

SCREENING COMMITTEE QUESTIONNAIRE

FOR PERSON BEING CONSIDERED FOR

POSITION OF UNITED STATES BANKRUPTCY JUDGE

INSTRUCTIONS:

All questions must be answered. If a question is not applicable, please so state. Please respond fully, using additional pages if necessary. Please give full names and current office addresses and phone numbers (or residence, if no office) for all judicial, professional, personal or other references. It will assist the committee if you provide photocopies of opinions and articles.

All inquiries should be directed in writing to Susan J. Goldberg, Deputy Circuit Executive, as Secretary of the Screening Committee, Office of the Circuit Executive, 1 Courthouse Way, Suite 3700, Boston, MA 02210.

After you have completed the questionnaire, please sign it and return it to Susan J. Goldberg, Screening Committee Secretary.

Your signature in the lower right-hand corner of this document indicates your consent to this evaluation.

Location of bankruptcy judgeship position for which you are applying: _____

Date: _____

Signature of Nominee

Office Phone: _____

Home Phone: _____

Email Address: _____

UNITED STATES BANKRUPTCY JUDGE

General

1. Full Name: _____

2. All other names by which you have been known: _____

3. Present Occupation: _____ Title: _____

4. Office Address: _____

City _____ State _____

Zip _____ Telephone _____

5. Residential Address: _____

City _____ State _____

Zip _____ Telephone _____

6. Place of Birth: _____

7. Length of Residence in State: _____

8. In what countries do you hold citizenship? _____

9. Colleges and universities attended, dates, degrees, and class standing (if known):

10. Law School attended, dates, degree, and class standing (if known): _____

11. Military Service:

Branch	Dates
_____	_____
_____	_____

Rank or Rate at Discharge

If still a reserve or national guard member, give service, branch, unit, and present rank:

12. Are you related by blood or marriage to any judges or member of the Judicial Council of the United States Court of Appeals for the _____ Circuit or to a Judge of the District Court for the _____ District of _____? If so, give their names and the relationships.

Names

Relationship

Honors

13. Were you a member of the law review board? _____

14. List any legal books or articles written by you, giving citations and dates.

15. List any honors, prizes, or awards you have received.

16. List continuing legal education courses completed within last five years.

Professional Admissions

17. List all courts (including state bar admissions) and administrative bodies having special admission requirements in which you are presently admitted to practice, giving the dates of admission in each case.

Court or Administrative Body

Date of Admission

_____	_____
_____	_____
_____	_____
_____	_____

Law Practice

18. Have you been engaged in the active practice of law for at least five years?

_____ Yes _____ No

19. State the name, dates, and addresses of all law firms with which you have been associated in practice and of all governmental agencies or private business organizations in which you have been employed, periods you have practiced as a sole-practitioner or worked in and list that information for any other prior practice:

Position	Firm Address	Dates
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

20. Describe the general nature of your current practice including any legal specialties which you possess and the character of your typical clients. Additionally, if your practice is substantially different now than previously, please give details of prior practice.

21. a) Do you regularly appear in court? _____

b) What percentage of your appearances in the last five years were in the following forums:

- 1. Bankruptcy Courts? _____ %
- 2. Federal, District and Appeals Courts? . . _____ %
- 3. State or Local Courts of Record? _____ %
- 4. Administrative Bodies? _____ %
- 5. Other? _____ %

22. During the past five years, what percentage of your practice has been trial practice?

_____ %

How frequently have you appeared in court? _____ times per month.

How frequently have you appeared at administrative hearings?
_____ times per month.

What percentage of your practice involving litigation has been in each of the following areas:

Bankruptcy?	_____	%
Civil?	_____	%
Criminal?	_____	%
_____	_____	%
_____	_____	%
_____	_____	%

State the number of cases you have tried to conclusion in courts of record during each of the past five years, indicating whether you were sole, associate, or chief counsel. Give citations of any reported cases.

23. Have you served as a trustee or other court-appointed officer in bankruptcy matters? Yes _____ No _____ If yes, provide the approximate number of such cases and list the more important matters in which you served.

