ If so, indicate nature of lawsuit, whether you were a plaintiff or defendant, disposition of case and location of lawsuit.

40. If your parents, siblings, spouse or children are employed or engaged in any business or profession, state their names and the name and address of their employer or the business in which they are engaged.

41. Do you have any financial interests, investments or retainers that might conflict with the performance of your judicial duties? _____ If so, explain.

CONDUCT AND ETHICS

42. Have you ever been expelled, terminated, or suspended from employment, or any school or course of learning on account of plagiarism, cheating or any other "cause" that might reflect in any way on your integrity? _____ If so, give details.

43. Are you currently charged with or have you ever been arrested for or convicted of any felony, misdemeanor, or violation of the Uniform Code of Military Justice? _____ If so, give details.

44. If you performed military service, please indicate the date and type of discharge. If other than honorable discharge, explain.

45. List and describe any litigation (including mediation, arbitration, negotiated settlement and/or malpractice claim you referred to your insurance carrier) concerning your practice of law.

46. List and describe any litigation involving an allegation of fraud in which you were or are a defendant.

47. List and describe any sanctions imposed upon you by any court for violation of any rule or procedure, or for any other professional impropriety.

48. To your knowledge, has any formal charge of professional misconduct ever been filed against you by the State Bar or any other official attorney disciplinary body in any jurisdiction? _____ If so, when? How was it resolved?

49. Have you received a notice of public charges, cautionary letter, private admonition or other conditional sanction from the Commission on Judicial Conduct or any other official judicial disciplinary body in any jurisdiction? _____ If so, in each case, state in detail the circumstances and the outcome.

50. During the last 10 years, have you unlawfully used controlled substances, narcotic drugs or dangerous drugs as defined by Federal and State laws? _____ If your answer is "Yes," explain in detail. (Unlawful use includes the use of one or more drugs and/or the unlawful possession or distribution of drugs. It does not include the use of drugs taken under supervision of a licensed health care professional or other uses authorized by Federal law provisions.)

51. In the past year, have you ever been reprimanded, demoted, disciplined, placed on probation, suspended, cautioned or terminated by an employer as a result of your alleged consumption of alcohol, prescription drugs or illegal use of drugs? _____ If so, state the circumstances under which such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

52. Within the last five years, have you ever been formally reprimanded, demoted, disciplined, cautioned, placed on probation, suspended or terminated by an employer? _____ If so, state the circumstances under which such action was taken, the date(s) such action was taken, the name(s) of any persons who took such action, and the back ground and resolution of such action.

53. Have any of your current or former co-workers, subordinates, supervisors, customers or clients ever filed a complaint or accusation of misconduct you with any regulatory or investigatory agency, or with your employer? _____ If so, state the date(s) of such accusation(s), the specific accusation(s) made, and the background and resolution of such action(s).

54. Have you ever refused to submit to a test to determine whether you had consumed and/or were under the influence of alcohol or drugs? _____ If so, state the date you were requested to submit to such a test, type of test requested, the name of the entity requesting that you submit to the test, the outcome of your refusal and the reason why you refused to submit to such a test.

55. Within the last five years, have you failed to meet any deadline imposed by a court order or received notice that you have not complied with the substantive requirements of any business or contractual arrangement? _____ If so, explain in full.

56. Have you ever been a party to litigation alleging that you failed to comply with the substantive requirements of any business or contractual arrangement, including but not limited to bankruptcy proceedings? _____ If so, explain in full.

PROFESSIONAL AND PUBLIC SERVICE

57. Have you published any legal or non-legal books or articles? _____ If so, list with the citations and dates.

58. Are you in compliance with the continuing legal education requirements applicable to you as a lawyer or judge? _____ If not, explain.

59. Have you taught any courses on law or lectured at bar associations, conferences, law school forums or continuing legal education seminars? _____ If so, describe.

60. List memberships and activities in professional organizations, including offices held and dates.

    Have you served on any committees of any bar association (local, state or national) or have you performed any other significant service to the bar? _____ List offices held in bar associations or on bar committees. Provide information about any activities in connection with pro bono legal services (defined as services to the indigent for no fee), legal related volunteer community activities or the like.