Names	Court
_____	_____
_____	_____
_____	_____
_____	_____

24. Summarize your courtroom experience for the past five years

25. State the names and addresses of adversary counsel against whom you have litigated your primary cases over the past five years

Public Office

26. Have you ever run for, or held, public office? If so, give details.

Prior Judicial Experience

27. a) Have you ever held judicial office or been a candidate for judicial office? If so, please state the courts involved and the dates of service or dates of candidacy

b) Prior Quasijudicial service:

Name of Agency _____
Position held _____
Hearing on what issues _____
Number of cases adjudicated _____
Dates of service _____

Business Involvement

28. a) If you are now an officer, director or otherwise engaged in the management of any business or enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment to judicial office.

b) Since being admitted to the Bar, have you ever engaged in any occupation, business, or profession other than the practice of law? If so, please give the details, including dates.

c) State whether during the past five years you have received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization, or association of any kind. If so, identify the source of such compensation; the nature of the business enterprise,

institution, organization, or association involved; and the dates such compensation was paid.

Disciplinary Proceedings/Offenses

29. Have you ever been convicted for violation of any federal law, state law, county or municipal law, regulation or ordinance? If so, please give details. Do not include traffic violations for which a fine of \$100 or less was imposed unless it also included a jail sentence.

30. a) Have you ever been sued by a client? If so, give particulars.

b) Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? If so, please give particulars, including the amounts involved.

31. Have you ever been charged in any civil or criminal proceeding with conduct alleged to involve moral turpitude, dishonesty, and or unethical conduct? If so, please give particulars, including the full style of the cause.

32. Have you ever been disciplined for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group? If so, please give the particulars.

Taxes

33. To the best of your knowledge, are you in compliance with the tax laws of the federal government and of the state, county, and community of which you are a resident?

_____ Yes _____ No

34. Have you filed appropriate tax returns as required by federal, state, local, and other government authorities? Yes _____ No _____ If no, please explain.
- _____
- _____
35. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? If so, give particulars.
- _____
- _____

Professional and Other Activities

36. a) List all bar associations and legal or other professional societies of which you are a member and give the titles and dates of any office you have held in such groups and committees to which you belonged.
- _____
- _____
- b) List all organizations and clubs, other than bar associations and professional societies identified in response to Question No. 36a, of which you have been a member during the past ten years, including the titles and dates of any offices you have held in each.
- _____
- _____
- _____
37. Describe any civic, philanthropic, community, social, or public service activities during the past five years, including any posts or offices held and honors or awards received?
- _____
- _____
- _____

Supplemental Information

38. Do any clubs or private associations to which you belong have a discrimination clause or have a history of barring membership to women or minorities?
_____ Yes _____ No
39. State any achievements or actions you have accomplished, demonstrating your commitment to equal justice under the law.
- _____
- _____
- _____
40. State any additional education or other experiences you believe would assist you in holding judicial office.

41. State any other pertinent information reflecting positively or adversely on you which you believe should be disclosed to the circuit court and the selection panel in connection with your possible nomination as United States bankruptcy judge.

Personal and Judicial References

42. List five individuals as references who are familiar with your abilities and personal character.

Name	Address	Phone
<hr/>	<hr/>	<hr/>

43. (a) Give 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 associated with you in the practice of law or in business) to whom we may refer as to your character and ability, and state how long each has known you. Your references must have had adequate opportunities for observing your professional and general conduct and ability. Describe the status of nonlaw references.

Name	Telephone	Period of Acquaintance
<hr/>	<hr/>	<hr/>

- (b) Give the names and current phone numbers of at least three persons who have worked for you and with you in a subordinate position.

Name	Telephone	Work Relationship
<hr/>	<hr/>	<hr/>

- (c) Give 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 yours is a non-litigation practice, list such judges, if any, who have had an opportunity to observe you in bar association or other activities. Indicate those before whom you have appeared in court or other judicial bodies by inserting (C) before the name of the judge.

Name of Judge	Phone	Court	Date and Nature of Most Recent Matter
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Confidentiality Statement

This form will be kept confidential and will be examined only by members of the merit selection panel, the circuit executive, judges of the judicial council, and the judges of the court of appeals. The individuals whom you have listed as references above, as well as your employer or coworkers, may be contacted by the panel. If this presents a problem, you should notify the circuit executive so that special arrangements can be made. Sometimes the arrangement is that there will be no contact with an employer or co-workers unless you are a potential finalist for the position.