61. Describe the nature and dates of any community or public service you have performed that you consider relevant.

62. List any professional or civic honors, prizes, awards or other forms of recognition you have received.

63. List any elected or appointed offices you have held and/or for which you have been a candidate, and the dates.

    Have you been registered to vote for the last 10 years? _____

Have you voted in all general elections held during those years? _____ If not, explain.

64. Describe any interests outside the practice of law that you would like to bring to the Commission's attention.

HEALTH

65. Are you physically and mentally able to perform the essential duties of a judge in the court for which you are applying? _____ Please identify any accommodations you may need to perform the job.

REFERENCES

66. List the names, addresses, telephone numbers and e-mail addresses of three references who are lawyers or judges, and who are familiar with your professional activities, who would enthusiastically recommend you as qualified to serve on the judiciary.

67. List the names, addresses, telephone numbers and e-mail addresses of three persons who are neither lawyers nor judges, with whom you have had contact other than professionally, who would enthusiastically recommend you as qualified to serve on the judiciary.

68. List the names, addresses, telephone numbers and e-mail addresses of four lawyers with whom you have continuously dealt on substantive matters as adversaries in the last five years. If you have been a full-time judicial or quasi-judicial officer for the last five years, list the names, addresses, telephone numbers and e-mail addresses of four lawyers who have frequently appeared before you in contested matters.

69. List the names, addresses, telephone numbers and e-mail addresses of three references who have served as fellow members of bar or professional association committees or activities, who would comment on your participation.

70. List the names, addresses, telephone numbers and e-mail addresses of three references who are or were fellow participants in community organizations or activities, who would comment on your participation.

ADDITIONAL INFORMATION

71. The Arizona Constitution permits consideration of the diversity of the state's or county's population in making its nominations. Provide any information about yourself (your heritage, background, experience, etc.) that may be relevant to this requirement.

72. Provide any additional information relative to your application or qualifications you would like to bring to the Governor's attention at this time.

73. If you were selected by the Governor to serve, are you aware of any reason why you would be unable or unwilling to serve a full term? _____ If so, explain.

74. If selected for this position, do you intend to serve fully, including acceptance of rotation to areas outside your areas of practice or interest? _____ If not, explain.

75. Attach a brief statement explaining why you are seeking this position.

76. Attach a professional writing sample, which you personally drafted (e.g., brief or motion). The sample should be no more than a few pages in length. You may excerpt a portion of a larger document to provide the writing sample.

77. If you have ever served as a judicial or quasi-judicial officer, mediator or arbitrator, attach sample copies of not more than two written orders, findings or opinions (whether reported or not) which you personally drafted. The writing sample(s) should be no more than a few pages in length. You may excerpt a portion of a larger document to provide the writing sample(s).

78. If you are currently serving as a judicial officer in any court and are subject to a system of judicial performance review, please attach your last two performance reports.

RELEASE OF INFORMATION

The undersigned hereby authorizes the committees of the State Bar of Arizona, all Bar Associations, references, employers, credit reporting agencies, business and professional associates, and all government agencies to release to the Governor, her staff and the Arizona Department of Public Safety any information requested in connection with the processing of my request for consideration as a judicial candidate. I understand the fact I have applied is not confidential and the information I provide may be verified.

All of the statements made in this application are true and correct to the best of my knowledge, and submission of this application expresses my willingness to accept appointment to the judicial position applied for in this application if tendered by the Governor.

_____
(Signature)

_____
(Date)

AUTHORIZATION FOR BACKGROUND CHECKS

Credit, criminal and disciplinary records of applicants will be checked.

By submission of this application, the undersigned applicant hereby authorizes the Arizona Department of Public Safety, upon request of the Governor, or her designee, to conduct credit, criminal background and disciplinary records investigations as part of the application process for judicial appointment.

Name:

Home Address:

E-mail Address:

Office Telephone:

Home Telephone:

Cellular Telephone:

FAX Number:

Date of Birth:

Place of Birth:

Social Security Number:

State Bar Number:

Signed this _____ day of _____, 20___.

_____
(Signature)