I declare under penalty of perjury that the foregoing is true and correct. Executed on:

Date

Signature of Candidate

**PRELIMINARY DISCLOSURE STATEMENT
UNITED STATES BANKRUPTCY JUDGES**

The information you supply in response to this form may be utilized by the Federal Bureau of Investigation in making an investigation of your background, as required by policies established by the Judicial Conference of the United States. This form and the background investigation are part of the court of appeals' consideration of your qualifications and suitability for appointment as a United States bankruptcy judge. (See Privacy Act Notice furnished as a supplement to SF 86)

If there is insufficient space beside a question to answer fully, please use a separate page.

A. PERSONAL DATA

1. Name:
2. Telephone number: (office)

(home)
3. Marital status: (If married, please identify your spouse's employers for the past five years.)
4. Have your federal or state tax returns been the subject of an audit or investigation or inquiry at any time? If so, please explain.
5. Are you currently under federal, state, or local investigation for a possible violation of a criminal statute? If so, please give details.
6. List all memberships and offices held in professional, fraternal, scholarly, and civic organizations.
7. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to, any court, administrative agency, professional association disciplinary committee, or other professional group? If so, please give full details.
8. Have you ever been involved in civil litigation, or administrative or legislative proceedings of any kind, whether as plaintiff, defendant, respondent, witness, or party in interest, which may be appropriate for consideration by the court of appeals which considering your appointment as a bankruptcy judge? If so, please give full details.

9. Without details, is there or has there been anything in your personal life which you feel, if known, may be of embarrassment to the bankruptcy court in the event that you are appointed as a bankruptcy judge? Is there anything in your spouse's personal life which, if known, may be of embarrassment to the bankruptcy court in the event that you are appointed?

B. FINANCIAL DATA

Please note that Public Law 95-521, the *Ethics in Government Act of 1978*, as amended, and regulations of the Judicial Conference require all new bankruptcy judges to provide reports of specified financial interests as to themselves, their spouses, and any other members of their immediate household within 30 days of their entrance on duty. Items B.1. and B.2. below are intended to elicit financial information similar to -- although, in some cases, broader in scope -- the information which all new bankruptcy judges are required to provide. The remaining items on this form seek a further elaboration of your financial status. As to all matters, please provide the requested information as to yourself, your spouse, your minor children, and any other members of your household.

1. List the names of all corporations, companies, firms, or other business enterprises, partnerships, nonprofit organizations, and education or other institutions --
 - (a) with which you are now connected as an employee, officer, owner, director, trustee, partner, advisor, attorney, or consultant. (Attorneys and consultants need list only their major clients, but should include all of those whom you represent on a regular basis or which might give rise to an appearance of bias on your part in connection with your proposed appointment.);
 - (b) in which you have any continuing financial interests, through a pension or retirement plan, stock bonus, shared income, severance pay agreement, or otherwise as a result of any current or prior employment or business or professional association. As to each financial arrangement, provide all details necessary for a thorough understanding of the way in which the arrangement, operates, including information concerning any renewal right you may have if the arrangement is allowed to lapse and whether lump sum or severance benefits are available in lieu of continuation of the interest;
 - (c) in which you have any financial interest through the ownership of stocks, stock options, bonds, partnership interests, or other securities. Any interests held indirectly through trusts or other arrangements should be included. (Please provide a copy of any trust or other agreement).

2. Provide a complete, current financial net worth statement that itemizes in detail:
 - (a) the identity and value of all assets held, directly or indirectly. This itemization should include, but not be limited to, bank accounts, real estate, securities, trusts, investments, and other financial holdings;
 - (b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000. This itemization should include, but not be limited to, debts, mortgages, loans, and other financial obligations for which you, your spouse, or your dependents have a direct liability or which may be guaranteed by you, your spouse, or your dependents. In identifying each liability, indicate the nature of the liability and the entity or person to which it is owed.

A sample net worth statement is attached for your convenience. You may use any form you like.

3. List sources and amounts of all items of value received during, this calendar year and the preceding one (including, but not limited to, salaries, wages, fees, dividends, capital gains or losses, interests, rents, royalties, patents, honoraria, and other gifts other than those of nominal value).
4. Please provide copies of your federal income tax returns for the preceding three-year period.

C. FUTURE EMPLOYMENT RELATIONSHIPS

1. Will you sever all connections with your present employers, business firms, business associations, or business organizations, if you are selected as a bankruptcy judge?
2. Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.

D. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, stock options, deferred compensation agreements, future benefits, and other continuing relationships with business associates, clients, or customers.
2. Describe any business relationship, dealing, or financial transaction which you have had during the last five years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

3. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.